

Plan Change 42

To the Part Operative Combined Regional Land and District Plan
Infrastructure Standards Review

Decisions Report 1
June 2011



PROPOSED PLAN CHANGE 42

To the Part Operative Combined Regional Land and District Plan

Decisions Report 1

Table of Contents

1.0 INTRODUCTION	1
2.0 BACKGROUND AND OVERVIEW	2
SCOPE OF PLAN CHANGE.....	2
THE REVIEW SO FAR.....	2
OVERVIEW OF CHANGES	3
3.0 STATUTORY AND LEGISLATIVE FRAMEWORK FOR THE REVIEW.....	4
3.1 REQUIREMENT TO REVIEW PLANS.....	4
3.2 RESOURCE MANAGEMENT ACT 1991.....	4
3.3 REGIONAL POLICY STATEMENT.....	5
3.4 REGIONAL PLANS.....	6
3.5 NEW ZEALAND COASTAL POLICY STATEMENT 2010	6
4.0 ANALYSIS OF PROPOSED CHANGES TO THE PLAN.....	7
4.1 FORMAT OF PROVISIONS	7
4.2 ISSUES	14
4.3 OBJECTIVES	17
4.4 GENERAL REQUIREMENTS FOR INFRASTRUCTURE	23
4.5 STRUCTURE PLANS.....	41
4.6 ROADING, ACCESS AND PARKING	55
4.7 RESERVES AND LANDSCAPING.....	67
4.8 STORMWATER	75
4.9 WATER.....	86
4.10 WASTEWATER	90
4.11 ENERGY AND TELECOMMUNICATIONS.....	97
5.0 RECOMMENDED DECISIONS ON SUBMISSIONS.....	101
6.0 PROPOSED CHAPTER 8: INFRASTRUCTURE, WORKS AND SERVICES	131

1.0 Introduction

Gisborne District Council is reviewing the infrastructure provisions in its Combined Regional Land and District Plan (the Plan). This report sets out proposed changes to the Plan developed through this review. It includes an analysis of the costs, benefits, efficiency and effectiveness of the proposed new provisions in accordance with section 32 of the Resource Management Act 1991. It also includes submissions received and recommended decisions on those submissions.

Designing, constructing, maintaining and upgrading infrastructure is fundamental to the role of Council under both the Local Government Act 2002 and the Resource Management Act 1991. So too, is managing the environmental effects of this infrastructure, which includes the well being of people and communities. Ensuring these roles are undertaken in an integrated and considered manner is a fundamental part of the review.

A significant re-organisation of the Plan is proposed. The intention is to provide a new layout and structure that is user-friendly, integrated and more effective in achieving environmental and urban design outcomes. It is also considered a more efficient framework for incorporating future plan changes relating to infrastructure.

The analysis in Section 4 sets out the specific issues related to each aspect of infrastructure as well as outlining the general requirements for the funding, provision, design and reticulation of the infrastructure associated with subdivision and land development.

2.0 Background and Overview

Scope of Plan Change

The proposed plan changes are part of a larger project to review subdivision and development policy relating to the provision of infrastructure. At the core of the project is the review of the relevant District Plan provisions (current proposal) and the Engineering Code of Practice. Reviewing the Code of Practice will begin following the plan change decisions.

Plan Change 42 does not include parking or airport provisions or the funding of infrastructure. The funding aspect is being dealt with through a separate review (Plan Change 38: Review of Financial Contributions)). Parking has been identified as a potential stand-alone project for the future. The airport provisions are considered to be efficient and effective in their current form.

The plan change has been separated into two workstreams referred to as Stage 1 and Stage 2. This report relates to Stage 1. Stage 1 deals with the works and services provisions, which set out the infrastructure requirements for subdivision and development activities. It also includes the introduction, issues and objectives relevant to the whole of Chapter 8. Stage 2 will focus on network utility operations.

It is important to make decisions on the works and services provisions as soon as possible. Although the network utility provisions are just as important in terms of infrastructure management, works and services are applicable to most consent applications and are applied far more frequently. Council would prefer to reduce the uncertainty that inoperative objectives, policies and rules create for applicants and consenting staff.

This approach will also help to minimise transitional issues for those using the plan. That is, it will reduce the number of provisions that planners and others using the plan are required to consider. It will help to avoid uncertainty and confusion between proposed and operative provisions, where possible.

Staging the process also makes decision making and hearing processes easier. Of the 51 individual submission points, 31 will be dealt with through Stage 1, the remainder through Stage 2.

The Review so Far

After the development of an initial brief, a scoping exercise was undertaken to gain a better understanding of the issues involved. This involved consultation with internal and external stakeholders, investigating the approaches taken by other Councils and reviewing best practice material.

A report was presented to the Environment and Policy Committee in February on an initial scoping exercise and the preparation of a discussion document. The discussion document was completed and made available for public comment. Some of this feedback has been

incorporated into the proposed plan provisions with other material more appropriate to the review of the Engineering Code of Practice or other projects.

A plan change report was approved for notification by the Environment and Policy Committee on 15 September 2010. This was publicly notified on 2 October 2010 with nine submissions received. The summary of submissions identified 51 individual submission points and these were publicly notified for further submissions on 27 November 2010. Two further submissions were received.

Since the closing of submissions, Council staff have worked through some of the issues raised by submitters. Consequential changes have been made as a result of this post-submission process. These are shown and explained in the recommended decisions on submissions.

Overview of Changes

Council proposes that the existing infrastructure provisions are re-organised and structured in a more effective and efficient manner. Infrastructure provisions are currently dispersed throughout the District Plan in a variety of different chapters. It is proposed that a single chapter replace Chapter 8 (Utilities), Chapter 14 (Financial Contributions, Works and Services), and Chapter 15 (Roads, Accessways and Parking). It is proposed as Chapter 8: Infrastructure, Works and Services.

The new chapter will deal with network utility operations as well as the new and upgraded infrastructure associated with subdivision and development, referred to as works and services. In addition, there are some existing zoning provisions (related to infrastructure) that are proposed to be located in Chapter 8. There are consequential changes to the wording and cross-references throughout the Plan to accommodate the new provisions.

As noted, some changes have been made through the post-submission process. These are explained in the Recommended Decisions on Submissions (section 6.0) and are shown in the proposed Chapter 8: Infrastructure, Works and Services (section 7.0).

3.0 Statutory and Legislative Framework for the Review

3.1 Requirement to Review Plans

Section 79 of the Resource Management Act 1991 requires Council to commence a review of its plans at least every 10 years. Recent amendments to the Act clarify that whole plans need not be reviewed and a Council may choose to review plans in part.

The infrastructure provisions in the District Plan have been developed at different times and under different scenarios. There are some provisions that have been in the Plan since it was first developed. Others have been included in recent plan changes. The intention of the review is to ensure the provisions in the plan are efficient and effective in managing the infrastructure resources in the district and ensuring that Councils obligations under the Act are met.

The RMA does not detail how a Council must review its plans. However consideration of the efficiency and effectiveness of existing provisions is considered the first step. Section 32 of the RMA requires Council to carry out an evaluation of options before notifying a proposed plan change. These matters are discussed throughout section 5 of this report. The efficiency and effectiveness of the provisions in achieving the stated objectives is analysed in section 5 of this report, as are the various options that were considered.

3.2 Resource Management Act 1991

The RMA requires Council to prepare or change its District Plan in accordance with its functions under Section 31, and the purpose and principles outlined in sections 5 to 8.

The relevant functions of territorial authorities under the RMA include:

- a) *The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources.*
- b) *The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of –*
 - i) *the avoidance or mitigation of natural hazards*
- 2) *The methods used to carry out any of the functions under subsection (1) may include the control of subdivision.*

The Council is given these functions for the purpose of promoting the sustainable management of natural and physical resources, which is defined as:

managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Further guidance and direction on the way in which resources are to be managed is provided in sections 6, 7 and 8 of the RMA.

Section 32 (1) and (2) of the RMA require Council to carry out an evaluation before notifying a proposed plan change, or when making a decision under clause 10 or clause 29(4) of the Schedule 1. Each evaluation must examine whether, having regard to efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives in the plan.

The evaluation must also take into account:

- the benefits and costs of policies, rules, or other methods, and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

3.3 Regional Policy Statement

Section 75(3) of the RMA requires District Plan provisions to give effect to the Regional Policy Statement (RPS). The RPS is the main vehicle for interpreting and applying the sustainable management requirements of the RMA in a local context and guides the development of lower tier plans, including the District Plan.

The RPS has several overarching objectives and policies related to the provision of infrastructure. Chapter 3: Water Management, identifies the issues associated with the use and discharges associated with water as well as setting objectives and policies to guide resource management.

Chapter 7: Transport and Infrastructure predominantly focuses on efficient transport and energy and communication networks. It does not seem to include the wider definition of "infrastructure" set out in the Act.

The objectives, policies and methods within the RPS are high level and have been incorporated in a general sense into the new objectives in Chapter 8. There is a strong focus on integrated management in the RPS and this is also reflected in the new provisions. However, there is no specific guidance in the RPS (as with most regional documents) regarding the urban environment and achieving quality outcomes through subdivision and development activities.

The RPS is due for review in 2012.

3.4 Regional Plans

In accordance with section 75(4)(b) of the Act a district plan must not be inconsistent with a regional plan. The following Regional Plans are relevant to this plan change:

- Regional Plan for Discharges to Land, Water, Waste Management and Hazardous Substances (Discharges Plan)
- Proposed Regional Coastal Environment Plan for the Gisborne Region (Coastal Plan)

The Discharges Plan includes provisions for liquid discharges, unreticulated sewage systems and discharges of uncontaminated waste to water. The parts of Plan Change 42 that relate

to these matters are the provisions for stormwater, water and wastewater. There are no objectives, policies or methods (including rules) that are inconsistent with the relevant parts of the Discharges Plan.

The Coastal Plan includes high level guiding policies for the coastal environment (including land areas with a coastal influence) and a management regime for activities within the coastal marine area (the area below mean high water spring). The main component of Plan Change 42 that relates to these provisions is stormwater. There are no objectives, policies or methods (including rules) that are inconsistent with the relevant parts of the Coastal Plan.

3.5 New Zealand Coastal Policy Statement 2010

In accordance with section 75(3)(b) of the Act a district plan must give effect to any New Zealand coastal policy statement. The stormwater, wastewater, reserves and financial contribution provisions in Plan Change 42 give effect to the New Zealand Coastal Policy Statement. In particular:

- Policy 6: Activities in the coastal environment
- Policy 18: Public open space
- Policy 21: Enhancement of water quality
- Policy 22: Sedimentation
- Policy 23: Discharge of contaminants

4.0 Analysis of Proposed Changes to the Plan

4.1 Format of Provisions

This section consists of the following:

- 4.1.1 The District Plan layout for infrastructure provisions.
- 4.1.2 The format and layout of Chapter 8 including assessment criteria.
- 4.1.3 The relationship of the District Plan with the Code of Practice.

4.1.1 Layout of Infrastructure Provisions

Council proposes that the existing infrastructure provisions are organised and structured in a more effective and efficient manner. Currently, infrastructure provisions are dispersed throughout the District Plan with the following chapters containing relevant infrastructure material:

- Chapter 8 (Utilities)
- Chapter 12 (Subdivision)
- Chapter 14 (Works and Services)
- Chapter 15 (Roads, Accessways and Parking)
- Chapters 16 - 22 (Zoning Chapters)

The review process identified that there are inconsistencies, contradictions and unnecessary repetition for some aspects of infrastructure. These situations are identified and assessed under the relevant sections.

The intention is to provide a new layout and structure that is user-friendly, integrated and more consistent with the Act. There were many available options to achieve this outcome but this was narrowed down to two broad alternatives that are analysed below. Retaining the status quo has not been included as an alternative. Council does not consider the existing approach an appropriate mechanism to deal with infrastructure issues and achieving Councils Resource Management Act obligations. It would, in any case, require many changes to the plan to provide consistency throughout.

Chapter 12 (Subdivision) was initially considered for removal but will be retained with infrastructure related material located in the new Chapter 8. Although many of the Chapter 12 provisions are repeated in other parts of the plan, subdivisions make up a large percentage of the consent applications Council receives. A central location for rules that would otherwise be scattered through the plan is considered the best outcome for plan users. Appropriate references to infrastructure rules and policies are proposed.

ALTERNATIVE 1: Combine Provisions into a single chapter

Potential benefits and Opportunities

- Will provide a single reference point for plan users to locate and assess infrastructure matters.

- Provides policy context for infrastructure rules. This is particularly relevant for Chapter 15 where there is currently no policy context.
- Allows for better integration of infrastructure provisions and a stronger focus on assessing developments in a holistic manner.
- Allows future infrastructure provisions to be incorporated into the Plan in a coherent and rational manner.
- Will help reduce the bulk of the plan slightly.

Potential Costs and Risks

- Requires more structural changes to the Plan than other options. Therefore has potential to confuse plan users not accustomed to the new layout.
- Potential for rules and policies that are specific to a zone to be overlooked.

Efficiency and Effectiveness

- Considered effective in terms of achieving integrated management of infrastructure resources.
- Considered efficient and effective for users of the Plan as there will be one central location for infrastructure matters.
- Considered efficient for future changes to the Plan by providing a central location for new infrastructure provisions.

ALTERNATIVE 2: Retain existing chapters and provide additional policy context

Potential benefits and Opportunities

- Requires less logistical changes to the Plan.
- Retains a familiar layout and locations for infrastructure provisions.
- Distinguishes the specific provisions for network utility operators and the works and services required for subdivision and development activities. Potential for less confusion for utility operators.
- Still provides the opportunity to provide additional policy context where it is currently lacking or absent.

Potential Costs and Risks

- Infrastructure provisions are still located in various chapters and increases the risk of overlooking certain matters.
- Does not ensure the integrated management of infrastructure resources.

Efficiency and Effectiveness

- This alternative is not considered as effective in achieving integrated management of infrastructure resources.

RECOMMENDATION: ALTERNATIVE 1: Combine Provisions into Chapter 8

Alternative 1 is proposed. It is more consistent with achieving the integrated management of infrastructure, which is a key function of territorial authorities under the Act. The plan can be a complex document, even for planning professionals, and the benefits of providing a single

reference point for infrastructure provisions ensures the concepts of efficiency and effectiveness are taken into account as part of the review. Although this approach will require more logistical changes to the Plan, Council considers the benefits outweigh the costs and risks of the other alternatives. A draft chapter has been developed and is outlined below.

4.1.2 Format and Layout of Chapter 8 (Infrastructure, Works and Services)

Many provisions have been reworded or amended through the review and development of Chapter 8. To simply relocate all the provisions without doing so, would have resulted in an inconsistent and convoluted approach. There were objectives that read like policies, policies that read like objectives, policies that could have been rules, rules that could have been policies and so on. This was further complicated by differences between the various types of infrastructure and between the different chapters in the District Plan.

The most efficient and effective approach was to ensure that each tier of the provisions (objectives, policies, rules and assessment criteria) were as consistent as possible in the way they were worded and the level of detail they covered.

Proposed Chapter 8 is outlined in Section 7.0.

Assessment Criteria

Council proposes assessment criteria for the new Chapter 8. These provide detailed guidelines on how a resource consent will be assessed. They should be considered whenever there is a relevant resource consent involving the need for infrastructure or where infrastructure works or services are listed as a matter for control (Controlled Activities) or discretion (Restricted Discretionary Activities).

Through the review process it became apparent that there was uncertainty around the level of information to be provided for infrastructure and at what stage of the consenting or development process it was required. There were also concerns raised around inconsistency in applying infrastructure standards and a lack of integration between Council sections. The assessment criteria have been developed in response to these concerns.

The intention is that they can provide greater certainty about the level of information required and specify the matters likely to be addressed through the consent process. However, it is difficult to prescribe a single approach to this matter. The infrastructure servicing of subdivision and development activities is extremely varied. A small infill subdivision has very different implications to a large greenfields subdivision or multi-unit development. The assessment criteria need to be somewhat flexible in this respect. Council proposes that they be applicable in three ways.

- To set conditions of consent.
- To help decide whether to approve or decline an application.
- To request further information in order to achieve the above.

This should ensure that a simple development is not subject to the detailed requirements that a larger, more complex, proposal may demand.

The criteria are given effect to through the subdivision and zoning chapters. Currently for controlled or restricted discretionary activities involving the need for infrastructure, the Plan will generally specify financial contributions, works and services or roads, accessways and parking as matters for control or discretion. The link to the assessment criteria will be through this mechanism. However, some consequential wording changes will be required to take into account the removal of Chapters 14 and 15. For discretionary and non-complying activities, Councils discretion is not limited and the assessment criteria can be used where relevant.

Assessment criteria are not a specific requirement of the Act. However, they are accepted by the Environment Court and are used by many Councils. They resemble detailed policies to some extent but are generally located with the rules. The District Plan already has a type of assessment criteria in Chapters 3, 4, 5, 7, 8, 12 and 14 but they are located within the policy section of those chapters. The assessment criteria in the new infrastructure chapter are proposed for the rules section. Even though this is inconsistent with the rest of the Plan, it ensures a clear distinction between the higher level policies and the detailed matters set out in the criteria. This approach also allows other parts of the plan to reference the criteria as matters of control or discretion.

The criteria are more specific and versatile than policies and will hopefully provide some clarity around the outcomes Council is trying to achieve as well as what an applicant can expect to address as part of an application. The intention is that they assist in timeliness, clarity and certainty in consent processing. Overall, they are considered an efficient and effective approach to achieving quality and consistent outcomes.

4.1.3 The Engineering Code of Practice

An important part of the review was to determine the appropriate relationship between the District Plan and the Code of Practice. In particular the effectiveness and efficiency of retaining direct linkages from the Plan to the Code and any benefits or costs associated with changing the relationship.

It became apparent that the existing relationship is not appropriate because there are contrasting messages about the status of the Code. Chapter 14 has rules for roads and stormwater (and to a less certain degree sewerage and water) requiring compliance with the Code. The schedule of works in Chapter 14 also make reference to the Code.

It therefore has the status of an incorporated document under Schedule 1 of the Act. However, Chapter 8 and 15 state that the Code is an independent document from the District Plan. This meant that regardless of whether Council decides to retain a direct link between these documents, changes to the Plan would be required to provide a consistent approach.

Two alternatives have been discussed below regarding the relationship between the District Plan and the Engineering Code of Practice.

ALTERNATIVE 1: The Code of Practice as an Incorporated Document

Potential Benefits and Opportunities

-
- No uncertainty over the engineering standards required for development and in particular for permitted activities.
 - Less time may be required during the consent process assessing the adequacy of infrastructure. Essentially, it would be assumed that works will be undertaken in accordance with the Code unless otherwise stated.
 - Consent approval can usually be obtained prior to investing in detailed engineering designs and assessments as the Code would be used as a basis for the detailed design.

Costs and Risks

- Likely to result in less integration in the design subdivision and construction of infrastructure. Infrastructure matters will generally be dealt with post-consent, where there is limited processes to ensure integration. This also has the implication of the environmental effects of infrastructure potentially being addressed after consent approval.
- Less ability to assess the overall feasibility of a development prior to consent approval. There have been instances of prolonged delays and uncertainty at the post-consent stage as the engineering complexities of development are discovered.
- Limited ability to look at alternative designs not provided for in the Code. It would be difficult to prescribe every potential development scenario in a single standard so the potential for innovative and responsive design is reduced.
- Due to the requirements of Schedule 1 of the Act, when incorporated documents (such as the Code) are replaced or amended, a consequential plan change is required. This comes at a cost to the community in terms of the financial implications and diversion from other policy work.
- There is also the risk that Council currently faces: The Code has been updated and changed many times without any consequent plan changes. Essentially, this leaves Council open to challenges regarding the appropriateness and integrity of the matters in the Code of Practice and their status under the District Plan.

Efficiency and Effectiveness

- Potentially more effective in terms of meeting tight consenting timelines. However, shifts any uncertainty and time delays to the post-approval stage.
- Not considered effective in ensuring the environmental effects of infrastructure provision are taken into account as part of the consent assessment. There is a tendency to assume the Code is sufficient in this regard, however, the Code has not been written from an RMA focus.
- Potentially inefficient if plan changes are required to reflect changes to the Code, which are generally more frequent than plan changes.

ALTERNATIVE 2: Not having the Code of Practice as an Incorporated Document

Potential Benefits and Opportunities

-
- Ensures the implications of infrastructure design and construction are taken into account prior to consent approval and in particular for complex developments.
 - No District Plan changes required as the Code is updated or amended and subsequently less cost to the community.
 - Provides more flexibility for the consideration of alternatives (to the Code) for infrastructure provision as there are many standards and guidelines that may achieve the same outcomes. This may allow for innovative and responsive designs that may not be provided for under the Code of Practice.
 - Greater ability to ensure that the environmental and design outcomes are taken into account prior to consent approval.

Potential Costs and Risks

- Additional time may be required for the assessment of matters prior to consent approval. This is particularly relevant to complex developments. This may have potential for processing timeframes.
- Potentially more financial investment required by developers prior to consent approval.
- Less certainty around the enforceability of engineering standards for permitted activities.

Efficiency and Effectiveness

- Considered a more efficient and effective approach in achieving integrated management of infrastructure resources.
- Allows for greater effectiveness in evaluating the environmental and design outcomes associated with subdivision and development infrastructure.
- Potentially not efficient for simplifying and streamlining consent processing. However, this will depend on the nature and complexity of the development.

RECOMMENDATION: Alternative 2: The Code of Practice is not an Incorporated Document

Council considers the most appropriate approach is to not include the Code of Practice as an incorporated document. It is more consistent with achieving the integrated management of infrastructure resources. It allows the potential adverse effects of subdivision and land development to be addressed with greater certainty through the resource consent process and therefore with regard to the purpose and principles of the Act.

There may be some implications around the level of information to be provided during the consent stage and the subsequent timeframes required to assess the information. This will be more apparent for larger, more complex developments that are generally few and far between but have a much greater implication in terms of the long-term costs and benefits to the community. Taking into account the new discounting regulations for resource consent timeframes, this approach highlights the difficult balance between timeliness and ensuring a thorough assessment of the effects of subdivision and development for the long-term good of the community. In order to assist in the consenting process, the use of assessment criteria, as outlined above have been proposed.

However, the District Plan and Code of Practice would not be isolated from each other under this proposal. The Code of Practice will be recognised as a method of implementation in proposed Chapter 8. There will just be no rules that require direct compliance with the Code. In addition, as part of the assessment criteria, one of the matters for consideration will be the use of a recognised standard. If there are questions around the feasibility or design of infrastructure during the consent process, the ability to reference a suitable standard is available.

4.2 Issues

This section consists of the following:

- 4.2.1** Analysis of the proposed changes to the District Plan issues.
- 4.2.2** Recommended changes to the existing provisions.
- 4.2.3** Proposed new provisions, including changes resulting from the post-submission process (shown as ~~strike-throughs~~ and underlining).

4.2.1 Analysis

Although not required by the Act, the identification of resource management issues is generally provided for in District Plans. It provides a base to develop suitable objectives and policies that are relevant to the local circumstances or context. Council's District Plan issues relevant to infrastructure can be summarised as follows:

- The importance of network utilities to the well being of people and communities.
- The requirements and constraints faced by network utility operators.
- Capacity and level of service issues associated with growth and development.
- Avoiding, remedying or mitigating adverse effects on the environment.

These matters are still relevant but there are additional issues that have been identified through the review process. It is proposed to widen the scope of the existing issues to recognise the following aspects of infrastructure management:

- The potential benefits and opportunities associated with infrastructure
- The long-term nature of infrastructure decisions
- The importance of an integrated approach
- Prescriptive requirements do not always achieve good outcomes
- Rapid changes in technology and methods of service

Council proposes the issues be re-written in a way that is consistent with the new format. It is not considered necessary to separate the issues relevant to network utility operators from the works and services associated with subdivision and development. Development infrastructure is often vested with the relevant network utility operator who becomes responsible for the ongoing management of it. This is not to diminish the importance or constraints faced by utility operators but to address the issues in the wider context in which they occur. The specific technical and operational requirements are still be recognised, as is the importance of infrastructure services. Specific policies and rules are proposed that reflect the requirements of network utility operators and these will be refined in consultation with submitters as part of Stage 2.

This is considered a more integrated approach whilst ensuring that suitable objectives can be developed for both network utilities and the infrastructure associated with subdivision and land development.

4.2.2 Recommendations on existing provisions

8.2 Issues

8.2.1 Network utilities provide an essential service for the people of Gisborne District and they are an important physical resource, which enables people and communities to provide for their social, economic and cultural wellbeing.

8.2.2 The provision, operation and maintenance of network utilities, and the particular pattern and design of network utilities, can have a significant impact on the environment as well as social, cultural and economic wellbeing.

8.2.3 Network utility activities have specific technical requirements which place constraints upon where they can be located and how they can be designed.

Delete Issues 8.2.1, 8.2.2 and 8.2.3.

Explanation: These matters are reflected in the new issues developed for Chapter 8. They will compliment the matters that have been identified through the review process.

14.3 Issues

14.3.1 The existing infrastructure is not of a sufficient standard to provide the required level of service which if left unattended could lead to adverse environmental effects.

14.3.2 The adverse effects generated by industrial and to a lesser extent residential growth have the potential to overload existing infrastructure services.

14.3.3 The environment is sensitive to subdivision, use and development and adequate provision must be made for servicing to ensure that the adverse effects are avoided, remedied or mitigated.

14.3.4 There is pressure from the community and visitors to provide recreation services to meet their recreation needs.

Delete issues 14.3.1, 14.3.2, 14.3.3 and 14.3.4

Explanation: These matters are reflected in the new issues developed for Chapter 8. They will compliment the additional matters that have been identified through the review process.

4.2.3 Proposed new provisions

8.2 Issues

8.2.1 Infrastructure provides essential services and is an important physical resource, which enables opportunities for people and communities to provide for and enhance their environmental, social, cultural and economic wellbeing.

8.2.2 The provision and operation of infrastructure has the potential to adversely affect:

- Amenity values
- Natural values
- Heritage values
- Health and safety

- Natural hazards
- 8.2.3 The long lifespan of development layouts and the associated infrastructure has long term social, economic and environmental implications for the community and the environment.
- 8.2.4 Additional demand caused by growth and development may place pressure on the capacity on existing infrastructure systems, which are already at capacity in some areas.
- 8.2.5 There are benefits to be derived from providing an integrated and co-ordinated approach to the provision of infrastructure.
- 8.2.6 Given the diverse nature of the district's environment and communities, it is difficult to prescribe infrastructure and engineering standards that cover all possible development scenarios and aspirations.
- ~~8.2.7 Given the specific technical and operational requirements that constrain where many infrastructure services can be located or how they can be designed, there is the potential for conflict with sensitive land uses.~~
- 8.2.7 Network Utility Operations have technical and operational requirements that constrain their design and location.
- 8.2.8 Inappropriate land use, development and subdivision has the potential to adversely affect the provision and operation of infrastructure.
- 8.2.9 There is a growing interest and uptake in alternative approaches to infrastructure provision including:
- Privately or communally owned and maintained assets
 - Wireless technology
 - Independent energy generation

4.3 Objectives

This section consists of the following:

- 4.3.1** Analysis of the proposed changes to the District Plan objectives.
- 4.3.2** Recommended changes to the existing provisions.
- 4.3.3** Proposed new provisions, including changes resulting from the post-submission process (shown as ~~strike-throughs~~ and underlining).

4.3.1 Analysis

The objectives for infrastructure are currently located in various chapters of the Plan. Chapters 8 and 14 provide the most relevant objectives for the new format of Chapter 8. The objectives for Chapter 12 (Subdivision), Chapter 17 (Residential Zones) and Chapter 19 (industrial Zones) do have references to infrastructure but it is considered a wider context than that identified for the new chapter. They identify matters such as urban form and patterns of land use, which are outside the scope of this project.

Chapter 8 objectives address the following matters:

- Avoiding adverse effects
- Efficient use of energy and resources
- Safe and healthy environment
- A high level of amenity values
- Protection of airport activities

Chapter 14 objectives address the following matters:

- Ensuring works and services are provided for the anticipated land use.
- Accommodating traffic associated with development.
- Protecting the environment and community health from utilities.
- Adequate recreation facilities.

The objectives in Chapter 8 are considered more appropriate and at a level of detail that is consistent with the format of the new provisions. They are generic in their approach and could apply to most aspects of infrastructure. The Chapter 14 provisions are much narrower in scope and not considered effective or efficient in addressing the full range of functions required of infrastructure.

Through the review process, the following matters have been identified that are not included within the existing objectives:

- Improving design and environmental outcomes.
- The integration of infrastructure services.
- The long-term implications of new infrastructure.
- Capacity issues.
- Reverse sensitivity.

To incorporate these matters, while retaining the general content of the existing provisions, a new set of objectives is proposed. This is considered an effective option to provide a

consistent approach and to ensure the issues that have been identified are reflected in the proposed changes. It will also allow the lower level policies and assessment criteria to cover the broad range of matters that are involved with the provision of infrastructure.

4.3.2 Recommendations on existing provisions

8.3 Objective (Utilities)

1. To require network utilities to be designed, located, constructed, operated, maintained and upgraded in accordance with:
 - Avoidance, of adverse effects on the environment.
 - Energy efficiency and efficiency in the use of natural and physical resources.
 - A safe and healthy environment.
 - A high level of amenity values.

Explanation and Principal reason (1): Provision of network utility services is critical to the well-being of the community. However, in achieving the purpose of sustainable management of natural and physical resources, it is important that these activities are provided in a way that promotes efficiency, safety, a high level of amenity, any that any adverse effects on the environment resulting from them are avoided, remedied or mitigated as far as possible.

Delete Objective 8.3

Explanation: The content will be retained and reflected in the new objectives.

12.3 Objective (Subdivision)

1. To enable subdivision provided that any consequent adverse environmental effects can be avoided, remedied or mitigated.
2. Subdivision is consistent with high quality urban environments. Subdivision should encourage a pattern of landuse integrated with the provision of infrastructure to :
 - Promote a high level of amenity value, especially in residential and commercial zones.
 - Promote a safe and healthy urban environment.
 - Encourage resource and energy efficiency.
 - Avoid, remedy or mitigate adverse effects on the environment.

Explanation and Principal reason (1) and (2): Subdividing implies a consequent landuse which can give rise to environmental effects. The consequent landuse should be considered at the time of subdivision. Furthermore, the pattern of subdivision influences the future pattern of landuse and supporting infrastructure. In achieving the purpose of sustainable management of natural and physical resources it is important that the pattern of subdivision will encourage a pattern of landuse and supporting infrastructure which is consistent with promoting efficiency, a safe and healthy environment, a high level of amenity, and avoiding, remedying or mitigating adverse effects n the environment.

Retain Objective 12.3

Explanation: In addition to the provision of infrastructure, these objectives relate to a wider context such as land use patterns and urban form. It is proposed they be retained in their current location.

14.4 General Objective

1. The effects of anticipated land use activities for which subdivision or development is undertaken shall be taken into account and the supporting framework of works and services and financial contributions shall be provided before new certificates of title are issued for land that has been subdivided or development proceeds.

Principal reason (1): Land is normally subdivided in order to permit legal ownership to be taken to some defined part or parts of an original title. Although subdivision is deemed to be an "activity" under the Act it is only a paper transaction. Subdivision, however, carries with it an expectation of land use. It is assumed that the effects of the proposed or anticipated land uses will be examined during the subdivision process. During the subdivision process the framework of services including access, water, sewerage must be investigated and the effects of the activity determined.

14.6 Objectives (Roading, Water supply, Sewerage and Stormwater)

1. Maintenance and enhancement of the transportation network to safely and efficiently accommodate traffic resulting from further subdivision and development.
2. Utilities such as sewerage, water supply and stormwater systems are provided, upgraded and sustained in a manner that protects the environment and the health of the community.

Principal reason (2 and 3): The provision of roading, sewerage, water supply and stormwater services and facilities is a sustainable method by which to avoid, remedy or mitigate the adverse effects of subdivision and development.

14.8 Objectives (Reserves)

4. Adequate provision of recreation facilities and reserves to enable the inhabitants of the District to meet their recreational needs.

Principal reason (4): The effects of subdivision and development can place pressure on recreation facilities and reserves and these effects need to be avoided, remedied or mitigated.

Delete Objectives 14.4, 14.6 and 14.8

Explanation: To provide a consistent approach for Chapter 8 it is considered necessary to broaden the scope of these objectives. As outlined in the analysis, the objectives cover some matters but miss others. It is therefore considered more appropriate to retain the objectives at the broader level.

17.9 Objective (Location and Density)

4. To enable the community to be mobile, and locate anywhere that does not compromise the capacity of the infrastructure systems to function, the amenity of the residential environment or the highly productive and fertile soils within the region.

Principal reason (4): In order to sustain the natural and physical resources of the residential environment, it is important that the Plan enable the efficient use and preservation of these resources, so as not to impose unfair costs on future generations or needlessly deprive them of the use of the resources themselves.

19.7 Objective (Infrastructure)

1. Sustainable management of the District's infrastructural resources.
2. Access to industrial zones which does not compromise the safety and efficiency of the state highway network, given the essential nature of the networks contribution to the economic, social and cultural wellbeing of the community and to achieve sustainable management.

Principal reason (4): Industrial activities often require substantial infrastructural support including roads, sewers, waste disposal, water and energy supplies. The supply of these support networks can have major environmental impacts and it is important that these effects are avoided, remedied or mitigated.

Principal reason (5): Access to industrial zones has the potential to compromise the safety and efficiency of the existing state highway network. The objective recognises the need to safeguard the limited resource that the roading infrastructure represents, especially state highways. Such infrastructure is essential to achieve sustainable management.

Retain Objectives 17.9 and 19.7

Explanation: In addition to the provision of infrastructure, these objectives relate to a wider context such as land use patterns and urban form. It is proposed they be retained in their current location.

17.11 Objective (Urban Form – Taruheru Block)

A pattern of landuse which is integrated with utility networks and which promotes:

- Energy efficiency and efficiency in the use of natural and physical resources.
- A safe and healthy environment.
- A high level of amenity.
- Avoidance of adverse effects on the environment.

Explanation and Principle Reason (1): The pattern of landuse and supporting infrastructure is relevant to matters of efficiency, whether an urban area is safe and healthy and whether it maintains a high level of amenity. Each of these matters are critical to achieving the purpose of the Act.

Delete Objective 17.11

Explanation: The content will be retained and reflected in the new objectives.

4.3.3 Proposed new provisions

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
4. To enable and promote ~~the provision of~~ subdivision and development infrastructure that:
 - Allows the implementation of good urban design practice
 - Allows the implementation of low impact design principles
 - Reflects the environmental and social context of the location
5. ~~Ensure that Network Utility Operations and the past investment into these operations are not compromised by the development of sensitive land uses in adjoining areas. That the efficient and effective provision of network utility infrastructure, including investment in that infrastructure, is not adversely affected by inappropriate land use, development and subdivision activities.~~
6. Unobstructed and unimpaired land and airspace for all activities associated with aircraft operations at Gisborne Airport.

Explanations and principal reasons:

1. *This objective applies Part 2 of the Act to the provision of infrastructure and therefore promotes sustainable management. It also recognises the importance of enhancing the well being of people and communities.*

2. *These requirements are considered core principles to be achieved in the provision of new infrastructure. Achieving these principles will ensure that the purpose and principles of the Act are taken into account and environmental standards are upheld.*
3. *An integrated approach is important to ensuring growth and development proceeds in a way and at a rate that is sustainable and manageable for the community resources. The objective aims to ensure the long-term interests of the community and infrastructure providers are taken into account when growth and development proposals are considered.*
4. *This objective relates to the benefits and opportunities that the provision of infrastructure presents. Many of the concepts around low impact urban design are in their infancy in Gisborne and as knowledge and experience increases they will likely become more common place. Currently, the best approach Council can take to achieve these objectives is to promote the concepts through increasing awareness and Council leadership in its own projects. There is an increased awareness around the environmental and social implications of subdivision and development. Enabling and promoting initiatives that improve outcomes in this regard is considered to be an important part of sustainable management.*
5. ~~*Network Utility Operators are often constrained in where they can be located or how they can be designed, with their options for relocating limited. They have generally made significant investments into their operations which provide essential services to the wider community. It is considered an important aspect of resource management that these interests are recognised and provided for in the District Plan.*~~
Network Utility Operations are often constrained in where they can be located or how the infrastructure can be designed, with options for relocating limited. Significant investments have been made into these operations, which provide essential services to the wider community. It is important to ensure that inappropriate land use and subdivision does not adversely affect these services or foreclose the potential for replacement and upgrading.
6. *A safe operating environment is required for all activities associated with aircraft operations. In particular, defined airspace corridors, unobstructed by physical objects or electronic interference, is required for the safe approach, departure and in-flight manoeuvres of aircraft.*

4.4 General Requirements for Infrastructure

This section consists of the following:

- 4.4.1 Analysis of the significant changes to the Plan in terms of Councils approach to infrastructure funding and provision. This includes a change to developer responsibilities, a new focus on the Gisborne Urban Area Boundary and the inclusion of the recently reviewed financial contribution policies and rules.
- 4.4.2 Recommended changes to the existing provisions.
- 4.4.3 Draft policies, rules and assessment criteria, including changes resulting from the post-submission process (shown as ~~strike-throughs~~ and underlining).

5.4.1 Analysis

The following proposed objectives are related to the general requirements for infrastructure. The objectives have been taken into account through the analysis below and the proposed changes and new provisions are considered an appropriate means of achieving these objectives.

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account

Funding of Infrastructure

The review of financial contributions has reviewed the funding regime for infrastructure. Through this process, new policies have been developed for the funding and provision of infrastructure. These will be located under the general provisions in Chapter 8 and will form

a basis for infrastructure responsibilities. This review adds to these policies by establishing Council's approach to design and capacity as well as the levels of service to be achieved.

Provision of Services

Currently, a developer is responsible for the reticulation to property boundaries only if there is a new road reserve (for some services) and/or a shared accessway. Where there is frontage to an existing road, there is no requirement to provide the relevant services to the property boundary. This is often left to future purchasers or land owners. There is also no requirement (for either scenario) to identify or provide for vehicle crossings.

An alternative is proposed whereby the initial developer is responsible for providing the relevant services, including vehicle crossings. This is intended to promote an integrated approach and allow for the effects of subdivision and development on the road reserve and street scape be taken into account. This also ensures that any design and capacity requirements are addressed at the initial consenting stage. There is a general public expectation that when a property is purchased after subdivision or development that infrastructure and servicing issues have been sorted. It is also considered necessary to include vehicle crossings and accessways into this equation as they have the potential for adverse effects on the ability to provide on-street parking, the provision of street trees and the safety of road users.

This approach is assessed against the existing scenario below.

ALTERNATIVE 1: Status Quo

Potential Benefits and Opportunities

- Easier and potentially cheaper for developers to undertake infill development as infrastructure costs may become the responsibility of future land owners.
- Less time required for Council to progress applications and for developers to obtain subdivision or development approvals.
- Allows future land owners greater flexibility over the location of vehicle crossings and services in relation to any new buildings.

Potential Costs and Risks

- Potential for significant servicing costs to be passed on to future land owners if design and construction requirements are not addressed as part of the initial consenting process.
- There is the possibility, as has happened, that the servicing of the development may not be physically or financially feasible. This would leave Council in the position of approving a development that may not be implementable.
- Lack of co-ordination between the various service providers and no obligation to consult with non-Council service providers. This has been identified as an issue for asset planning and development, particularly in the context of infill development.
- Loss of on-street parking or street trees as infill development and post subdivision development proceeds.

- Increased risks to road users as additional vehicle crossings and accessways are developed under the current scenario.

Efficiency and Effectiveness

- Not considered effective or efficient if looking to promote an integrated approach to infrastructure management.
- Not effective or efficient for non-Council service providers and their asset planning.
- Efficient in terms of aligning the location of vehicle crossings and services with the location of buildings if not identified at the consent stage.

ALTERNATIVE 2: Developer is responsible for providing services to property boundaries

Benefits and Opportunities

- Allows a more co-ordinated and integrated approach to infrastructure assessment and management, especially within the road reserve.
- Provides for the full servicing implications and costs of the development to be considered as part of the resource consent process.
- Provides certainty as to what the servicing requirements (and likely costs) are going to be for new allotments or buildings.
- Reduces the risks or costs associated with addressing infrastructure matters after consent approval and in particular for infill development.

Potential Costs and Risks

- Additional time for Council staff and developers at the consenting stage of development.
- May reduce the flexibility land owners have over the placement of vehicle crossings and/or services.
- Additional costs for subdivider or developer in providing services that may otherwise be left for future land owners. However, it should be noted that these are the types of costs that can be reflected in the capital value of property.

Efficiency and Effectiveness

- Considered efficient and effective in terms of assessing the effects of development or subdivision activities on the road reserve.
- Considered effective in terms of ensuring that infrastructure and servicing issues are identified and addressed prior to consent approval. This reduces the costs and risks to future owners or developers.
- Potentially less efficient in terms of timeframes and in particular where servicing issues are identified.

RECOMMENDATION: Alternative 2: Developer is responsible for providing services to boundaries

This is considered the more effective and efficient approach to managing the infrastructure resource through the subdivision and land development functions of the District Plan. The benefits to the wider community are considered to outweigh the additional time (and

potential cost) to developers prior to consent approval. It is common practice in other parts (but not all) parts of New Zealand. It is also considered an important part of sustainably managing the focus on a compact city as outlined in the Urban Development Strategy. It is an appropriate mechanism to ensure that adverse effects associated with infill development are considered and addressed in an integrated manner.

Gisborne Urban Area Boundary

It is proposed that the Gisborne Urban Area Boundary (GUAB) is given greater emphasis in the servicing requirements for subdivision and development. Although the GUAB is identified on the planning maps, it is given little weight in the Plan policies and rules.

There are a couple of provisions (fire fighting water supply and underground reticulation) that make reference to the GUAB but this is not a general or consistent approach. The GUAB is directly related to the provision of services from an asset management and capital works programming perspective. It is considered appropriate that the District Plan policies and rules are also aligned with this boundary, particularly for water and wastewater services.

Public infrastructure services have been provided to ensure public health and safety expectations are met, the environment is safeguarded and the provision of services are affordable for the community. In general, Council's expectation is that where these services are available, subdivision and development proposals connect to them. In addition, extending Council's reticulation network to service urban fringe and peri-urban growth may impose significant costs on the community and lead to patterns of land use that do not achieve an efficient use of natural and physical resources.

In practice, it is usually accepted that within the GUAB, reticulated services are required and outside they are not. However, this line is often blurred with increasing demand for peri-urban development. Some rural hillside developments have been reliant on the provision of reticulated wastewater services and there are instances of water services being requested outside the GUAB. On the flip-side of this, there are instances of developments within the GUAB where reticulated services have not been provided or there has been uncertainty as to whether reticulation is required. Currently, the District Plan does not have adequate provisions to assess these matters in an effective and efficient manner.

It is proposed that the new policies and rules, and in particular for water and wastewater services, be provided to address these matters. Given the GUAB is shown on the planning maps and is reflected in asset management, it is considered appropriate to incorporate the boundary into the new provisions. It will provide a rational and consistent approach to managing Council's infrastructure services and ensure the implications of subdivision and development on the reticulation network are taken into account.

The specific provisions for each type of infrastructure will be outlined in the relevant sections. This will generally mean that there will be a rule to require the connection to Council's reticulation network within the GUAB. However, there may be occasions where connection to Council's reticulation network is not feasible or appropriate and the assessment criteria shall be used to determine these situations. Assessment criteria are also proposed that address situations where reticulated services are proposed outside the GUAB.

4.4.2 Recommendations on Existing Provisions

8.5 Policies - Funding and Provision of Infrastructure (Plan Change 38)

1. To generally require developers to ensure that appropriate infrastructure will be provided to and within subdivisions and developments, so that the service level standards for the catchment in which the development is located can be met.
2. To use capital works planning processes to identify infrastructure projects to support developments.
3. To use development contributions as the primary method to provide funding for Council's capital expenditure on water, wastewater, stormwater, land transport and reserve infrastructure related to developments. To also consider, in special circumstances, other funding methods such as financial contributions and special rating areas.
4. To determine financial contributions for water, wastewater, stormwater, land transport infrastructure on a case-by-case basis.
5. To consider other means to address infrastructure issues before imposing any financial contribution for water, wastewater, stormwater, land transport e.g. alternative design or works and service conditions.
6. To consider applying a financial contribution where the specified parking and loading spaces cannot be accommodated on the site or where the applicant proposes not to provide the specified spaces.
7. To consider requiring a financial contribution of land for reserves on subdivision consent applications where the need for a reserve is recognised in a structure plan or other policy documents; or where the applicant proposes to vest land in Council. To consider entering an agreement, e.g. a Special Circumstance Agreement under the Development Contributions Policy, where a financial contribution of land is required in order to recognise and offset the value contributed above the usual development contribution.
8. To consider negotiating agreements with developers, for example, Special Circumstance Agreements under the Development Contributions Policy, to address complex or unusual infrastructure issues.
9. Financial contributions and development contributions will not be used to fund the operation costs of Council-managed infrastructure. Other appropriate mechanisms might include trade waste charges or rates.

Explanations

- (1-2) The onus of ensuring appropriate infrastructure is provided to meet service level standards will primarily lie with those seeking to undertake the development. However in some circumstances Council and other infrastructure organisations may commit, through their capital plans, to providing infrastructure that will serve a development.*
- 3. Council generally wishes to avoid creating multiple funding regimes and financial contributions will only be used for projects in special circumstances. For example, where*

works are not planned in the Long Term Council and Community Plan or where land is required for reserves or other infrastructure. If other funding sources such as development contributions are indicated a financial contribution will generally not be required. Financial contributions will also not be appropriate where there is lack of commitment to the project for which the contribution is considered.

4. *Rule 8.13 sets out the circumstances when financial contributions may be imposed, the manner in which the level of any contribution will be determined and the general purposes for which contribution may be used. This provides criteria to assist in deciding the actual quantum of the financial contribution and nature of the contribution. The amount payable will be determined according to the facts of the particular application, rather than any arbitrary dollar amount or percentage of project value.*
5. *In most cases alternative design or works and service conditions are likely to be preferred over financial contributions as they avoid the need to seek commitment from other parties for the project etc. for which the contributions are sought.*
6. *To consider the applying a financial contribution where the specified parking and loading spaces cannot be accommodated on the site or where the applicant proposes not to provide the specified spaces.*
7. *A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.*
8. *From time to time complex infrastructure issues arise e.g. a developer may require infrastructure ahead of when it is planned in Council's capital works programme or a Structure Plan identifies a need to acquire reserves within the development site. In such situations Council and the developer may enter into a Special Circumstance agreement e.g. to provide for payment in return for financial contribution of land for reserves and a reduction in development contributions for reserves.*
9. *Financial contribution and development contributions are to fund the capital costs of infrastructure and not operational costs.*

Retain Policy 8.5

Explanation: These policies have been developed through the recent Review of Financial Contributions. They are not reviewed as part of this plan change but are provided for completeness and will compliment the new infrastructure policies.

12.4 Policies (Subdivision)

2. When considering whether to grant consent or impose conditions in respect of any subdivision, the Council shall have regard to adverse effects on the functioning of any network utility infrastructure.
3. Those applicants that wish to provide their own infrastructure shall be able to install that infrastructure, while meeting the standards set in this Plan and ensuring that the environment is safeguarded.

Note: The provisions of the Regional Plan for Discharges to Land and Water, Waste Management and Hazardous Substances also apply.

Explanation and Principal reasons (2 and 3): Provision of network utility services is critical to the well-being of the community. However it is important that the provision of these services to meet

legitimate community needs does not unreasonably compromise the sustainable management of the natural and physical environment. Individuals shall be enabled to install their own infrastructure where the adverse effect on the environment can be avoided, remedied or mitigated.

Delete Policy 12.4.2

Explanation: The substance of this policy shall be located under the new assessment criteria and forms part of the provisions intended to better integrate Council and non-Council infrastructure providers.

Delete Policy 12.4.3

Explanation: This policy is not considered appropriate in its current form as in many circumstances applicants have no choice but to provide their own infrastructure solutions. A new policy is proposed, along with assessment criteria, for considering the use of private infrastructure. This will be in the context of when public infrastructure may also be available or connection may be required. It will also include situations where communal infrastructure is proposed through common ownership.

14.5 General Policies

1. To ensure that it is possible to physically and financially provide land that is to be developed or subdivided with services and that works and services provided to ensure that the adverse effects of the subdivision or development are avoided or remedied.
5. In considering an application for consent for a subdivision or development and deciding whether or not to grant consent the Council shall have regard to the following:
 - whether or not the subdivision or development would in the Council's opinion be contrary to the public interest. In determining whether a subdivision or development would be contrary to the public interest the Council shall have regard to the following criteria:
 - * the likelihood of the Council undertaking, within three years, works to upgrade the existing public utility services to a standard adequate to serve the subdivision, development and/or wider area; and/or provide new public utility services which will be available to serve the subdivision, development and/or wider area;
 - the extent to which works referred to in the preceding bullet point are provided for in the Council's Annual Plan;
 - whether the subdivision or development would result in a duplication of resources or services having regard among other things to the matters referred to in the preceding bullet points;
 - the extent to which the subdivision or development is likely to compromise or affect the capacity of the existing public utility services to serve other land in the supply district and/or network area and the ability to subdivide or develop that other land;

-
- whether the subdivision or development will adversely affect the provision of public utility services that will serve the area in which the subdivision or development is located, in the most efficient and economic way;
 - whether the agreement has been reached with non Council network utility operators for connection to their network and provision of supply;
 - whether provision has been or is to be made by the subdivider or developer to ensure the rational and co-ordinated provision of public utility services to serve the wider area within which the subdivision or development is located without involving the Council in expenditure or financial responsibility not provided for in its Annual Plan;
 - whether the applicant is prepared to make provision for a reticulated sewerage system and a stormwater drainage system of an adequate capacity for expansion to serve land in the natural catchment above the subdivision or development in its ultimate landuse pattern;
 - any other matter relevant to ensuring that all subdivision and development proceeds in a manner that:
 - * avoids a wasteful use of resources; and
 - * does not require from Council unplanned expenditure for the purposes of avoiding, remedying or mitigating adverse effects arising in or beyond the area of application. Council will work with developers to investigate alternative proposals and to negotiate other funding options to enable development to proceed.

Explanation (1): In order to avoid, remedy or mitigate the adverse effects of subdivision and development it is preferable to have services in place before the subdivision or development creates these effects.

Explanation (5): Circumstances may arise that if a subdivision or development proceeded it may be contrary to the public interest. This situation could include as an example, a need for a public investment for the private good. The timeframe may be inappropriate for the service or could impact on the capacity of existing public utility services or could be a waste of resources. The considerations set out in the bullets may be mitigated if the developer is prepared to make provision for the total catchment in its ultimate land use pattern. Council recognises the difficulties and uncertainties that this may create for potential developers within the region. However Council cannot allow itself to be forced to divert monies from planned, budgeted works by the demands of developers who have obtained the necessary consents from Council to proceed with specific proposals. Developers need to consider the "real" costs associated with any development proposal, and need to be made aware of these potential costs prior to obtaining resource consents from Council. Council will encourage developers to propose and negotiate other funding options to enable development to proceed.

Principal reasons (1 - 26): Implements Objectives.

Amend and Relocate Policy 14.5.1 to Chapter 8

Explanation: It is important to ensure that a subdivision or development is feasible and that the necessary infrastructure services can be provided. A similar policy is proposed under the general provisions.

Amend and Relocate Policy 14.5.5 to Chapter 8

Explanation: Currently, general policy 14.5 sets out the most comprehensive approach to assessing the adequacy of infrastructure. Many aspects of this policy are still relevant and will be used in the new infrastructure chapter. Essentially the policy consists of assessment criteria for subdivision or resource consents. They will form the basis of the general assessment criteria in Chapter 8. Some of the wording will be simplified and additional matters included that have been identified during the review process.

14.7 Policy (Roading, Water supply, Sewage and Stormwater)

3. To ensure the capacity of roading, sewerage and water supply and stormwater facilities is appropriate to fulfil the function demanded of it.

*Explanation (7): Sustainable means to manage the effects of subdivision and development.
Principal reason (7): Implements Objectives.*

Delete Policy 14.7

Explanation: New policies and assessment criteria are proposed that ensure the capacity of infrastructure is taken into account. The roading, water, sewage and stormwater sections will also provide guidance on the appropriate capacity. These are considered more effective given the general nature of the existing policy.

Rules

8.13 Financial Contributions (Plan Change 38)

8.13.1 Financial Contributions for Water, Wastewater, Stormwater and Land Transport Infrastructure

Circumstances Imposed

Financial contributions for water, wastewater, stormwater and/or land transport infrastructure may be imposed on any resource consent where infrastructure works or land are needed to ensure the infrastructure service level requirements can be met for the catchment in which the proposed activity is located, or where infrastructure works provided in the past will service the activity.

Provided that

Discretion or control is reserved over the infrastructure, works and services, or over financial contributions.

Purpose of Contributions

- To fund water, wastewater, stormwater or land transport infrastructure so that the service level requirements may be met for the catchment in which the proposed activity is located. This may include both the recovery of past expenditure on services and contributions towards future expenditure.

- To provide land (including easements) for water, wastewater, stormwater or land transport infrastructure so that the service level requirements may be met for the catchment in which the proposed activity is located.
- To mitigate the adverse effects of the activity on the infrastructure.

Manner for Calculating Contributions

The amount of the contribution will be determined by calculating a fair and reasonable contribution on the facts of each application with particular regard to the following factors:

- The extent to which the activity contributes to the need to undertake the project for which the contributions are considered. Contributions should generally be in reasonable proportion to the significance of any adverse effects cause or contributed to by the activity (relative to other developments). However in some cases there may uncertainty about other potential contributors and/or a lack of commitment by Council or other organisations to undertake the work and therefore the development can only proceed if the applicant/developer provides or funds the necessary project.
- In the case of land, the extent to which the land is needed to ensure the orderly development of infrastructure for the catchment and any relevant structure plans.
- The applicant's views on whether a financial contribution is reasonable and the appropriate form and nature of the contribution.
- Where the development proposed is not consistent with service level requirements or rules in the plan, the extent to which a financial contribution may help to mitigate or avoid any adverse effect or capacity issue.
- The extent to which any positive effects of the activity offset any adverse effects
- Whether there are any associated costs e.g. legal, administrative, tax (e.g. GST) and interest costs. Such costs will generally be included in the financial contribution.
- Whether there is likely to be any inflation costs between when the contribution is received and when the work will take place. An adjustment will usually be made for inflation. However the Council may offset the inflation costs by recognising interest on money received ahead of when costs are incurred.

Retain Rule 8.13

Explanation: This rule has been developed through the recent Review of Financial Contributions. They are not reviewed as part of this plan change but are provided for completeness and will compliment the new infrastructure policies.

12.6.4 Underground Services in the Gisborne or Te Karaka Urban Areas

- a) Subject to 12.6.4c), an underground reticulation system for water, sewage, electricity, telecommunications and stormwater shall be installed in any new road reserve or

shared accessway developed as a result of a subdivision. Installation shall be to the boundary of the road reserve.

- b) Where there is a shared access way, a reticulated system for water, sewage, electricity, telecommunications and stormwater shall be provided at the terminus of the right-of-way.
- c) Stormwater infrastructure shall instead be provided above ground in the road reserve where consistent with swales in Appendix 20 – Taruheru Block Infrastructure Plan.

Note:

Attention is drawn to the provisions of S459 of the Local Government Act 1977 regarding drains (including sewage connections); and the provisions of the Proposed Regional Plan for Discharges to Land and Water Waste Management and Hazardous Substances.

Amend and Relocate Rule 12.6.4 a) and b) to Chapter 8

Explanation: The content of these rules is provided for under the rules for general provisions in this section. There are some changes to the wording and structure.

Delete Rule 12.6.4 c)

Explanation: Another provision has been proposed, under the general rules of this section, explaining that some aspects of stormwater infrastructure are required to be above ground.

14.11 RULES FOR PROVISION OF WORKS AND SERVICES

Note:

The rules contained in Section 14.11 – 14.16 of this chapter do not apply to any resource consent process required to comply with rules in Chapters 4, 6, or 7 of the Plan.

The following rules shall apply to all subdivision and development where a resource consent is required by this chapter or any other chapter in this plan, for subdivision and development in the:

- Gisborne urban area; and
- Te Karaka township;

in respect of public utility services (water, stormwater and sewerage) and District wide in respect of roading and reserves:

General Rules

- 14.11.1 All development must comply with the rules specified in Chapter 12-Subdivision and the relevant zone chapters (Chapters 16-21).
- 14.11.2 Each allotment in a subdivision or a development must be provided with adequate sewerage, stormwater and water supply and roading systems.
- 14.11.5 All subdivision is subject to Section 106 of the Act.

Delete Rule 14.11.1

Explanation: This rule is superfluous.

Delete Rule 14.11.2

Explanation: This is reflected in the general rules of this section as well as for each of the specific infrastructure sections.

Relocate Rule 14.11.5 to Chapter 12

Explanation: This rule is specific to subdivision and is considered more appropriate in the subdivision chapter.

14.11.6 Nature of Works and Services

- a) The maximum standards of work required are contained in Rules 14.16.1 - 14.16.5.

14.11.7 Conditions on Consents

- a) Where subdivision consent or resource consent for development is to be granted a condition may be imposed requiring:
 - i) provision of works or services;

14.11.9 Amount Payable / Level of Works and Services / Setting Aside of Land

- a) The level of works and services or the setting aside of land required shall be in accordance with the formulae and rules set out in Rule 14.16.1 - 14.16.5.

14.11.13 Public Utility Services

14.11.13.2 The maximum standards of work and services required are contained in the Schedule of Works set out in Rule 14.16.1 - 14.16.5.

14.11.13.3 Subject to the maximum amounts prescribed in Rules 14.11.14 and 14.16.1 - 14.16.5 the provision of works and services in respect of public utility services may consist of:

- a) Work:
 - i) necessary to provide each allotment or the development with adequate sewerage, stormwater and water supply and roading systems and to connect those systems with the existing or new public utility services; and/or
 - ii) necessary to provide each allotment or the development with public utility services that will serve the land in the subdivision or serve the development; and/or

14.11.14 Maximum Contribution or Provision of Works and Services for Public Utility Services

- a) In any resource consent, the maximum provision of the work or service required in respect of public utility services, shall be one or more of the following as appropriate to the circumstances:

- i) the amount of the work referred to in Rule 14.11.13.3 (a)(i)
- ii) any additional work referred to in Rule 14.11.13.3 (d);

14.16 SCHEDULE OF WORKS

14.16.1 General

- a) The provision of works or services are primarily aimed at the provision of physical work agreed to by the Council and the subdivider/developer and carried out by the subdivider/developer as part of the subdivision or development. They are further intended to give preference to relating a subdivider's/developer's responsibilities to the natural characteristics of the land which can be identified prior to purchase and subdivision or development.

Delete Rules 14.11.6(e), 14.11.9, 14.11.13.2, 14.11.13.3, 14.11.14 and 14.16

Explanation: The 'maximum standards of work' are to be deleted and replaced with the new servicing requirements in Chapter 8. This is discussed in more detail above.

4.4.3 Propopsed new provisions

Note: The plan change 38 (shown in italics) provisions are not part of this review and have been provided for completeness.

8.5 Policies (Funding and Provision of Infrastructure)

Plan Change 38

- 1. To generally require developers to ensure that appropriate infrastructure will be provided to and within subdivisions and developments, so that the service level standards for the catchment in which the development is located can be met.*
- 2. To use capital works planning processes to identify infrastructure projects to support developments.*
- 3. To use development contributions as the primary method to provide funding for Council's capital expenditure on water, wastewater, stormwater, land transport and reserve infrastructure related to developments. To also consider, in special circumstances, other funding methods such as financial contributions and special rating areas.*
- 4. To determine financial contributions for water, wastewater, stormwater, land transport infrastructure on a case-by-case basis.*
- 5. To consider other means to address infrastructure issues before imposing any financial contribution for water, wastewater, stormwater, land transport e.g. alternative design or works and service conditions.*
- 8. To consider negotiating agreements with developers, for example, Special Circumstance Agreements under the Development Contributions Policy, to address complex or unusual infrastructure issues.*

9. *Financial contributions and development contributions will not be used to fund the operation costs of Council-managed infrastructure. Other appropriate mechanisms might include trade waste charges or rates.*

Plan Change 42

10. To ensure the rational and co-ordinated provision of infrastructure to serve the subdivision or development site, and where necessary the wider area within which the subdivision or development is located, without involving the Council in expenditure or financial responsibility not provided for in its capital works programmes.

Explanation and Principle Reasons:

Plan Change 38

- (1-2) *The onus of ensuring appropriate infrastructure is provided to meet service level standards will primarily lie with those seeking to undertake the development. However in some circumstances Council and other infrastructure organisations may commit, through their capital plans, to providing infrastructure that will serve a development.*
3. *Council generally wishes to avoid creating multiple funding regimes and financial contributions will only be used for projects in special circumstances. For example, where works are not planned in the Long Term Council and Community Plan or where land is required for reserves or other infrastructure. If other funding sources such as development contributions are indicated a financial contribution will generally not be required. Financial contributions will also not be appropriate where there is lack of commitment to the project for which the contribution is considered.*
4. *Rule 8.13 sets out the circumstances when financial contributions may be imposed, the manner in which the level of any contribution will be determined and the general purposes for which contribution may be used. This provides criteria to assist in deciding the actual quantum of the financial contribution and nature of the contribution. The amount payable will be determined according to the facts of the particular application, rather than any arbitrary dollar amount or percentage of project value.*
5. *In most cases alternative design or works and service conditions are likely to be preferred over financial contributions as they avoid the need to seek commitment from other parties for the project etc. for which the contributions are sought.*
6. *To consider the applying a financial contribution where the specified parking and loading spaces cannot be accommodated on the site or where the applicant proposes not to provide the specified spaces.*
7. *A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.*
8. *From time to time complex infrastructure issues arise e.g. a developer may require infrastructure ahead of when it is planned in Council's capital works programme or a Structure Plan identifies a need to acquire reserves within the development site. In such situations Council and the developer may enter into a Special Circumstance agreement e.g. to provide for payment in return for financial contribution of land for reserves and a reduction in development contributions for reserves.*
9. *Financial contribution and development contributions are to fund the capital costs of infrastructure and not operational costs.*

Plan Change 42

10. *Subdivision and development proposals must ensure that the full costs of their activities and/or intended land uses are considered in the context of the wider infrastructure network. Council cannot generally afford to provide new or upgraded infrastructure that is not provided for in its LTCCP or Annual Plan. The remaining policies provide for situations where funding issues may be identified.*

8.6 Policies (Design and Reticulation of Infrastructure)

1. To ensure the infrastructure associated with subdivision and development is designed and constructed in a manner that promotes:
 - Environmental and community well being
 - The efficient use of natural and physical resources
 - An integrated approach to the provision of works and services
 - The avoidance, remedying or mitigating of any adverse effects on the environment
 - Responsiveness to the environmental and social context of the development site
 - The minimisation of lifecycle costs while recognising the above matters
2. To ensure that it is environmentally and financially feasible to provide infrastructure for land development and subdivision activities.
3. To generally require that within the Gisborne Urban Area Boundary, provision is made for the connection to Council's reticulated services.
4. To consider applications for private infrastructure services in reticulated areas, having particular regard to the Assessment Criteria: Provision of Infrastructure.
5. To require that where public infrastructure services are not available, the appropriate levels of service are met and any environmental effects avoided, remedied or mitigated.
6. To ensure that new and upgraded infrastructure is designed and constructed with adequate capacity, taking into account the servicing requirements of future growth and development.
7. To promote the integration of non-Council infrastructure providers into the subdivision and development process.

Explanation and Principle Reasons:

1. *There are many aspects to achieving the sustainable management of infrastructure resources. This policy recognises that infrastructure systems need to be designed and constructed in an integrated manner whilst meeting the balancing requirements of Part 2 of the Act.*
2. *It is important to address the feasibility of a subdivision or development proposal prior to the granting of a consent in order to avoid future uncertainty, unexpected costs and adverse environmental effects.*

3. *Public infrastructure services have been provided to ensure public health and safety expectations are met, the environment is safeguarded and the provision of services are affordable for the community. Council's expectation is that where these services are available, subdivision and development proposals connect to them. In addition, extending Council's reticulation network to service urban fringe and peri-urban growth may impose significant costs on the community and lead to patterns of land use that do not achieve an efficient use of natural and physical resources.*
4. *There may be occasions where connection to Council's reticulation network is not feasible or appropriate and the assessment criteria shall be used to determine these situations.*
5. *Beyond the Gisborne Urban Area, there is little access to Council infrastructure services. Subdivision and development activities in these areas will need to ensure there are no adverse effects associated with their infrastructure.*
6. *It is important that proposals for new or upgraded infrastructure recognise the wider context they occur within. Providing services that take into account potential growth and development promotes an efficient use of resources and may avoid costly upgrades or in the future.*
7. *Non-Council service providers can have similar infrastructure issues to Council to Council such as capacity constraints and uncertainty over asset planning to accommodate growth. However, they do not have the same statutory ability to assess subdivision and development proposals prior to approval. In order to avoid unexpected costs and delays it is considered important to better integrate non-Council providers into subdivision and development processes.*

8.13.1 General Servicing Requirements

- a) Reticulated services shall be provided to the net area of new allotments.
- b) Vehicle crossings shall be provided to the boundary of the road reserve for new allotments.
- c) Services shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Gisborne Urban Area Boundary and in residential and commercial zones district wide.

Provided that:

Stormwater infrastructure may be provided above ground where retention or attenuation measures are required or low impact design approaches are to be used.

Individual customer connections may be provided above ground where there is an existing overhead supply.

- d) Where there is a shared access way the necessary works and services shall be provided to the terminus of the right-of-way.
- e) The location of reticulated services and vehicle crossings shall be identified prior to the granting of consent.

8.13.9 Financial Contributions for Water, Wastewater, Stormwater and Land Transport Infrastructure (Plan Change 38)

- a) *Financial contributions for water, wastewater, stormwater and/or land transport infrastructure may be imposed on any resource consent where infrastructure works or land are needed to ensure the infrastructure service level requirements can be met for the catchment in which the proposed activity is located, or where infrastructure works provided in the past will service the activity.*

Provided that

Discretion or control is reserved over the infrastructure, works and services, or over financial contributions.

Manner for Calculating Financial Contributions (Plan Change 38)

The amount of the contribution will be determined by calculating a fair and reasonable contribution on the facts of each application with particular regard to the following factors:

- The extent to which the activity contributes to the need to undertake the project for which the contributions are considered. Contributions should generally be in reasonable proportion to the significance of any adverse effects cause or contributed to by the activity (relative to other developments). However in some cases there may be uncertainty about other potential contributors and/or a lack of commitment by Council or other organisations to undertake the work and therefore the development can only proceed if the applicant/developer provides or funds the necessary project.*
- In the case of land, the extent to which the land is needed to ensure the orderly development of infrastructure for the catchment and any relevant structure plans.*
- The applicant's views on whether a financial contribution is reasonable and the appropriate form and nature of the contribution.*
- Where the development proposed is not consistent with service level requirements or rules in the plan, the extent to which a financial contribution may help to mitigate or avoid any adverse effect or capacity issue.*
- The extent to which any positive effects of the activity offset any adverse effects*
- Whether there are any associated costs e.g. legal, administrative, tax (e.g. GST) and interest costs. Such costs will generally be included in the financial contribution.*
- Whether there is likely to be any inflation costs between when the contribution is received and when the work will take place. An adjustment will usually be made for inflation. However the Council may offset the inflation costs by recognising interest on money received ahead of when costs are incurred.*

8.14.1 Assessment Criteria: Provision of Infrastructure

In regard to the provision of infrastructure, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

-
- Whether adequate capacity is available in the existing infrastructure to serve the anticipated land use and the adequacy of any proposed solutions where constraints have been identified.
 - Whether adequate capacity is provided to serve other land in the catchment and/or network area of the subject site taking into account foreseeable growth and development.
 - Whether agreement has been reached with non-Council service providers for connection to their network and provision of supply;
 - Whether any unplanned expenditure would be needed by Council for the purposes of avoiding, remedying or mitigating adverse effects arising in or beyond the area of application.
 - The use of a standard recognised by Council and best practice for the design and construction of infrastructure systems.

In addition, for applications that are reliant upon upgrades or extensions to the existing public infrastructure, the following matters shall be considered:

- The extent to which these works are provided for in the Council's capital works programmes and the timing of such works to serve the subdivision or development.
- Whether the subdivision or development would result in a duplication of resources or services.
- The use of financial contributions and/or negotiated agreements to provide the relevant services.

In addition, applications for private infrastructure services where a public reticulation system is available, the following matters shall be considered:

- Avoiding, remedying or mitigating any adverse effects arising in or beyond the area of the site..
- Ensuring suitable legal arrangements are provided for the maintenance, operation and upgrading of the relevant infrastructure without involving Council in unplanned expenditure.

In addition, applications to defer the installation of infrastructure to future land owners or developers, the following matters shall be considered:

- Whether the location of infrastructure, including vehicle crossings, is identified for future owners to comply with.
- Identifying any capacity constraints that exist and the necessary requirements to avoid, remedy or mitigate those constraints.

4.5 Structure Plans

This section consists of the following:

- 4.5.1** Analysis of the proposed changes to the structure planning provisions.
- 4.5.2** Recommendations on existing provisions.
- 4.5.3** Proposed new provisions, including changes resulting from the post-submission process (shown as ~~strike-throughs~~ and underlining).

4.5.1 Analysis

Structure plans are a tool to provide certainty about future development patterns and the coordination of infrastructure, particularly between different land parcels with different owners.

They therefore relate to proposed new objectives:

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
4. To enable and promote ~~the provision of~~ subdivision and development infrastructure that:
 - Allows the implementation of good urban design practice
 - Allows the implementation of low impact design principles
 - Reflects the environmental and social context of the location

There are currently two structure plans in place in the District Plan: the Taruheru Block Infrastructure Plan in Appendix 20 and the Roothing Concept Plan for the Rural Industrial A Zone in Appendix 31. However it is possible that others may be developed in the future.

This project does not review the substance and detail of these structure plans, but rather how the structure plans are given effect to through provisions in the plan. One of the key issues is whether the multiple policies and rules, especially for the Taruheru Block, could be condensed into more generic and comprehensive provisions. It is proposed that this could be achieved by creating:

- A simpler and more generic policy in Chapter 8 to generally require subdivision and infrastructure provision to comply with any relevant structure plan
- A generic rule in Chapter 8 to require compliance with structure plans. Subdivisions and developments that do not comply would then be 'caught' by the catch-all rules in the zone chapters.
- Reference to the assessment criteria for each type of infrastructure for applications relating to structure plans. These already cover many of the issues that should be considered for non-compliance with a structure plan and remove the need for further repetition in provisions relating specifically to structure plans. In addition, an additional assessment criterion about the impact of the proposal on the integrity of the structure plan is proposed.
- Acknowledgement of structure plans in the methods section of Chapter 8 with an explanation about the design philosophy for each structure plan.

This approach is assessed against the existing approach below.

ALTERNATIVE 1: Status Quo (Retain a range of policies and rules for each structure plan)

Potential Benefits and Opportunities:

- Policies provide detail on issues relating to the Taruheru Structure Plan. This may appear lost in the more simple approach promoted.

Potential Costs and Risks

- Plan is longer and appears more cumbersome.
- More repetition of matters relating to infrastructure.

Efficiency and Effectiveness

- Detailed provisions would have to be developed for any new structure plan – less efficient.

ALTERNATIVE 2: Consolidate Provisions in Chapter 8

Potential Benefits and Opportunities

- A simpler plan with less repetition.

Potential Costs and Risks

- Future structure plans may not focus solely on infrastructure. Such aspects may not fit into Chapter 8.

Efficiency and Effectiveness

- Likely to require less amendments with introduction of new structure plans

RECOMMENDATION: Alternative 2

It is considered that option 2 is the most appropriate option. Although it does potentially create an issue if non-infrastructure issues are addressed in future structure plans, it allows for a much simpler and less repetitive set of provisions.

A number of other changes are also promoted to improve the layout and coordination of the provisions.

4.5.2 Recommendations on Existing Provisions

8.4 Policies (Taruhuru Block)

Roading Network

1. To promote a safe roading network.
2. To ensure that activities are consistent with the development of a roading pattern which has sufficient linkages and connectivity to allow for:
 - The efficient and safe movement of traffic (including pedestrians and cyclists);
 - Opportunities for walking and cycling;
 - The development of efficient utility networks.
 - Provision for Emergency Vehicle requirements.
3. To discourage access onto Back Ormond Road in the area indicated as 'restricted access road' in Appendix 20 – Taruhuru Block Infrastructure Plan.
4. To review:
 - the intersection between the infrastructure plan road north of Ruru Avenue and Back Ormond Road; and
 - the extension of Joanne Street into the middle of the block.

Consideration will be given to severing the links to motorized vehicles but retaining access for non-motorised users and utility services (Refer to Taruhuru Infrastructure Plan – Appendix 20 for location of possible severance points). Consideration will also be given to the practicality of using methods which allow access to emergency vehicles e.g. retractable bollards.

5. To promote the extension of Ruth Street into the middle of the block, as shown in Appendix 20, with a point where access for motorized traffic is severed. The suggested point of severance is indicated in Appendix 20 but Council will be open to consideration of moving the severance point. Council shall also consider the practicality of using methods which allow restricted access e.g. to emergency vehicles, such as retractable bollards.
6. To promote the alignment of roads with the high voltage electricity lines and proposed drainage swale, as far as possible.

Water Supply Network

7. To ensure that activities are consistent with the extension of water supply infrastructure throughout the Taruheru Block in a manner that has sufficient connectivity and capacity in order to provide a high level of security of supply and meet fire safety standards, while minimising the costs of infrastructure.

Wastewater Network

8. To ensure that activities are consistent with the development of a co-ordinated wastewater network throughout the block which is resource and energy efficient.

Stormwater Network

9. To ensure that activities are consistent with the development of a stormwater network which utilizes gravity to provide an effective drainage service throughout the block.

High Voltage Transmission Lines

10. To ensure that new development is designed and planned around the high voltage transmission lines in order to achieve appropriate separation distances required for public health and safety and security of the infrastructure, access to the infrastructure for inspection and maintenance and to minimise the amenity impacts of the lines.
11. To alert of the presence of the lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor in the Taruheru Infrastructure Plan (Appendix 20).

Taruheru Infrastructure Plan

12. A concept for the development of utilities in the Taruheru Block will be promoted (Appendix 20 – Taruheru Block Infrastructure Plan) in order to co-ordinate the development of infrastructure to achieve objectives and to allow for the shared and co-ordinated funding of infrastructure where appropriate.

Explanation and Principle Reasons:

Roading Network

Roads should be designed in recognition that roads provide a corridor for network utilities and the pattern of roading is important to the efficiency of network utilities. Roads should also be designed in recognition that the roading pattern influences opportunities for walking and cycling and the efficiency of traffic movements.

The level of connectivity in the roading network is one important factor to consider and it is thought that, as a general rule, a roading network with a high level of connectivity will help to encourage walking and cycling, efficient traffic movements and efficient network utilities. Connectivity helps to promote direct (and therefore shorter) travel and different route options, which may help to encourage walking and cycling and efficient traffic movements. A roading pattern with a high level of connectivity helps to promote efficient wastewater and stormwater networks by providing opportunities to maximise the use of gravity to drain stormwater and wastewater. Connectivity helps to promote efficient water supply networks by providing opportunities to create an interconnected pattern of water mains, which is important for security of supply and water pressure.

Access is discouraged in the area marked as "restricted access" in order to avoid conflict between slower traffic entering Back Ormond Road and faster traffic entering the city, and in order to preserve the arterial function of Back Ormond Road.

In the future Council will consider severing the link between the structure plan road north of Ruru Avenue and Back Ormond Road in order to further protect the arterial function of Back Ormond Road. However, in the short term, the link is necessary to avoid pressure for development with multiple accesses onto Back Ormond Road and to allow for co-ordinated provision of services.

Council will also consider blocking vehicle access at Joanne Street extension at the point indicated in the Infrastructure Plan in order to avoid potential congestion at the Potae Avenue / Lytton Road intersection and to promote more balanced flows on the road network surrounding the block. In the short term Council will promote a development pattern that maintains the link so that access can be provided into the middle of the block for services and traffic.

The extension of Ruth Street is promoted as a route for non-motorised users. Providing this connection into the middle of the block will also provide a pathway to connect water infrastructure. Council will promote severing the link to motorised vehicles within the area indicated in the infrastructure plan, recognising that this may help to distribute traffic in the roading network. Consideration will be given to relocating the severance point, temporarily or permanently to allow access while parts of the road remain unformed, or for other reasons.

Severance methods which allow restricted access to certain vehicles may improve emergency access and safety.

Water Supply, Wastewater and Stormwater Networks

In achieving the purpose of the Act it is important that utilities are designed to deliver an efficient service. This requires the integration of subdivision and landuse with the provision of utilities.

The swale promoted for the Taruheru Block should be incorporated into the area in a way which promotes safety and amenity and which allows for maintenance. A "back section" location should be avoided, as it would likely create a space bordered by high fences, with a low level of passive surveillance, causing safety and amenity issues. It is considered that the best option is to align the swale with roads.

High Voltage Transmission Lines

To optimise development outcomes the presence of the lines should be considered early in planning any development of the Taruheru Block. Activities will need to comply with the minimum safe separation distances specified in the NZECP 34 : 2001. The identification of a High Voltage Transmission Line corridor in Appendix 20 will help alert developers and Council of the existence of the lines and the need to maintain separation distances. The existing transmission lines may also have a visual effect, but by "designing-in" the lines, these impacts can be reduced. Alignment of the high voltage transmission lines with roads is promoted as this will help to ensure ease of access for maintenance. Alignment of the lines with the road will also help to ensure that the safety buffers between the transmission lines and development is incorporated into the area in a positive way, avoiding adverse impacts on amenity values.

Taruheru Infrastructure Plan

A development concept is provided for the area so that the costs of development can be forecast and allocated in an equitable manner through methods such as development contributions or financial contributions. Promoting a concept for development will also help to promote objectives relating to infrastructure such as efficiency, safety and a high level of amenity because it provides a vision about how each development will fit into a larger

integrated whole. The concept must have a level of certainty if it is to be of use in achieving objectives and allocating costs.

Delete Policies 8.5 (1), (2), (3), (5), (6), (7), (8) (9), (11) and (12)

Explanation: It is considered that the matters addressed in policies 1, 2, 3, 5, 6, 7, 8, 9, 11 and 12 are adequately covered by the general objectives, policies and assessment criteria for each infrastructure. These describe overall goals for infrastructure design such as covered by the points such as traffic safety, resource and energy efficient design, etc. A new structure plan policy is proposed to generally require compliance with the structure plan, which links to the general objectives for each type of infrastructure and replaces the need to refer to specific elements of the structure plan for compliance e.g. discouraging access in the area indicated as 'restricted access area' and promoting alignment of road with the high voltage electricity lines and proposed drainage swale.

In addition, a new method is proposed to acknowledge the role of the structure plans in achieving these general objectives and explain the philosophy behind the structure plans. This replaces some of the explanation embodied in the policies.

Policy 5 has already been implemented by previous subdivision patterns and is no longer necessary. The severance point indicated in the structure plan is sufficient indication of the intention for the roading layout in this area.

Retain but move Policy 8.5 (4)

Explanation: Policy 8.5(4) should be retained as it indicates an intention to review the roading layout in two areas and this work has not yet been completed. However the policy should be renumbered to reflect the new chapter layout.

Amend Policy 8.5(10)

Explanation: It is proposed to amend the policy so it applies to development more generally. This policy is relevant to development in general and should not be limited to the Taruheru Block area.

12.4 Policies (Subdivision)

5. When considering whether to grant consent or impose conditions in respect of any resource consent for a subdivision in the Taruheru block regard shall be given to whether the subdivision is designed in accordance with:
 - The development of a pattern of public roads and accesses which is safe and provides sufficient linkages and connectivity to allow for the efficient movement of traffic (including pedestrians and cyclists), opportunities for walking and cycling and for the development of efficient utility networks;
 - The extension of the water supply network throughout the block in a manner that has sufficient connectivity and capacity in order to achieve a high level of security of supply and meet fire safety standards, while minimising the costs of the infrastructure;

- The development of a co-ordinated wastewater network throughout the block which is resource and energy efficient;
- The development of a co-ordinated stormwater network throughout the block which utilises gravity to provide an effective drainage service for all potential residential properties and which incorporates stormwater infrastructure into the landuse pattern in a way that promotes amenity (e.g. maximising alignment of drainage swales in road reserves);
- Promoting compatible land uses in and around transmission lines; promoting a pattern of development designed to minimise the amenity impacts of the transmission lines (e.g. maximising the alignment of road reserves under the lines); and maintenance of minimum safe separation distances from land uses and the transmission lines.

In considering any applications that depart from the concept for the development of infrastructure in Appendix 20 consideration shall also be given to any impact upon arrangements for shared and co-ordinated funding of infrastructure (e.g. financial contribution arrangements).

Explanation and Principle Reasons (5): Subdivision implies an ultimate pattern of landuse and supporting infrastructure. To achieve the purpose of the Act, the pattern of subdivision should encourage a development pattern that will promote efficiency and a high level of amenity.

The swale promoted for the Taruheru Block should be incorporated into the area in a way which promotes safety and amenity and which allows for maintenance. A "back section" location should be avoided, as it would likely create a space bordered by high fences, with a low level of passive surveillance, causing safety and amenity issues. It is considered that the best option is to align the swale with roads.

Taking into consideration the existing transmission line corridor, and compliance with the NZCEP 34:2001, will ensure that the safety buffers between the transmission lines and development are incorporated into the area in a positive way, avoiding adverse effects on this existing infrastructure, and health and safety. Additionally, alignment of the proposed roads with the high voltage transmission lines is also promoted, as this will ensure ease of access for maintenance.

Explanation and Principal Reason (6): Subsequent to any subdivision, the use of the land may result in an increase of exotic flora and fauna. In turn, this may cause or contribute to a significant adverse effect on indigenous flora and fauna. Under Part II of the Resource Management Act 1991 provision must be made to avoid, remedy or mitigate such adverse effects. The appropriateness of any planning controls will need to be assessed on a case-by-case basis. Policies contained in Chapter 4.1 and 4.6 will give further guidance in relation to the subdivision of land within the Protection Management Area Overlay and Coastal Environment Overlay.

Delete Policy 12.4(5)

Explanation: It is considered that the matters addressed in Policy 12.4(5) are adequately covered by:

- the general objectives and policies for each type of infrastructure
- the proposed new policy below which requires compliance with structure plans
- the proposed new method which provides background and the design philosophy for structure plan.

17.12 Policies (Urban Form – Taruheru Block)

1. To ensure that pattern of landuse activities is consistent with the development of:
 - A roading network which promotes safety and has sufficient connectivity and linkages to allow for the efficient movement of traffic (including pedestrians and cyclists), opportunities for walking and cycling, and for the development of efficient utility networks;
 - A water supply network that has sufficient connectivity and capacity in order to achieve a high level of security of supply and meet fire safety standards, while minimising the costs of the infrastructure;
 - A co-ordinated wastewater network throughout the block which is resource and energy efficient; and
 - A stormwater network throughout the block which utilises gravity to provide an effective drainage service for all potential residential properties.
2. To promote a concept for the pattern of infrastructure associated with landuse (Appendix 20 – Taruheru Block Infrastructure Plan) in order to co-ordinate development to achieve objectives and to allow for the shared and co-ordinated funding of infrastructure where appropriate.

Explanation and Principle Reasons (1): Landuse should be integrated with the design of roads in order to achieve a roading pattern that will promote efficient network utilities, opportunities for walking and cycling and the efficient movement of traffic. Landuse should also be integrated with the provision of utilities in order to promote efficient services.

Explanation and Principle Reasons (2): A development concept is provided for the area so that the costs of development can be forecast and allocated in an equitable manner through methods such as development contributions or financial contributions. Promoting a concept for development will also help to promote objectives relating to infrastructure such as efficiency, safety and a high level of amenity because it provides a vision about how each development will fit into a larger integrated whole. The concept must have a level of certainty if it is to be of use in achieving objectives and allocating costs.

Delete Policy 17.12

Explanation: It is considered that the matters addressed in Policy 12.4(5) are adequately covered by:

- the general objectives and policies for each type of infrastructure
- the proposed new policy below which requires compliance with structure plans
- the proposed new method which provides background and the design philosophy for structure plan.

22.4 Policies

4. To work with landowners to design and purchase additional reserve space in the area indicated in Appendix 20 – Taruheru Block Infrastructure Plan and to ensure that any reserves are integrated into future development in a manner the promotes safety and amenity.

Explanation and Principle Reason (4): In order to achieve a high level of amenity in urban areas reserve space for active and passive recreation should be provided within a convenient distance of every resident.

Retain and move Policy 22.4(4)

Explanation: It is considered that this policy is less likely to be missed if placed in the structure plan section of Chapter 8.

Rules

8.10.9 Taruheru Block

- a) All wastewater sewers and connections shall be located to achieve consistency with the wastewater pump station catchments indicated in Appendix 20 - Taruheru Block Infrastructure Plan.
- b) The drainage swale shall be aligned in road reserve as indicated in Appendix 20 – Taruheru Block Infrastructure Plan.

Amend Rule 8.10.9

Explanation: It is proposed that a more general rule be developed in Chapter 8 that will require consistency with structure plans. This can replace these more specific provisions.

12.6.3 Roads in the Taruheru Block

The pattern of roading and accesses created through the subdivision shall be consistent with the infrastructure plan roads shown in Appendix 20 – Taruheru Block Infrastructure Plan), that is:

- i) Subject to ii), all roads shown in Appendix 20 (Taruheru Infrastructure Plan) within the site being subdivided shall be provided to the boundary in accordance with the indicated alignment and the applicant shall be responsible for the full cost of forming the roads.
- ii) The applicant shall not be responsible for the full cost of forming roads where a financial / development contribution is provided. In this case, the pattern of subdivision shall enable the future creation of the road.
- iii) For clarity, additional roads may be provided that are not shown in Appendix 20.

Amend Rule 12.6.3

Explanation: These matters are relevant to both existing structure plans and it is proposed that the matters addressed in Rule 12.6.3 be developed into new rules in Chapter 8 that will cover all structure plans, existing and future.

An amendment is proposed to (ii) so that the exception for responsibility for forming the roads applies where alternative funding is available for the formation, rather than when a development contribution or financial contribution is provided. The exception need not be limited to situations where contributions will be used as, in some circumstances, Council or another agency (e.g. NZTA) may have planned to form the road but no contribution is expected for that particular work.

17.16.11 Taruheru Block Infrastructure Plan

- a) No structure other than those associated with the relevant utility shall be constructed on land indicated for road or wastewater pump station in Appendix 20 – Taruheru Block Infrastructure Plan.

Amend Rule 17.16.11

Explanation: It is proposed that this rule be moved into Chapter 8 and broadened to cover all structure plans, not just the Taruheru Block Structure Plan. The present lack of restriction on the erection of structures on the Rural Industrial A zone creates a risk that that the roading concept will be compromised.

19.14.11 Traffic

- c) Rural Industrial A Zone: Access shall be via either Aerodrome Road or MacDonald Road as appropriate either directly or via lawful access over adjoining land for sites legally described as Lots 1 and Lots 2 DP 8322, Lot 1 DP 4596, Lot 1 DP 773, Lot 24 DP 715, Pt Awapuni A2 Sections 3, 4A1,A2, 4A3 and 4B. No access shall be granted directly onto State Highway 35, except via Limited Access points already approved by Transit New Zealand.
- d) Rural Industrial A Zone: Development and subdivision of sites shall adhere to the concepts of the internal roading network designed to enable all sites to be serviced without direct access to State Highway 35 as depicted in Appendix 31 “Roading Concept Plan”.

Retain Rule 19.14.11 (c) and Delete 19.14.11 (d)

Explanation: Clause c) needs to be retained as it has wider application than the roading concept area. It is proposed that clause d) be replaced by more comprehensive provisions in Chapter 8 that would require in relation to structure plans generally that:

- the pattern of roading and accesses created through subdivision shall be consistent with the structure plan roads and land indicated for roads shall be vested at subdivision
- access and additional roads shall not be provided off roads indicated for restricted access in the structure plan, except to an existing access or road that has already been approved
- roads shall be formed at subdivision to the boundary of the subject site, except where alternative funding is provided to form the road e.g. in Council's capital works programme. In this case, the pattern of subdivision shall enable the future creation of the road.

In addition, a corresponding amendment is proposed to the Roading Concept Plan for the Rural Industrial A Zone to indicate a restricted access area along the State Highway boundaries of the zone.

19.16.3 Restricted Discretionary Activities

The following activities shall be restricted discretionary activities:

19.16.3.1 Activities that do not comply with the general rules relating to any two of the following

...

g) Roads, accessway and parking

h) Traffic (excluding non-compliance with Rule 19.11.11(c) and (d))

Council will restrict its discretion to the matters a) – c) specified below and the other matters specified at the end of this section:

- a) Impact on character of surrounding vicinity
- b) Effects on human health and comfort
- c) Aviation safety and requirements relevant to Gisborne Airport

19.16.4 Discretionary Activities

19. 16.4.2 Any activities that do not comply with Rules 19.14.12 (c) or (d) and in relation to the indicative future roading link identified in Appendix 31 “Roading Concept Plan”

In determining whether to grant consent and what conditions, if any, to impose the Council will, in addition to the objectives and policies assess any application in terms of the following further policies:

- a) To ensure that alternative safe and effective access facilities are available to service the future development of the remaining land zoned Rural Industrial A and adjacent to Awapuni Road;
- b) Approval of Transit New Zealand, as the road controlling authority for Awapuni Road (State Highway 35), of any alternative access to the remaining land zoned Rural Industrial A and adjacent to Awapuni Road.

Amend Rules 19.16.3.1 and 19.16.4.2 as shown:

19.16.3.1 ...g) Roads, accessway and parking (excluding non-compliance with Rule 19.11.11(c))

h) Traffic (excluding non-compliance with Rule 19.11.11(c) and (d))

19. 16.4.2 Any activities that do not comply with Rules 19.14.12 (c) or (d) and in relation to the indicative future roading link identified in Appendix 31 “Roading Concept Plan”

In determining whether to grant consent and what conditions, if any, to impose the Council will, in addition to the objectives and policies assess any application in terms of the following further assessment criteria policies:

- a) ~~To ensure that~~ Whether ~~alternative safe and effective access facilities are available to service the future development of the remaining land zoned Rural Industrial A and adjacent to Awapuni Road;~~
- b) ~~Approval of~~ Whether ~~Transit New Zealand, as the road controlling authority for Awapuni Road (State Highway 35),~~ has approved of any alternative access to the remaining land zoned Rural Industrial A and adjacent to Awapuni Road.

Explanation: Rule 19.16.4.2 is badly worded as it provides matters of discretion or assessment criteria but calls these policies and places these under the rule, which is inconsistent with the rest of the plan. The proposed amendments align the wording with that used in Chapter 8.

With the incorporation of Rule 19.14.11(d) into the structure planning section in Chapter 8, Rule 19.16.3.1 and 19.16.4.2 need not refer to non compliance with 19.14.11(d). Instead this will be addressed through the general catch-all rules for non-compliance with a general rule. The exclusion in 19.16.3.1 is better related to roads (g) than to traffic (h).

Appendix 31

Amend Appendix 31 to show a restricted access area along the State Highway boundary of the Rural Industrial A Zone.

4.5.3 Proposed New Provisions

8.7 Policies (Structure Plans)

1. To generally require subdivision and infrastructure to be provided consistent with the following structure plans:
 - Taruheru Block Infrastructure Plan (Appendix 20)
 - Roading Concept Plan for the Rural Industrial A Zone (Appendix 31)
2. To review:
 - the intersection between the infrastructure plan road north of Ruru Avenue and Back Ormond Road; and
 - the extension of Joanne Street into the middle of the block

Consideration will be given to severing the links to motorized vehicles but retaining access for non-motorised users and utility services (Refer to Taruheru Infrastructure Plan (Appendix 20)). Consideration will also be given to the practicality of using methods which allow access to emergency vehicles e.g. retractable bollards.

3. To work with landowners to design and purchase additional reserve space in the area indicated in Appendix 20 – Taruheru Block Infrastructure Plan and to ensure that any reserves are integrated into future development in a manner that promotes safety and amenity.
4. To alert of the presence of high voltage transmission lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor in the Taruheru Infrastructure Plan (Appendix 20).

Explanation and Principle Reason (1): The structure plans are intended to promote coordinated development. Compliance is needed to ensure the integrity of the structure plan and to avoid uncertainty for developments.

Explanation and Principle Reason (2): In the future Council will consider severing the link between the structure plan road north of Ruru Avenue and Back Ormond Road in order to further protect the arterial function of Back Ormond Road. However, in the short term, the link is necessary to avoid

pressure for development with multiple accesses onto Back Ormond Road and to allow for co-ordinated provision of services. Council will also consider blocking vehicle access to Joanne Street extension at the point indicated in the Infrastructure Plan in order to avoid potential congestion at Potae/Avenue / Lytton Road intersection and to promote a development pattern that maintains the link so that access can be provided into the middle of the block for services and traffic.

Explanation and Principle Reason (3): Reserve space for active and passive recreation should be provided within a convenient distance of every resident.

Explanation and Principle Reason (4): To optimise development outcomes the presence of the lines should be considered early in planning any development of the Taruheru Block. Activities will need to comply with the minimum safe separation distances specified in the NZECP 34 : 2001. The identification of a High Voltage Transmission Line corridor in Appendix 20 will help alert developers and Council of the existence of the lines and the need to maintain separation distances. The existing transmission lines may also have a visual effect, but by "designing-in" the lines, these impacts can be reduced. Alignment of the high voltage transmission lines with roads is promoted as this will help to ensure ease of access for maintenance. Alignment of the lines with the road will also help to ensure that the safety buffers between the transmission lines and development is incorporated into the area in a positive way, avoiding adverse impacts on amenity values.

8.9 METHODS OF IMPLEMENTATION

8.9.5 Regulation

...

6. Structure Plans: These show the planned layout for infrastructure and subdivision in development areas.

Two Structure Plans are currently incorporated into the plan:

- Taruheru Block Infrastructure Plan
- Rooding Concept Plan for the Rural Industrial A Zone.

The Taruheru Block Infrastructure Plan proposes a layout of key road links. These road links are not just for access, but also provide corridors for infrastructure such as water, wastewater, stormwater, electricity and telecommunications. The proposed roading layout was designed to promote efficiency in these services. It promotes connectivity of water supply network to enhance pressure and security of supply; and takes advantage of the contours of the land to for wastewater and stormwater flows. The structure plan also promotes alignment of the high voltage electricity lines and the proposed major drainage swale with the roading network so as to minimise safety, amenity and maintenance issues.

The Rooding Concept Plan for the Rural Industrial A Zone addresses roading layout only and is intended to provide for access for future activities, while minimising the impact of access on the State Highway.

8.13.2 Structure Plans

- a) Where relevant, subdivision and provision of infrastructure shall be consistent with the Taruheru Block Infrastructure Plan (Appendix 20) and the Roading Concept Plan for the Rural Industrial A zone (Appendix 31), that is:
- i). all wastewater, water supply and stormwater assets shall be located to achieve consistency with the structure plan;
 - ii). the pattern of roading and accesses created through subdivision shall be consistent with the structure plan roads and land indicated for roads shall be vested at subdivision;
 - iii). no access points or additional roads shall be provided off roads noted as restricted access in the structure plan, except to an access point or road that has already been approved;
 - iv). roads shall be formed at subdivision to the boundary of the subject site, except where alternative funding is provided to form the road e.g. in Council's capital works programme. In this case, the pattern of subdivision shall enable the future creation of the road; and
 - v). land outside of road reserves and noted as the location for infrastructure such as wastewater pump stations or reserves shall be vested for this purpose at subdivision, or appropriate easements created.
- b) No structure other than those associated with the relevant infrastructure shall be constructed on land indicated for infrastructure in the structure plan.

For clarity, additional roads may be provided than those indicated in the structure plan.

8.16.2 Assessment Criteria

In regard to structure plans, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by the following matters:

- the assessment criteria for the provision of infrastructure and the specific infrastructure associated with the structure plan
- the impact on the integrity of the structure plan and potential uncertainty for other developments.

4.6 Rooding, Access and Parking

This section consists of the following:

- 4.6.1** Analysis of the rooding, access and parking provisions.
- 4.6.2** Recommendations on the existing provisions.
- 4.6.3** Proposed new provisions, including changes resulting from the post-submission process (shown as ~~strike throughs~~ and underlining).

4.6.1 Analysis

The following proposed objectives relate to rooding and access:

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
4. To enable and promote ~~the provision of subdivision and development~~ infrastructure that:
 - Allows the implementation of good urban design practice
 - Allows the implementation of low impact design principles
 - Reflects the environmental and social context of the location

Currently, there are no policies for the rooding and access standards in the Plan. With the new objectives above it is important to provide some policy context that makes a link with the rules and standards. New Policies have been developed to give effect to the existing rules and to achieve the proposed objectives outlined above. They are focussed on ensuring an integrated approach to managing the road reserve and ensuring adverse effects are avoided, remedied or mitigated.

Management of the road reserve has been identified as an issue through the review process. There are competing demands for the space within the road reserve, with services, pedestrians, cyclists and vehicles and amenity values all relying on this space. Policies that

focus on balancing these demands are considered to implement the objectives and provide a consistent approach with the Act.

There are no significant changes proposed to the roading and access rules as part of this plan change. However, some rules have been removed from the Plan due to their technical nature. They are considered more appropriate in the Code of Practice.

As noted the parking standards have not been reviewed as part of this project, however, they have been included in section 6.0 for completeness.

Further work will be required on the rules section of the roading and access provisions. Although, there have been some issues identified during the review process regarding the existing rules, no alternatives have been provided at this stage. As work on the Code of Practice progresses it will be possible to research alternative methods and to establish the consequences of any such proposed changes. The roading and access rules are widely used and it is not considered appropriate to propose any changes without a more thorough assessment. However, it is considered important to provide the objective and policy context so that any further work is consistent with the new provisions.

4.6.2 Recommendations on existing provisions

8.4 Policies (Utilities)

6. To ensure that the development and use of existing roads does not adversely effect the character of local communities, or the surrounding environment.

Explanation (5): Some activities in the road reserve that are necessary to maintain the efficient use of network utility infrastructure may have minor adverse effects. Principal reason (5): To facilitate the use and development of network utility infrastructure in the road reserve.

Explanation (6): The development of roads may have adverse effects on the character and amenity value of the local environment. The homogeneity of a neighbourhood can be physically divided, affecting local social and economic interactions. Subsequent increased traffic flows can create added noise, dust, vibration and danger to pedestrians, (especially children) and cyclists. Similarly, changes to flora, fauna and water flow patterns may arise. Principal reason (6): To maintain or enhance the quality of the environment.

Retain Policy 8.4.6

Explanation: This policy is considered appropriate in its current form. It will be located with and compliment the new roading policies developed through the review.

12.4 Policies (Subdivision)

1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in Chapter 3 – Cultural Heritage, Chapter 4 – Natural Heritage, Chapter 5 – Natural Hazards, Chapter 6 – Land, Chapter 8 – Utilities, Chapter 13 – Esplanades, Chapter 14 – Financial Contributions as well as any relevant zone policy in addition to the following:
 - Roading and Access

- * the adequacy of accessways, vehicle crossings and roads to enable the sustainable movement of people and vehicles safely and efficiently.

Delete Policy 12.4.1

Explanation: This policy is replaced by the new roading policies discussed in the analysis above.

Rules

14.11.16 Roads

- a) Every subdivision and development must be provided with a roading system which:
 - i) satisfies the requirements as to frontage of Section 321 of the Local Government Act 1974;
 - ii) complies with the standards contained in Gisborne District Council's Code of Practice for Engineering Standards, 2000
 - iii) meets the requirements of Chapter 15-Parking;
 - iv) is to be connected to the existing public roading system, so as to provide vehicular, and pedestrian access between the two systems.

14.11.22 Roading

- a) There must be an existing public road being a road which is:
 - i) within or contiguous to the land to be subdivided or developed so as to provide access from the land to be subdivided or developed to the existing public roading system, or the road is accessible by means of a private road or private way;
 - ii) of the standards required by Chapter 15-Parking for a road within the residential, commercial, rural, industrial zones or Port Management Area, whichever is applicable;
 - iii) of the standards required by the Gisborne District Council's Code of Practice for Engineering Standards, 2000.

Delete Rules 14.11.16 and 14.11.22

Explanation: These provisions predominantly relate to compliance with the Engineering Code of Practice and Chapter 15 of the District Plan. As noted, there will be no direct references to the Code of Practice and Chapter 15 is to be deleted. The remaining provisions are considered to be covered by other proposed rules and the new assessment criteria.

15.2 RULES FOR ROADS

The following Rules shall apply to all activities, where applicable:

15.2.1 Infrastructural Requirements

- a) All proposed new roads shall connect to, and be compatible with, the District Roding Hierarchy, as depicted in the Roding Hierarchy Maps.
- b) To meet the access needs of potential users, all new or upgraded roads required for subdivision or development shall comply with the following rules for minimum widths:

Road Type	Zone	Potential USERS	ROAD RESERVE WIDTH (Metres)	CARRIAGE WAY WIDTH (Metres)	FOOTPATHS (1.2m in width)
Service Lane	ALL	NA	4.5	3.5	Optional
Local	Rural	NA	12	5.5	Optional
	Residential	<20	12	5.5	1
		≥20	18	8	2
	Industrial and Commercial	<10	15	10	1
		≥10	18	10	2
Port	NA	18	10	1	
Collector	Rural	NA	20	10	Optional
	Residential, Commercial, Industrial, Port	NA	20	10	2
Principal	Rural	NA	22	12	Optional
	Residential, Commercial, Industrial and Port	NA	22	12	2
Arterial	Rural	NA	Specific Design	Optional	
	Residential, Commercial, Industrial and Port	NA	Specific Design	2	

Table 1 Rules for New and Upgraded Roads Associated with Subdivision and development.

- c) The following formula shall be used to determine the potential number of users to be applied in Table One above:

$$\text{Potential Users} = T / MS$$

where:

- i) T = total area of land to be subdivided (m²)
 ii) MS = minimum permitted site size for zone (m²)

Retain and Relocate Rule 15.2.1 to Chapter 8

Explanation: As discussed in the analysis, further work needs to be undertaken to establish a more efficient and effective approach to road design. However, the existing provisions are more appropriate to keep at this stage.

15.2.2 Footpaths

- a) Footpaths shall be provided as indicated in Table One above.
- b) Footpath gradients shall not exceed a ratio of 1:6.

Delete Rule 15.2.2

Explanation: the requirement for footpaths is considered more appropriate in the new road design rule. The maximum grade rule is considered to be the level of detail appropriate to the Code.

15.2.3 Street Lighting

- a) Street lights shall comply with the New Zealand Standard NZS 6701:1983; New Zealand Code of Practice for Street Lighting.

Delete Rule 15.2.3

Explanation: the requirement for street lighting is addressed in the road design rule and any reference to specific standards will generally be dealt with in the Code.

15.2.4 Sight Lines

- a) All new vehicle crossings / accessways shall be designed, located and developed to ensure that the sight lines (illustrated in Figure One) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure One and Table Two specified below:
- b) All new intersections shall be designed, located and developed to ensure that the sight lines (illustrated in Figure One) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure One and Table Two specified below:

Operating Speed (km/h)	Minimum Sight Distance (Metres)	
	Local or Collector Road Frontage	Principal or Arterial Road Frontage
40	30	70
50	40	90
60	55	115
70	85	140
80	105	175
90	130	210
100	160	250
110	190	290
120	230	330

Table 2: Rules for Minimum Distances of Sight Lines

Assessment of sightlines shall be undertaken by a suitably qualified person using the Road & Traffic Standards No.6, Guidelines for Visibility at Driveways and Austroads 1993:

Rural Road Design, Guide to the geometric Design of Rural Roads. Austroads Publications No AP-1/89

Note:

1. The column "Operating Speed" in Table 2 is not the posted speed limit of a particular road. It is the actual speed at any given point.
2. Sight distances shall be measured from the road reserve boundary.
3. Sight distances shall be measured to and from a height of 1.15 metres above the existing road surface and the proposed surface level of the side road or access.

Amend and Relocate Rule 15.2.4 to Chapter 8

Explanation: The rules for sightlines will be retained with the 110 and 120 km/h operating speeds removed from Table 2. Overall however, retaining the sight lines for intersections and vehicle crossings/accessways is considered an effective way to provide for the safety of road users.

15.2.5 Turning Areas

- a) Turning areas for cul de sacs (illustrated in Figure Three) shall be constructed to accommodate the manoeuvring of vehicles as specified below:

Area	Requirement
Residential	90 percentile truck
Rural	90 percentile truck
Commercial	99 percentile truck
Industrial / Port	99 percentile truck

Table 3: Rules for Turning Areas

Retain and Relocate Rule 15.2.5 to Chapter 8

Explanation: this rule is considered an effective means to ensuring adequate turning space is provided in cul de sacs. Issues have been raised through the review process regarding inadequate turning ability for emergency and solid waste/recycling vehicles. This has resulted to damage to kerbs, grass berms and street lights.

15.2.6 Road Corner Splays

- a) Corner lots on intersections shall be rounded to a radius of not less than 6m, or provided with a corner splay to give the equivalent sight distances.

Delete Rule 15.2.6 Road Corner Splays

Explanation: A construction matter and therefore more appropriate in the Code. The sight line requirements retained for Chapter 8 will ensure adequate sightlines are provided through the consent process.

15.2.7 Kerb and Channelling

- a) All roads in commercial, residential or industrial zones, including service lanes, shall be provided with kerb and channelling.

Delete Rule 15.2.7 Kerb and Channelling

Explanation: This rule essentially excludes the use of low impact design solutions such as swales in the road reserve. Given the focus of the review, it is considered appropriate to remove, providing a more effective way of implementing low impact design. There will be a general requirement to provide adequate stormwater drainage for roads.

15.2.8 Zoning of Road Reserve

- a) Where a road is surrounded by one zone, the zone of the road reserve shall be that of the surrounding zone.
- b) Where a road is adjacent to two or more zones, the zone of the road reserve shall be that of the highest adjoining zone ranked in the following order of priority:
- i) Residential Zones (**highest**)
 - ii) Reserve Zones
 - iii) Rural Zones
 - iv) Commercial Zones
 - v) Port Management Zones
 - vi) Industrial Zones (**lowest**)

Delete Rule 15.2.8 Zoning of Road Reserve

Explanation: This rule is repeated in Chapter 8.

15.3 RULES FOR VEHICLE CROSSINGS AND ACCESSWAYS

The following Rules shall apply to all activities, where applicable:

15.3.1 Sight Lines at Vehicle Crossings

- a) All vehicle crossings shall be constructed and located to ensure that the sight lines (illustrated in Figure One) specified in Table Two are maintained with no obstructions, whether temporary or permanent, for the distances specified in Table Two:

15.3.2 Distances of Vehicle Crossings from Intersections

Sites shall maintain distances of crossings from intersections, so as to comply with Tables 4 and 5.

Posted (Legal) Speed Limit (Km/h)	Location of property access relative to intersection		
	Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)
50	20	30	20
60	50	50	30
70	100	100	45
80	120	120	60
100	200	200	60

Table 4: Property access performance criteria located on principal and arterial roads

Posted (Legal) Limit (Km/h)	Speed	Location of property access relative to intersection			
		Minimum	Distance	K, L & M	(m)
50		20			
60		30			
70		45			
80		60			
100		60			

Table 5: Property Access performance criteria located on collector and minor roads

Note:

All distances are to be measured in accordance with Figure 5.

15.3.3 Manoeuvring Areas

- a) Subject to 15.3.3(b) with the exception of sites containing no more than one single dwelling unit, all sites shall provide either accessways, aisles and turning areas or parking spaces adequate to enable vehicles to enter and exit to the road in a forward direction.

Note

An adequate turning area is one that provides for the car tracking curves depicted in Figure 2.

- b) Sites fronting arterial roads

The construction, addition to, or alteration of buildings (including new dwelling units) shall not encroach on or reduce on-site manoeuvring areas beyond the point that they continue to provide the ability for vehicles to enter and exit to the road in a forward direction.

15.3.4 Surfaces

- a) In residential, commercial or industrial zones or reserves adjoining these zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be finished with a sealed surface and drained.

- b) In rural zones, or reserves adjoining rural zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be:
 - i) Finished with a sealed surface where the adjoining carriageway is sealed.
 - ii) Finished with a hard surface where the adjoining carriageway is unsealed.
- c) All shared accessways and associated turning areas shall be:
 - i) Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.
 - ii) Finished with a hard surface in rural zones, or reserves adjoining rural zones.
- d) All accessways and associated turning areas for industrial and commercial activities shall be :
 - i) Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.
 - ii) Finished with a hard surface in rural zones, or reserves adjoining rural zones.

15.3.5 Access to Sites With More Than One Road Frontage

- a) For properties that have legal frontage on to two roads:
 - i) Where the property is located in a rural zone and adjoins an arterial or principal road, access shall be from the road with the lesser traffic function, as identified in the Rooding Hierarchy Maps.
 - ii) Where the property is located in a commercial zone, industrial zone or a port management zone, and adjoins an arterial or principal road, access shall be from the road with the lesser traffic function, as identified in the Rooding Hierarchy Maps.

15.3.6 Minimum Distance Between Vehicle Crossings

- a) The minimum distance between vehicle crossings on any one site shall be 15m.
- b) In commercial zones, industrial zones and the Port Management Zones the minimum distances between vehicle crossings on any two adjacent sites shall be 2m, unless a combined crossing not exceeding 9m serves the two adjacent sites, or the vehicle crossing is for two or more residential dwelling units located on the one site.

Note:

Attention is drawn to ~~Transit New Zealand's~~ NZ Transport Agency requirement for permission to construct any accessway or vehicle crossing in the road reserve of any state highway

15.3.7 Single-Site Vehicle Access

- a) The width of accessways and vehicle crossings for individual sites shall comply with the rules in Table Four:

Activity	Width of Crossing (Metres)	
	Minimum	Maximum
Residential (Single Unit)	3	6
All Other Activities	4	9

Table 4: Rules for Vehicle Crossing Widths

- b) The number of accessways and vehicle crossings onto a road frontage on any one site shall not exceed that shown in Table 5.

Frontage Length (Metres)	Type of Road	
	Local and Collector Roads	Principal and Arterial Roads
0 - 25	1	1
26 - 60	2	1
>60	3	2

Table 5 Rules for the Maximum Number of Vehicle Crossing

15.3.8 Multiple-Site Access and / or Multiple Unit Access

- Up to 10 potential dwelling units may share access from a single accessway and vehicular crossing.
- Access to serve more than 10 dwelling units are required to be served by a public road vested in the Gisborne District Council.
- Up to 3 commercial or industrial sites may share access from a single accessway and vehicular crossing.
- More than 3 commercial or industrial sites are required to be served by a public road vested in the Gisborne District Council.
- To meet the access needs of potential users, every accessway and vehicle crossing serving more than one site shall be constructed in accordance with the rules specified below:

Dwellings to be Served	Legal Width (Metres)	Minimum Carriageway Width (Metres)
2 to 4	4	3
5 - 7	5	4
8 - 10	6	5.5

Table 6 Rules for Dimensions of Multiple Site Accessways

Retain and Relocate Rules 15.3.1-15.3.8 to Chapter 8

Explanation: The existing provisions are considered appropriate in their current form. As noted further work will be undertaken as the Code of Practice is reviewed to establish whether they can be improved upon.

New provisions have been inserted as a result of the post-submission process. This requires accessways to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. This is explained further under the recommended decisions on submissions.

4.6.3 Proposed new provisions

8.8 Policies (Works and Services)

Roading and Access

1. The road reserve provides a range of environmental and community functions that shall be recognised and provided for in an integrated manner, including:
 - The safe and efficient movement of people, goods and services
 - A corridor for network utility operators and their operations
 - A space for community interaction and recreation
 - Amenity, streetscape and character values
2. To ensure that property access occurs in a manner that does not adversely affect the wider functions of the road reserve.
3. To encourage roads and accessways to be designed according to their environmental context and surrounding land uses.
4. *To ensure that the development and use of existing roads does not adversely effect the character of local communities, or the surrounding environment.*

Explanation and Principle Reasons:

1. *There are competing demands for the space within the road reserve. Council recognises that it is important to manage this public space in an integrated manner to ensure that the various community expectations can be met.*
2. *Individual property access is an important component of subdivision and land development. However, it should not occur in isolation to the other functions and requirements of the road reserve (listed in Policy 1). The policy aims to ensure that consideration is given to integrating property access with the wider roading context, whilst ensuring individuals the ability to efficiently and safely access their land.*
3. *Given the varied nature of the district's physical and social environments, all roads and accessways will have circumstances unique to their location and surrounding use. They should be designed and constructed to reflect their surroundings whilst ensuring their various functional requirements are met.*
4. *The development of roads may have adverse effects on the character and amenity value of the local environment. The homogeneity of a neighbourhood can be physically divided, affecting local social and economic interactions. Subsequent increased traffic flows can create added noise, dust, vibration and danger to*

pedestrians, (especially children) and cyclists. Similarly, changes to flora, fauna and water flow patterns may arise. Principal reason (6): To maintain or enhance the quality of the environment.

Changes:

The following changes (underlined> are proposed to the access standards. This is a result of the post-submission process and is explained further in section 5.0: Recommended Decisions on Submissions.

- 8.13.9.7 Single-Site Vehicle Access:

Activity	Width of Crossing (Metres)	
	Minimum	Maximum
Residential (Single Unit)	3	6
All Other Activities	4	9

Access ways shall comply with the standards set out in New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

- 8.13.9.8 Multiple-Site Access and / or Multiple Unit Access:

Dwellings to be Served	Legal Width (Metres)	Minimum Carriageway Width (Metres)
2 to 4	4	3
5 - 7	5	4
8 - 10	6	5.5

Access ways shall comply with the standards set out in New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

4.7 Reserves and Landscaping

This section consists of the following:

- 4.7.1 Analysis of the reserve and landscaping provisions including Councils approach to reserve acquisition and the requirements for landscaping in new roads.
- 4.7.2 Recommendations on the existing provisions.
- 4.7.3 Draft policies, rules and assessment criteria.

4.7.1 Analysis

The provision of reserves and landscaping are related to the following objectives:

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
4. To enable and promote ~~the provision of subdivision and development~~ infrastructure that:
 - Allows the implementation of good urban design practice
 - Allows the implementation of low impact design principles
 - Reflects the environmental and social context of the location

These objectives have been considered in the analysis of the following provisions. The documents discussed below are not incorporated in the District Plan but provide some guidance in achieving the stated objectives.

Street Tree Policy

Council has an existing street tree policy that identifies the importance of trees in the urban landscape and provides some criteria around the provision and management of trees. The policy requires:

“New subdivisions or streets will have dedicated berm for street planting. All costs associated with planting are to be met by the developer. The minimum planting is one tree per section. Trees are to be chosen from the approved list of street tree varieties.”

A list is provided that identifies suitable (and unsuitable) species, both native and exotic. The remaining polices seem to be focused on planting trees into existing streets and aims to ensure the needs of utility services and residents are taken into account.

It has been indicated that this document is out of date and due for a review. However, some of the content still remains relevant and will be drawn on to develop suitable policies, methods and assessment criteria for the Plan. It is not proposed to directly reference the document at this stage.

Open Space Strategy

Council has also developed the “Open Space Strategy for Gisborne City and Wainui (2002 – 2022)”, which reviews issues, identifies opportunities and recommends actions in regard to open space. There are 17 Guiding Principles that identify Council's vision and approach to open space management.

It concludes that Gisborne is generally well endowed with reserves and open space but pockets of the city remain with inadequate provision for open space. Although this issue is wider than the context of land management under the District Plan, it is considered appropriate to identify the opportunities that growth and development may provide in terms of open space provision.

Reserves

The term “reserves” in this section refers to active or passive recreational space such as neighbourhood reserves, amenity reserves and recreation reserves as well as cultural and natural heritage reserves. It does not include the road reserve or utility reserves, which are dealt with under the general provisions and roading and access provisions.

In terms of reserves, there are very few occasions, other than the esplanade requirements in Chapter 13, where land is provided for reserve purposes through the subdivision and development process. Given the large amount of open space identified in the Open Space Strategy, it is not considered cost effective for the community to adopt policies that actively encourage additional land to be acquired. The specific policy relating to the Taruheru Block will be retained as this area was in its infancy when the strategy was developed and has been specifically identified as requiring neighbourhood reserve space.

However, there may be occasions where opportunities arise through the subdivision and development process to acquire reserve land that may fulfill a strategic outcome (identified through the LTCCP or other strategic document) or provide a significant benefit for the community. The Review of Financial Contributions has provided some policy guidance on this matter and it is proposed that assessment criteria be incorporated that ensures any land that is vested with Council is of a sufficient standard to meet the functions required of it. Opportunities can then be negotiated on a case by case basis when and if necessary.

This is considered the most appropriate option to address reserves that may be vested with Council through the development process. It would be possible to develop more detailed

policies or criteria but given the infrequency of reserves being vested with Council, it is not considered efficient or effective to do so.

Landscaping

Currently, most Council documents refer to “trees” or “street trees” and it is proposed to change the terminology to “landscaping”. This provides a much wider context for planting and other amenities (such as street furniture, rock features etc) to be included into developments where this may be appropriate.

Landscaping is usually vested with Council through the provision of a new road or a new reserve acquired through subdivision and development. Chapter 8 does not seek to control private landscaping or planting initiatives that may be associated with subdivision or development. There are other District Plan controls that provide for private landscaping and these are outlined in the appropriate zone or overlay. The landscaping associated with existing Council reserves and open space is dealt with under Chapter 22 (Reserve Zones) in the District Plan and by reserve management plans developed under the Reserves Act.

The focus of the policies, methods and assessment criteria will be the landscaping associated within the road reserve. As noted, acquiring new reserves through development processes is a rare occurrence and the necessary landscaping will need to be considered in the context of the site and land involved. This can be dealt with through existing provisions on a case by case basis where necessary. The more common scenario that Council deals with, and where particular issues have been identified, is the landscaping associated with the road reserve.

Two alternatives have been identified to address this issue. The first is to require landscaping provisions to be provided in any new road reserve through regulation in the District Plan. The second is an assessment of the status quo. This generally means that landscaping is not required through the consent process and is left for individual developers to decide or otherwise required on an ad-hoc basis where the subdivision status may allow.

ALTERNATIVE 1: Require landscaping for new roads

Potential Benefits and Opportunities

- Provides certainty for residents, contractors and utility providers as to where street trees/landscaping will be located prior to development proceeding.
- Ensures that amenity values are taken into account as part of road design.
- Allows an integrated approach to designing new roads. Any conflict or interference issues can be identified at an early stage.

Potential Costs and Risks

- There may be additional time and planning required prior to lodging an application for a developer.
- Costs associated with the physical works and additional space that may be required.
- There may be additional staff time required prior to accepting or assessing an application to ensure the requirement is met.

Efficiency and Effectiveness

- Considered an efficient and effective way to ensure street trees or landscaping are provided in an integrated and sustainable manner.
- Potentially less efficient in terms of consenting timeframes.

ALTERNATIVE 2: Status Quo

Potential Benefits and Opportunities

- Ongoing maintenance costs are avoided by Council if landscaping is not undertaken.
- Reduced development costs for developer and does not require as much land to be vested for public purposes if landscaping is not undertaken. This will potentially increase the allotment yield.

Potential Costs and Risks

- May be pressure from residents or individuals after consent approval for Council to retrofit roads with street trees or landscaping into a space that was not designed or constructed for them.
- Lack of amenity and character associated with the urban or township environments.
- Continuing issues with conflict and interference with utilities if landscaping is implemented under the current approach.
- Continuing issues with landscaping being removed (if put in by developer) for vehicle crossings and services as post-consent development proceeds.

Efficiency and Effectiveness

- Not considered effective in terms of maintaining and enhancing amenity values.
- Not considered efficient or effective in achieving sustainable and integrated management.
- Potentially more efficient and effective at ensuring subdivision or development consents are processed quickly where a new road is involved.
- Potentially inequitable as landscaping may only be required on some subdivisions and not others depending on the status of the activity.

RECOMMENDATION: Alternative 1

It is considered the most efficient and effective approach is to require landscaping, through policies and rules, as part of the subdivision or development process as indicated in Alternative 1. This is considered the most appropriate starting point and ensures integrated management is achieved. It also ensures that future residents are provided with a minimum level of amenity. If there are particular circumstances that make this requirement difficult or impractical then Council can apply the appropriate discretion.

However, if this is done, it may be good practice to register a consent notice, or some other form of legal notice, on the titles of adjoining properties that the road in question has not been designed for the inclusion of landscaping.

To ensure that enough flexibility is provided for developers, two options are proposed to meet the landscaping requirement. The first is that a specific amount of land be set aside per allotment (5m²) and the second is requiring a dedicated tree berm as is required under the existing street tree policy. This is considered an appropriate mechanism to ensure a developer is not limited in their response to the constraints and opportunities that a particular site may present.

4.7.2 Recommendations on Existing Provisions

8.4 Policies (Utilities)

4. To encourage the planting of tree species where any interference potential will be avoided, remedied or mitigated.

Explanation (4): Tree species that have a limited maturity height are less likely to interfere with network utility services. Trees planted on sites not immediately adjacent to underground network utility infrastructure are less likely to cause damage. Principal reason (4): To facilitate the efficient use and development of physical resources.

Amend Policy 8.4

Council intends to retain this policy, and as outlined above, ensure that the rules also emphasise the importance of avoiding interference with infrastructure services. It is proposed to move the policy from its current location under Network Utility Activities to the Landscaping and Reserves section in Chapter 8. It is considered most effective in this location as network utility activities do not involve the provision of planting and landscaping and there is a chance it may be overlooked.

22.4 Policies

1. To enable community wellbeing by making reserve land available in order to maintain and enhance:
 - residential and district amenity;
 - present and future recreation opportunity;
 - public access;
 - conservation and landscape values;
 - and to maintain and protect the environmental, cultural, visual and/or historical significance of reserves.
4. To work with landowners to design and purchase additional reserve space in the area indicated in Appendix 20 – Taruheru Block Infrastructure Plan and to ensure that any reserves are integrated into future development in a manner the promotes safety and amenity.

Explanation (1): Where the provision of reserve land and recreation facilities of different types is inadequate, additional areas should be added wherever possible in

order to off-set the potential adverse effects of the built environment. It is important that neighbourhood and small sports grounds are spread throughout the city and township communities with reasonable frequency in order that communities be enabled to provide for their health and well-being. Public access, particularly to and along the Coastal Marine Area (CMA), lakes and rivers, is recognised as a matter of national importance and fundamental to the purpose of the Act. Conservation and landscape values would be adversely affected without protection. Principal reason (1): Sections 5, 6(d) and 7(c) and (f) of the Act.

Explanation and Principle Reason (4): In order to achieve a high level of amenity in urban areas reserve space for active and passive recreation should be provided within a convenient distance of every resident.

Retain Policy 22.4.1

Explanation: This policy has a broader context than the infrastructure chapter as it applies to all Council reserves, reserve zones and the activities on them. The most effective option for ensuring the policy is implemented is to retain it in its current location.

Retain Policy 22.4.4

Explanation: Given that this policy relates to the Taruheru Infrastructure Plan, it is appropriate that it be located under the Structure Planning section of Chapter 8. It can then be read conjunction with the other policies for this structure plan.

Rules

There are no existing rules (other than financial contributions) specific to reserves or landscaping in Chapters 8, 12, 14 or 15. Chapter 8 does have provisions relating to the height of vegetation and avoiding the attraction of birds for the Airport Protection Overlay Area and Air Corridors but as noted there is no intention to change the airport provisions as part of this review. There are rules in the zoning chapters that relate to the planting of vegetation but these are outside the context of the infrastructure chapter.

4.7.3 Proposed new provisions

Policies

Plan Change 38

- 1. To consider requiring a financial contribution of land for reserves on subdivision consent applications where the need for a reserve is recognised in a structure plan or other policy documents; or where the applicant proposes to vest land in Council. To consider entering an agreement, e.g. a Special Circumstance Agreement under the Development Contributions Policy, where a financial contribution of land is required in order to recognise and offset the value contributed above the usual development contribution.*

Plan Change 42

2. To encourage and provide for landscaping within the road reserve in appropriate locations, while avoiding, remedying or mitigating any conflict or interference potential with network utility services.

Explanation

1. A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.

2. It is important for community and environmental well being that planting and landscaping are taken into account where a new road reserve is proposed or an existing road is upgraded. However, planting and landscaping have the potential to adversely affect above ground and under ground utility services. Planting and landscaping that avoids, remedies or mitigates potential adverse effects is consistent with integrated management and the efficient use of resources.

8.8 Policies (Works and Services)

Reserves and Landscaping

Plan Change 38

5. To consider requiring a financial contribution of land for reserves on subdivision consent applications where the need for a reserve is recognised in a structure plan or other policy documents; or where the applicant proposes to vest land in Council. To consider entering an agreement, e.g. a Special Circumstance Agreement under the Development Contributions Policy, where a financial contribution of land is required in order to recognise and offset the value contributed above the usual development contribution.

Plan Change 42

6. To encourage and provide for landscaping within the road reserve in appropriate locations, while avoiding, remedying or mitigating any conflict or interference potential with network utility services.

Explanations:

5. A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.

6. It is important for community and environmental well being that planting and landscaping are taken into account where a new road reserve is proposed or an existing road is upgraded. However, planting and landscaping have the potential to adversely affect above ground and under ground utility services. Planting and landscaping that avoids, remedies or mitigates potential adverse effects is consistent with integrated management and the efficient use of resources.

8.13.4 Street Planting

- a) For new roads in residential, commercial and industrial zones either:

- A minimum of 5m² of land shall be set aside within the road reserve for each potential allotment accessed from that road (based on minimum permitted site areas) for the purpose of landscaping. Such areas may be combined but shall still be located evenly throughout the road. The land shall be free from utility services.

Or:

- A dedicated berm for landscaping shall be provided. The minimum planting is one tree per allotment. The land shall be free from underground utility services.

8.16.4 Assessment Criteria: Reserves and Landscaping

In regard to the provision of reserves and landscaping, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether reserve land to be vested with Council is of an appropriate standard to meet the functions required of it, having particular regard to:
 - Accessibility, including any linkages with the roading network or other public space.
 - Ongoing operational and maintenance costs.
 - Ensuring a high level of amenity.
 - Public safety, taking into account the principles of CPTED (Crime Prevention Through Environmental Design).
 - Consistency with Council's "Open Space Strategy for Gisborne City and Wainui (2002 – 2022)".
- Whether landscaping is of an appropriate standard, having particular regard to:
 - The use of plant species and/or structures appropriate to the location and surrounding land uses.
 - Avoiding interference or conflicts with network utility operations.
 - Providing adequate space and growing conditions are provided for planting areas.
 - Ensuring any landscaping structures are secure and durable.
 - Ongoing operational and maintenance costs.

4.8 Stormwater

This section consists of the following:

- 4.8.1 Analysis of the stormwater provisions including recommendations on the use of low impact design and the new service levels required for stormwater infrastructure.
- 4.8.2 Recommendations on the existing provisions.
- 4.8.3 Proposed new provisions.

4.8.1 Analysis

The design, construction and management of stormwater infrastructure is related to the following proposed objectives:

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
4. To enable and promote ~~the provision of subdivision and development~~ infrastructure that:
 - Allows the implementation of good urban design practice
 - Allows the implementation of low impact design principles
 - Reflects the environmental and social context of the location

Low Impact Design

Historically there has been an emphasis on getting rid of stormwater by piping it off site. This was generally considered acceptable as long as the discharge points had sufficient capacity. However, there are now capacity issues in many areas and wider recognition of the need to protect receiving environments. Simply piping stormwater to the nearest outlet is now unfeasible and unacceptable in many circumstances. These matters are not well recognised in the Plan and it is proposed that the stormwater provisions be re-written to promote a more integrated and environmentally responsive approach. This includes the incorporation of low impact design provisions into the Plan.

Experiences from around the country suggest that to improve the uptake and implementation, incorporating low impact design into the Code of Practice alone isn't enough. Corresponding planning guidance is considered important.

Two approaches to incorporating low impact design are analysed below. The first is to promote low impact design where possible and require where necessary. This would be promoted through the policies and required through specific rules that require a low impact approach. The second alternative is to make low impact design a compulsory requirement through the provision of rules and policies.

ALTERNATIVE 1: Promote where possible and require where necessary

Potential Benefits and Opportunities

- Provides a wider range of stormwater options to be considered, allowing the design to take into account any constraints or opportunities a site may present.
- Allows a possible transition period for low impact approaches to be developed and for knowledge and experience to increase. Low impact approaches are not widely used in the Gisborne context and this approach may provide a more manageable approach to incorporating it into practice. There may be the potential for a more compulsory requirement in the future.
- Provides the opportunity to raise awareness, research and educate around stormwater management over a more manageable time period.
- May not require the additional land area that low impact approaches may impose.

Potential Costs and Risks

- Additional runoff and pollutants entering the existing stormwater system and in particular urban waterways if low impact design is not implemented.
- Cumulative effects on the capacity of the existing stormwater system, requiring the need for additional or more frequent upgrades.
- Uncertainty about the most appropriate low impact system for any given scenario if there is a lack of clear information. There may be disagreement or uncertainty over the need for a low impact approach.

Efficiency and Effectiveness

- Given there is not a lot of experience or expertise in Gisborne, a combination of encouraging and requiring low impact design where necessary is considered the most efficient and effective approach.
- Allows for a more co-ordinated and rational transition to improving stormwater management but still promotes the improvement of stormwater outcomes.
- Low impact design can be considered on a case by case basis and/or compared with a conventional stormwater system.

ALTERNATIVE 2: A compulsory approach

Potential Benefits and Opportunities

- Likely to result in more immediate improvements to the quality of stormwater discharges and a reduction in peak flows associated with new subdivision and development.
- Greater certainty regarding the method of stormwater management that is required.
- Raised awareness of stormwater and water quality issues through practice and observation.
- Longer asset life if there is less pressure on stormwater capacity.

Potential Costs and Risks

- Operational problems or sub-standard asset delivery may occur if low impact design standards and requirements are not fully understood. This may lead to unplanned expenditure for Council.
- Not a lot of experience or expertise at the Council or development level to assess and design the full range of low impact approaches.
- Uncertainty over the ongoing costs and maintenance required.
- Additional staff and developer time to implement a new approach. Could be consenting delays if stormwater systems are not fully understood or there is uncertainty around the level of information required.

Efficiency and Effectiveness

- Considered effective in terms of improving environmental outcomes in a shorter timeframe.
- Potentially inefficient if consenting timeframes are increased or sub-standard designs require additional work.
- Is not considered the most appropriate option at this stage due to the potential uncertainties and lack of specific knowledge and expertise available.

RECOMMENDATION: Alternative 1

Alternative 1 is considered the most appropriate approach when comparing the potential benefits/opportunities with the potential costs/risks. There may be situations where a low impact approach is required due to impervious surface requirements, capacity constraints

or the need to protect a sensitive receiving environment but this will be assessed on a case by case basis.

The District Plan has some existing provisions that may necessitate the use of low impact design for the Rural Lifestyle and Rural Residential zones. This is expressed through the requirement to ensure post-development runoff rates do not exceed pre-development levels. This approach will be retained for those zones. Additional provisions are proposed that may necessitate the use of low impact design methodologies. These are discussed below under levels of service.

Level of Service

New rules are proposed that establish the level of service stormwater systems are expected to meet. They relate to the capacity to convey runoff from a particular AEP (Annual Exceedance Probability) rainfall event for primary and secondary flowpaths. Additional measures are also required where capacity is identified as an issue.

Currently, these service levels are specified in the Code of Practice and will be the standard that most systems are designed to. In practice, it will usually be a condition of consent that a detailed design be provided in accordance with the Code. This approach does not allow the adequacy of a stormwater system to be addressed prior to the granting of consent. It does not provide for integrated management or for the environmental effects to be effectively understood. It is considered appropriate to include these service levels in the District Plan rules so they can be assessed through the initial planning or consent process.

It should be noted that the proposed provisions do not introduce new service levels to be met, but ensure that they are considered at the appropriate stage of the process. This approach is considered to be a more efficient and effective mechanism for assessing the full environmental effects of subdivision and land development and therefore in achieving the objectives stated for infrastructure.

4.8.2 Recommendations on Existing Provisions

12.4 Policies (Subdivision)

1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in Chapter 3 – Cultural Heritage, Chapter 4 – Natural Heritage, Chapter 5 – Natural Hazards, Chapter 6 – Land, Chapter 8 – Utilities, Chapter 13 – Esplanades, Chapter 14 – Financial Contributions as well as any relevant zone policy in addition to the following:
 - Stormwater
 - * the adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from impervious surfaces;
 - * the practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways;

- * whether there is capacity in the Council's stormwater system to cater for increased runoff from the proposed allotments in the urban areas;
- * where an existing outfall is not capable of accepting increased runoff the adequacy of proposals to cope with the stormwater;
- * any adverse effects of the proposed subdivision on drainage to and from adjoining properties and proposed measures to mitigate the adverse effects.

Stormwater in Rural Residential and Rural Lifestyle Zones Only:

- * whether the discharge and dispersal within each allotment or group of allotments occurs in a controlled, diffused manner;
- * whether Low Impact Design principles (see the Glossary for a fuller explanation on LID) have been applied and evaluated against 'Countryside and Foothills Stormwater Management Code of Practice', Waitakere City Council (WCC) 2005 and the 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008'.
- * the adequacy of discharge point connections from each allotment to a Council stormwater system or privately managed drain.

Note: The provisions of the Regional Plan for Discharges to Land and Water, Waste Management and Hazardous Substances also apply.

Explanation and Principal reason (1): There is a need to provide an outfall for stormwater and an adequate reticulation system to dispose of it particularly in the urban environment. The main reason for this is to avoid potential adverse effects on adjoining land caused by inadequate stormwater disposal systems.

In addition to the above, the principal reason for the stormwater policies for the Rural Residential and Rural Lifestyle zones is to make provisions for managing the high water tables to acceptable levels for peri-urban development.

Delete Policy 12.4.1: Stormwater

Explanation: Currently, Policy 12.4.1 provides the most comprehensive policy directives in the Plan for stormwater management and it is considered these matters would be more effective if they were amended and applied to all developments. It is proposed that they be changed and incorporated into the new infrastructure chapter, forming part of the new assessment criteria. They will therefore be deleted from Chapter 12 with the general content retained and re-formatted for the new assessment criteria.

The reference to the Waru-Haisman catchment management plan will be retained (through the rules) as it is still relevant and identifies specific management priorities for that area. The Waitakere City Council standards will be removed from the policy but included in the list of acceptable standards developed through the Code of Practice.

12.6.6 Stormwater

- a) All new allotments shall be provided within their site area with a means for the disposal of collected stormwater from the roof of all buildings and from all impervious surfaces.
- b) In Rural R and Rural L zones, a site plan shall be submitted, identifying all impervious surfaces, so that they should not exceed 16% of the site area (and any access strip for rear sites).
- c) In Rural R and Rural L zones, discharge and dispersal of stormwater shall not exceed the peak runoff as calculated for conditions prior to development occurring, and runoff from the development site shall not be in a concentrated flow.

PROVIDED THAT:

In respect to b) and c) the 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008' shall be complied with.

Amend and Relocate Rule 12.6.6 to Chapter 8

Explanation: These rules will be relocated to the new infrastructure chapter with wording amendments to a) and c). Rule a) will be reworded to fit the new format of Chapter 8. Rule c) will specify the AEP (Annual Exceedance Probability) rainfall event that stormwater systems shall be designed to.

14.11.21 Stormwater Disposal

- a) There must be an existing public system of stormwater drainage being a system which is:
 - i) within or contiguous to the land to be subdivided or developed;
 - ii) making adequate provision for the disposal of stormwater from all allotments in the catchment upstream of the subdivision or development having reference to the requirements of the Gisborne District Council's Code of Practice for Engineering Standards, 2000;
 - iii) available to make adequate provision for the disposal of stormwater from all allotments in the subdivision or development having reference to the requirements of the Gisborne District Council's Code of Practice for Engineering Standards, 2000
- b) The development and all allotments in the subdivision are to be provided with connections to the existing public stormwater system at an outlet or outlets approved by the Council:

PROVIDED THAT within the Taruheru Block and Rural Industrial A and B zones the payment of a financial contribution shall be calculated in accordance with Rules 14.11.23 and 14.11.24.

Delete Rules 14.11.21 a) i) and b)

Explanation: These rules are reflected in the general provisions and in the specific rules for stormwater that set out the level of service requirements.

Delete Rules 14.11.21 a) ii) and iii)

Matters ii) and iii) are considered more appropriate under the assessment criteria and have been included there. The reference to the Engineering Code of Practice will be removed as discussed under the format of provisions. The requirement for catchment analysis is also provided for under the assessment criteria.

14.16 SCHEDULE OF WORKS

14.16.3 Land Drainage

- a) The subdivider or developer is required to provide for all capital improvements within the subdivision or development site to the standards and requirements set out in the appropriate resource consent and reflected in the Gisborne District Council's Code of Practice for Engineering Standards, 2000, and make provision for any improvements required by the impact of the subdivision or development beyond the subdivision or development site.
- b) Land that floods or has a potential to flood is considered the full responsibility of the owner. The cost and benefits of developing land containing open water courses, overland flow paths, and flood prone areas, is a matter for the developers to determine, without dependence on Council funding and without creating impacts beyond the site being subdivided or developed.

Delete 14.16.3 Land Drainage (Schedule of Works)

Explanation: These matters have been addressed under the Review of Financial Contributions and under the general provisions, which set out the requirements for the funding and provision of infrastructure.

17.10 Policies (Location and Density)

- 12. Limit the density of development in urban residential areas according to the ability of the stormwater infrastructure system servicing the site to dispose of the potential runoff generated by the coverage of the site with buildings.

Explanation (13): By limiting development according to the capacity of the stormwater system in particular areas, the functioning of the system as a whole is protected. This will avoid any adverse effect on the environment which would result from the failure of the stormwater system.

Principal reason (13): The policy will ensure that the capacity of the infrastructure system as a whole to function is not compromised by the desires of individuals.

Retain Policy 17.10

Explanation: It is recommended that this policy be retained in its current location (Chapter 17). It relates to the density of development and therefore has a wider context than the new infrastructure chapter. The new chapter proposes to limit impervious surfaces through the rules, however, the reference to density in Chapter 17 is considered to go beyond this specific aspect as it includes the protection of amenity values.

19.14 RULES FOR INDUSTRIAL ZONES

19.14.5 Stormwater

- a) Where the site connects to a piped stormwater drainage system, stormwater runoff from the site is to discharge at the connection point to the primary system. Drainage works are to take into consideration the slope and contour of the site.
- b) Where stormwater runoff is greater than the capacity of the system which is to receive it, stormwater detention mechanisms are to be installed to prevent overflows from the system.

Note: To determine stormwater drain capacity refer to: Gisborne District Council Engineering Code of Practice (March 2000). Where the site is not reticulated for stormwater drainage, refer to the Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan.

Delete Rule 19.14.5 a)

Explanation: This rule is reflected in the general provisions and the specific rules for stormwater management below.

Amend and Relocate Rule 19.14.5 b) to Chapter 8

Explanation: The scope of this rule has been broadened to apply across all zones as part of the new provisions for stormwater. The wording has been amended and, as explained under the level of service analysis, will form part of the overall approach to meeting the objectives of Chapter 8.

21.8 RULES FOR RURAL ZONES

21.8.7 Stormwater

- a) For Rural Residential and Rural Lifestyle Zones, buildings and impervious surfaces shall not exceed 16% of the site area (and any access strips for rear sites).
- b) In Rural Residential and Rural Lifestyle Zones, discharge and dispersal of stormwater shall not exceed the peak runoff as calculated for conditions prior to development occurring, and runoff from the development site shall not be in a concentrated flow.

PROVIDED THAT

The 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008' shall be complied with.

Amend and Relocate Rule 21.8.7: Stormwater to Chapter 8

Explanation: These rules will be relocated to the new infrastructure chapter with amendments to b) to specify the AEP (Annual Exceedance Probability) rainfall event for which the stormwater system shall provide.

4.8.3 Proposed new provisions

8.8 Policies (Works and Services)

Stormwater

7. To require stormwater systems to be designed and constructed to:
 - Protect people, infrastructure, land and buildings against flooding and nuisance effects.
 - Avoid, remedy or mitigate adverse environmental effects including the pollution, sedimentation and erosion of receiving environments.
 - Provide adequate capacity and design standards to service the catchment within which they occur, taking into account foreseeable growth and development.
 8. To prefer low impact design approaches to stormwater management and in particular where there is a need to:
 - Protect or enhance natural heritage and amenity values associated with receiving environments such as waterways and the coastal environment.
 - Improve the quality of stormwater discharges.
 - Reduce peak flows associated with additional runoff.
7. *This policy ensures the basic elements of a stormwater system are recognised and provided.*
8. *There is an increasing awareness of the need to improve the quality of stormwater and decrease the peak flows associated with runoff and discharges. Low impact design offers solutions where there may be capacity issues or the need to protect sensitive receiving environments such as streams, rivers or the coastal environment. It also provides opportunities to integrate amenity values with water management solutions. There are various methods and standards available to ensure these solutions can be designed to the specific circumstances.*

8.13.5 Stormwater Systems

- a) Sites shall be provided within their site area with a means of collecting, managing and discharging stormwater from the roof of all buildings, accessways and from all impervious surfaces.
- b) Any connections or discharge points to the existing public stormwater system, where available, shall be at an outlet or outlets approved by the Council.
- c) Primary stormwater systems shall have sufficient capacity to convey a 10% AEP rainfall event without relying on secondary flow paths.
- d) Secondary stormwater systems shall have sufficient capacity to convey a 1% AEP rainfall event while protecting buildings and household gully traps from inundation.
- e) Secondary flow paths shall be free of obstructions and located on public land, land protected by an easement or land identified as a public drain.
- f) Stormwater conveyance shall be by way of gravity outfall with ground levels and/or contours identified prior to consent approval.

- g) With regard to Rules c) and d) where stormwater runoff is greater than the capacity of the system which is to receive it, runoff shall be managed to the relevant pre-development rates or the capacity of the system shall be upgraded.

Rural Lifestyle and Rural Residential Zones

- h) For Rural Residential and Rural Lifestyle Zones, buildings and impervious surfaces shall not exceed 16% of the site area (including impervious surfaces associated with any access strips for rear sites).
- i) In Rural R and Rural L zones, discharge and dispersal of stormwater shall not exceed the peak runoff for up to a 10% AEP event as calculated for conditions prior to development occurring, and runoff from the development site shall not be in a concentrated flow.

PROVIDED THAT:

In respect to 8 and 9 the 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008' shall be complied with.

8.16.5 Assessment Criteria: Stormwater

In regard to the provision of infrastructure for stormwater, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- The extent to which the proposed system is integrated and compatible with the existing stormwater and roading network.
- Whether the proposed system has adequate capacity to convey runoff from the upstream catchment taking into account foreseeable growth and development.
- Whether sufficient capacity is available in the existing network and downstream catchment to accommodate additional runoff and any necessary works required to avoid, remedy or mitigate adverse effects on the network or catchment.
- Avoiding, remedying or mitigating any potential adverse effects on the drainage associated with adjoining properties.
- Avoiding, remedying or mitigating any potential adverse effects associated with discharge points including:
 - Protection measures against erosion and scouring
 - Avoiding unstable geological material or steep slopes
 - Ensuring discharge velocities are suitable for the receiving environment
- Taking into account the life-cycle and on-going maintenance costs of stormwater systems, and in particular where the system is to be vested with Council
- The use of a standard recognised by Council and best practice for the design and construction of the stormwater system.

In addition, applications that incorporate low impact design methodologies, the following matters shall be considered:

- Whether life cycle costs and maintenance arrangements have been taken into account, and in particular where the system is to be vested with Council.
- The extent to which any limiting factors, such as slope gradients, road widths and land area have been identified and addressed.

4.9 Water

This section consists of the following:

- 4.9.1** Analysis of the water provisions, which includes new policies and the inclusion of the Gisborne Urban Area Boundary.
- 4.9.2** Recommendations on existing provisions.
- 4.9.3** Draft policies, rules and assessment criteria.

4.9.1 Analysis

The following proposed objectives are related to the infrastructure required for water supply. The objectives have been taken into account through the analysis below and the proposed changes and new provisions are considered an appropriate means of achieving these objectives.

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account

In terms of water policy, there is a general absence of high level guidance for the provision of infrastructure. The only existing policy (12.4.1: Water) is more akin to a rule and is not considered appropriate or effective in setting guidance for water supply. A new policy is proposed that sets out Council's general approach to water supply. It will be based upon ensuring an adequate volume and quality of water as the minimum requirement.

A second policy is proposed to promote and encourage the efficient use of water. This is an appropriate mechanism to consider the implications of subdivision and development effects on infrastructure capacity and the ability to meet increasing demands. This policy is

somewhat aspiring in the Gisborne context. However, it is not intended to provide a directive but to ensure the matter is recognised in the District Plan. Councils often provide incentives and guidelines to encourage the more efficient use of water resources. GDC may look at similar approaches in the future and providing policy context may be useful.

It is important to note that there are also regional responsibilities around the use and management of water resources. The District Plan provisions are aimed at subdivision and land development activities in the context of section 31 of the Act. There are aspects of low impact design such as stormwater attenuation that provide opportunities to recycle and conserve water for potable and non-potable uses. Linking the water policies is considered an effective approach to ensuring integrated management.

Council is also proposing that within the Gisborne Urban Area Boundary all subdivision and development activities (that require a water supply) shall connect to the reticulated system. Reticulated systems are preferred because they generally provide a more reliable and better quality service with less adverse effects on the environment than individual facilities on separate sites. It is an effective way to ensure environmental and community well being and to provide for health and safety. There is also a general expectation from the public that within the city, reticulated water is available to serve land use activities. This is particularly relevant for the provision of a fire fighting supply of water in order to provide for the safety of the community. It is also an efficient mechanism for ensuring strategic asset planning and providing more certainty around the level of funding (through Development Contributions) that Council can expect to receive.

4.9.2 Recommendations on Existing Provisions

12.4 Policies (Subdivision)

1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in Chapter 3 – Cultural Heritage, Chapter 4 – Natural Heritage, Chapter 5 – Natural Hazards, Chapter 6 – Land, Chapter 8 – Utilities, Chapter 13 – Esplanades, Chapter 14 – Financial Contributions as well as any relevant zone policy in addition to the following:

- Water
 - * where there is no reticulated water available the provision of a safe and potable water supply;
 - * that adequate water be supplied in the Gisborne Urban Area for firefighting capacity in accordance with the New Zealand Fire Service Code of Practice.

In terms of water provision the purpose is to ensure that there is an adequate supply of water in terms of volume and quality for human consumption.

Amend and Relocate Policy 12.4.1: Water to Chapter 8

Explanation: These matters have been reflected in the provisions for water supply. The wording has been changed for consistency but the general content remains.

12.6.5 Water

- a) All new allotments in reticulated areas shall be provided with the ability to connect to the network except where the allotment is for a network utility service, road, reserve or access purposes.
- b) In the reticulated areas fire fighting water supply shall be in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice 2003 SNZ PAS 4509:2003.
- c) A safe and potable water supply shall be shown to be capable of being provided where there is no reticulated supply available.

Amend and Relocate Rule 12.6.5: Water to Chapter 8

Explanation: This rule is consistent with the focus on the Gisborne Urban Area Boundary and has been reworded to provide consistency with the other infrastructure provisions.

14.11.20 Water Supply

- a) There must be an existing public water system, being a system which:
 - i) Consists of rider mains where the costs of providing such are cheaper than the costs of individual connections to the main;
 - ii) Is within or contiguous to the land to be subdivided or developed; and
 - iii) Is available to adequately provide for the supply of water to all of the lots in the subdivision or development including water for fire fighting purposes.
- b) The development and all allotments in the subdivision or development must be provided with connections to the existing public system at connection points approved by the Council:

PROVIDED THAT within the Taruheru Block and Rural Industrial A and B zones the payment of a financial contribution shall be calculated in accordance with Rules 14.11.23 and 14.11.24.

Delete Rule 14.11.20: Water Supply

Explanation: These matters are generally reflected in the new rules and assessment criteria.

4.9.3 Proposed new provisions

8.8 Policies (Works and Services)

Water

9. To ensure there is an adequate supply of water in terms of volume and quality for the anticipated land use, including provision for fire fighting supply.
10. To promote and encourage the efficient use of water through subdivision and land development activities.

Explanation and Principle Reasons:

9. *An adequate water supply is important for the well being of people and communities and for their health and safety.*
10. *This policy is intended to promote the benefits of efficient water use and assist in minimising costs to the community by prolonging the lifetime of water supply infrastructure.*

8.13.6 Rules for Water Supply

- a) Water Supply within the Gisborne Urban Area Boundary
 - i. Sites for any activity that will require a water supply shall be provided with a connection or connection point to the Council reticulated water system.
 - ii. Fire fighting water supply shall be provided in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice 2008 SNZ PAS 4509:2008.
- b) Water Supply outside the Gisborne Urban Area Boundary
 - i. Sites for any activity that will require a water supply shall be provided with a safe and potable supply of water.
 - ii. Sufficient water supply shall be available for fire fighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ 4509:2008.

8.16.6 Assessment Criteria: Water

In regard to the provision of infrastructure for water supply, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether adequate capacity is available in the existing reticulated system to serve the anticipated land use, including the requirements of fire fighting supply.
- Whether provision has been made for future water supply to serve the surrounding land, taking into account foreseeable growth and development.
- The use of a standard recognised by Council and best practice for the design and construction of water supply systems.

In addition to the above, applications to connect to Council's reticulation system for sites or buildings outside the Gisborne Urban Area Boundary, the following matters shall be considered:

- Whether there are any special circumstances that justify the need for connection to the reticulated system taking into account any precedent effects that may arise.
- The degree to which the connection may effect the capacity within the Gisborne Urban Area Boundary.
- The use of financial contributions, negotiated agreements or the necessary works to remedy any capacity issues identified as a result of the proposal.
- Whether there is a reticulated wastewater system and if not, the appropriateness of supplying a restricted flow of water.

4.10 Wastewater

This section consists of the following:

- 4.10.1 Analysis of the proposed changes including the new focus on the Gisborne Urban Area Boundary and assessment criteria for non-reticulated systems.
- 4.10.2 Recommendations on existing provisions.
- 4.10.3 Draft provisions.

4.10.1 Analysis

The following proposed objectives are related to the infrastructure required for water supply. The objectives have been taken into account through the analysis below and the proposed changes and new provisions are considered an appropriate means of achieving these objectives.

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account

Council proposes that within the Gisborne Urban Area Boundary all subdivision and development activities (that require wastewater disposal) shall connect to the reticulated system. Reticulated systems are preferred because they generally provide a more reliable and better quality service with less adverse effects on the environment than individual facilities on separate sites. It is an effective way to ensure environmental and community well being and to provide for health and safety. There is also a general expectation from the public that within the city, reticulated wastewater is available to serve land use activities. It is also an efficient mechanism for ensuring strategic asset planning and providing more

certainty around the level of funding (through Development Contributions) that Council can expect to receive.

However, it should also be recognised that this may not always be a feasible option. The general provisions have assessment criteria that address situations where private infrastructure is proposed in areas where a public system may be available. In the first instance however, it is considered appropriate that Council's expectation is to require reticulation.

Council also proposes criteria for activities outside the Gisborne Urban Area Boundary that wish to connect to the reticulation network.

It has been identified through the review process that the existing rules in Chapter 16 (Papakainga) and Chapter 17 (Residential Zones) are inconsistent with the rules in Chapter 14 (Financial Contributions, Works and Services). Rule 14.11.19 requires that an existing public wastewater system must be within or contiguous to the land being subdivided or developed in the Gisborne Urban Area. It is not clear who is responsible for providing or extending the system to meet the requirement. The rules in Chapter 16 and 17 stipulate that buildings shall only connect to the public wastewater system where it is no more than 30m from the boundary and no more than 60m from the nearest part of the building. It is proposed that the rules in Chapter 16 and 17 be removed. The more appropriate approach to wastewater management is considered to be the approach based upon the Gisborne Urban Area Boundary as discussed above.

Assessment criteria have been developed for the assessment of non-Council wastewater systems. Although there are provisions in the Discharges Plan that set environmental standards for wastewater, it is considered appropriate that some guidance be provided in the District Plan (as is the case now). The Discharges Plan focuses on the design, installation and maintenance of wastewater systems and not the land use activity that generated the need for the system. This is especially relevant for subdivision and development proposals that facilitate the need for wastewater systems post-development. Through its district level functions, Council will ensure that there are feasible and sustainable solutions to manage wastewater prior to consent approval.

4.10.2 Recommendations on Existing Provisions

12.4 Policies (Subdivision)

1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in Chapter 3 – Cultural Heritage, Chapter 4 – Natural Heritage, Chapter 5 – Natural Hazards, Chapter 6 – Land, Chapter 8 – Utilities, Chapter 13 – Esplanades, Chapter 14 – Financial Contributions as well as any relevant zone policy in addition to the following:
 - Sewage

- * the capacity, availability and accessibility of the reticulated system in urban areas to serve the proposed subdivision or the alternative methods proposed for the disposal of human waste (see note below);
- * whether the existing sanitary sewage disposal system to which the outfall will be connected has sufficient capacity to serve the subdivision;
- * the ability to provide a reticulated system with gravity outfall and where it is impossible to achieve this the feasibility of alternative individual pump connections or new pumping stations;
- * that in non-reticulated areas consideration be given at the subdivision consent stage to the nature and type of sewer system to be installed.

Sewage in Rural Residential and Rural Lifestyle Zones Only:

- * that in non-reticulated areas consideration be given at the subdivision consent stage to:
 - site specific factors to determine the feasibility of on-site wastewater treatment and disposal.
 - the types of sewage treatment and disposal systems that could confirm that sewage management solutions exist for each allotment.
- * when considering the use of on-site sewage treatment and disposal systems for new sub-divisions and/or intensification, regard shall be had to the potential for cumulative adverse effects.

Explanation

The purpose of sewage policy is to ensure that sewage is disposed of in a suitable manner and compliments the requirements contained in the Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan. Gisborne urban area has a reticulated network where it is required that waste be disposed. This is to ensure co-ordinated and adequate treatment.

Delete Policy 12.4.1: Sewage

Explanation: These matters have been replaced by the new assessment criteria for wastewater systems. The general content remains but the formatting and wording has changed to reflect the new format. New policies are proposed that address the general approach to wastewater management.

17.14 Policies (Non-reticulated Areas)

12. Ensure that new and existing developments have a wastewater treatment system installed and suitably maintained to treat all wastewater on site.

Explanation (15): The Plan will ensure that all new developments, have installed a wastewater treatment system appropriate to the physical conditions of the site. The system shall also be appropriate for the maximum potential level of occupation/activity on the site. One of the primary considerations in assessing the suitability of sites to accommodate development in these areas will be their ability to deal with the likely maximum level of effluent from potential activities

on the site. All effluent disposal must be shown to be self-contained within a site. Principal reason (15):

The policy will ensure that every development in non-reticulated areas will include an appropriate waste water treatment system which is installed and maintained to the highest standards, to avoid, remedy or mitigate any adverse effect on the environment.

Delete Policy 17.14: Non-reticulated Areas

Explanation: These matters are covered by the new policies and assessment criteria. The wording has changed for consistency but the general content remains.

12.6.7 Sewerage

- a) It shall be demonstrated that all new allotments are able to be provided with a practical and sustainable means of disposing of sewage, except where the allotment is for a network utility service, road, reserve or access purposes.
- b) It shall be demonstrated that the reticulation pattern for new allotments in the Taruheru Block is consistent with the wastewater catchments shown in Appendix 20 – Taruheru Block Infrastructure Plan.
- c) In Rural L and Rural Residential zones, the anticipated cumulative effects on surface water and groundwater from on-site disposal of sewage as a result of the development shall be quantified.
- d) That in non-reticulated areas, shallow cut-off drains are to be constructed at the perimeter of the disposal fields to ensure that the surface water does not pond. The cut-off drains should be channelled into the stormwater management system for each property.

Note:

Attention is drawn to the provisions of the Proposed Regional Plan for Discharges to Land and Water, Waste Management and Hazardous Substances.

Delete Rule 12.6.7 a), c) and d)

Explanation: Rules a) and c) are not considered appropriate in their current form. They use terminology such as practical, sustainable and anticipated, which provide no certainty. A rule should be clear in its meaning and the outcome it is trying to achieve. It is also required to ensure the activity be given its correct status (controlled, discretionary etc) under the District Plan. These provisions cannot achieve an efficient or effective approach to wastewater management. Rule d) will be reflected in the new assessment criteria.

14.11.19 Sewerage

- a) There must be an existing public system of sewerage drainage being a system which is:
 - i) within or contiguous to the land to be subdivided or developed, and
 - ii) providing adequate service to all allotments in the catchment upstream of the subdivision or development, and

- iii) available to adequately service all allotments in the subdivision or available to adequately service the development.
- b) The development and all allotments in the subdivision are to be provided with connections to the existing public system at an outlet approved by the Council:

PROVIDED THAT within the Taruheru Block and Rural Industrial A and B zones the payment of a financial contribution shall be calculated in accordance with Rules 14.11.23 and 14.11.24.

Delete Rule 14.11.19: Sewerage

Explanation: These matters are reflected in the new rules and assessment criteria.

16.8.8 Wastewater Treatment

- a) Every dwelling unit and other buildings requiring such services shall be connected to a reticulated water and sewerage system where the system is no more than 30 metres from the boundary of the land and no more than 60 metres from the nearest part of the building containing the fixture; otherwise
- b) A wastewater treatment system in accordance with the Gisborne Regional Discharges to Land and Water Waste Management and Hazardous Substances Plan shall be installed to adequately service each of the activities likely to occur on the site either separately or communally, so as to avoid, remedy or mitigate any adverse effects on the environment.

17.16.5 Wastewater Treatment

- a) Every dwelling-unit shall be connected to a reticulated water and sewerage system where the system is no more than 30 metres from the boundary of the land and no more than 60 metres from the nearest part of the building containing the fixture; *otherwise*
- b) A wastewater treatment system in accordance with the Gisborne Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan shall be installed to adequately service the activities likely to occur on the site.

Delete Rules 16.8.8 and 17.16.5: Wastewater Treatment

Explanation: These rules are no longer considered appropriate given the focus on the Gisborne Urban Area Boundary. Section 5.4 (General Requirements) outlines this in more detail.

21.8.8 Sewerage

- a) Every site shall be provided with a practical and sustainable means of treating and disposing of sewage, except where the site is for a network utility service, road, reserve or access purposes.
- b) In Rural Lifestyle and Rural Residential Zones, the anticipated cumulative effects on surface water and groundwater from on-site disposal of sewage as a result of the development shall be quantified.

Delete Rule 21.8.8

Explanation: This rule is not considered appropriate in their current form. They use terminology such as practical, sustainable and anticipated which provide no certainty. A rule should be clear in its meaning and the outcome it is trying to achieve. It is also required to ensure the activity be given its correct status (controlled, discretionary etc) under the District Plan. They are not considered to achieve an efficient or effective approach to wastewater management.

4.10.3 Proposed new provisions

8.8 Policies (Works and Services)

Wastewater

11. To ensure that the treatment and disposal of wastewater is adequate for the anticipated land use and appropriate to the location of the subdivision and/or development.
12. To ensure that the treatment and disposal of wastewater is undertaken in a manner that avoids, remedies or mitigates adverse effects on the environment and is consistent with maintaining public health and safety.

Explanation and Principle Reasons:

11. *This policy aims to ensure that the wastewater system is designed to accommodate the potential level of effluent from land uses associated with subdivision and development. It also ensures consideration is given to the location of the site in terms of physical characteristics and limitations as well as the ability to connect to the reticulated system.*
12. *Maintaining health and safety and avoiding, remedying or mitigating adverse effects are core principles of sustainable management required under Part of the Act. This policy applies to both reticulated and non-reticulated wastewater disposal.*

8.13.7 Wastewater Systems

- a) Within the Gisborne Urban Area Boundary, sites for any activity that will create wastewater shall be provided with a connection or connection point to the Council reticulated wastewater system.

8.16.7 Assessment Criteria: Wastewater

In regard to the provision of infrastructure for wastewater, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

For wastewater infrastructure connecting to the Council reticulation system:

- Whether adequate capacity is available in the existing reticulated system to serve the anticipated landuse.
- Whether provision has been made for future wastewater disposal to serve the surrounding land, taking into account foreseeable growth and development.

- The ability to provide a reticulated system with gravity outfall and where it is physically impossible to achieve this, any special circumstances that justify the use of pumping systems.
- The use of a standard recognised by Council and best practice for the design and construction of sewage systems.

For wastewater infrastructure not connecting to the Council reticulation system:

- Any documented assessment that identifies and addresses the risks and impacts to the environment and public health taking into account the limiting constraints of the physical environment and the sensitivity of receiving ecosystems.
- The need to undertake a Land Capability Assessment (LCA) to demonstrate the ability to assimilate wastewater into the receiving environment while avoiding, remedying or mitigating the potential for adverse effects, including cumulative effects.
- The adequacy of stormwater management systems to protect the land used for wastewater disposal from flooding, surface and subsurface water drainage and elevation of groundwater.
- Whether there is adequate land area available for on-site disposal including reserve land for future requirements, taking into account treatment and disposal options.
- Whether there is a connection to a reticulated water supply system and the extent to which this is incorporated into the system design.
- The degree to which allotment size and allotment yield reflects the capability to manage wastewater, taking into account the matters outlined above.
- The use of a standard recognised by Council and best practice for the design and construction of sewage systems.

In addition to the above, applications to connect to Council's reticulation system for sites or buildings outside the Gisborne Urban Area Boundary, the following matters shall be considered:

- Whether there are any special circumstances that justify the need for connection to the reticulated system taking into account any precedent effects that may arise.
- The degree to which the connection may effect the capacity within the Gisborne Urban Area Boundary.
- The use of financial contributions, negotiated agreements or the necessary works to remedy any capacity issues identified as a result of the proposal.

4.11 Energy and Telecommunications

This section consists of the following:

- 4.11.1 Analysis of the energy and telecommunication provisions.
- 4.11.2 Recommendations to the existing provisions.
- 4.11.3 Proposed new policies, rules and assessment criteria.

4.11.1 Analysis

Energy supply and telecommunications are generally regarded as an essential service for new subdivision and developments. They provide for the well being of people and communities throughout the district. However, they also require careful management to ensure maintenance and upgrading is possible and any adverse effects on their operation is avoided, remedied or mitigated. The Plan provisions for energy and telecommunications are therefore related to the following proposed objectives:

8.3 Objectives

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - ~~The maintenance and enhancement of amenity values~~
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated
3. That the infrastructure associated with growth and development be provided in an integrated and co-ordinated manner to ensure:
 - Compatibility with existing infrastructure networks
 - Adequate capacity for the anticipated land use
 - On-going management and life-cycle costs are taken into account
 - Unanticipated costs to the community are avoided
 - The requirements of infrastructure providers are taken into account
5. ~~Ensure that Network Utility Operations and the past investment into these operations are not compromised by the development of sensitive land uses in adjoining areas.~~ That the efficient and effective provision of network utility infrastructure, including investment in that infrastructure, is not adversely affected by inappropriate land use, development and subdivision activities.

There are no significant plan changes proposed regarding the provision of energy and telecommunication services that have not been discussed in previous sections. The

servicing and reticulation responsibilities have been outlined under the general provisions. The requirement for energy and telecommunications, as with other services, is that the initial developer be responsible for reticulation to the development site. Currently, a developer is only required to supply energy and telecommunications to the site where there is a new road or shared accessway.

The proposed changes ensure an integrated approach is taken to the provision of infrastructure and the implications on the existing network are identified prior to subdivision or development approval. This is considered the most appropriate way to ensure the new objectives are achieved.

It is also proposed that the policies for high voltage transmission lines be located under the energy and telecommunication section. They are currently located under the policies for the Taruheru Structure Plan and therefore only apply to that area. This is not considered efficient or effective as most high voltage transmission lines occur outside this area. If the objectives are to be achieved, then managing land use in relation to the high voltage lines should be applied in a consistent manner and throughout the district. The Taruheru Infrastructure Plan (Appendix 20) is still relevant and identifies the alignment of the transmission line with the road for that particular area. It is not considered appropriate to retain a separate policy in this regard.

4.11.2 Recommendations on Existing Provisions

8.5 Policies (Taruheru Block)

High Voltage Transmission Lines

10. To ensure that new development is designed and planned around the high voltage transmission lines in order to achieve appropriate separation distances required for public health and safety and security of the infrastructure, access to the infrastructure for inspection and maintenance and to minimise the amenity impacts of the lines.
11. To alert of the presence of the lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor in the Taruheru Infrastructure Plan (Appendix 20).

High Voltage Transmission Lines

To optimise development outcomes the presence of the lines should be considered early in planning any development of the Taruheru Block. Activities will need to comply with the minimum safe separation distances specified in the NZECP 34 : 2001. The identification of a High Voltage Transmission Line corridor in Appendix 20 will help alert developers and Council of the existence of the lines and the need to maintain separation distances. The existing transmission lines may also have a visual effect, but by "designing-in" the lines, these impacts can be reduced. Alignment of the high voltage transmission lines with roads is promoted as this will help to ensure ease of access for maintenance. Alignment of the lines with the road will also help to ensure that the safety buffers between the transmission lines and development is incorporated into the area in a positive way, avoiding adverse impacts on amenity values.

Amend Policy 8.5.10

Explanation: Council proposes to retain this policy but extend the scope to cover all areas that may be affected by the location of high voltage transmission lines. Currently, the policy is focussed on the Taruheru Block and is not considered efficient or effective in ensuring subdivision or development outside this area is taken into account. The policy will then compliment the existing planning maps and the Taruheru Infrastructure Plan map in Appendix 20, which outline the location of the transmission line.

Delete Policy 8.5.11

Explanation: This policy is not considered necessary given its narrow focus. Policy 8.5.10, the existing planning maps and Appendix 20 are considered more appropriate in managing any land uses in relation to the high voltage lines.

12.4 Policies (Subdivision)

1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in Chapter 3 – Cultural Heritage, Chapter 4 – Natural Heritage, Chapter 5 – Natural Hazards, Chapter 6 – Land, Chapter 8 – Utilities, Chapter 13 – Esplanades, Chapter 14 – Financial Contributions as well as any relevant zone policy in addition to the following:
 - Energy / Telecommunications
 - * the potential adverse effects on the operation, maintenance, upgrading and development of future infrastructure.
 - * the adequacy of the proposed reticulated system;
 - * the need for a reticulated system;
 - * the economic feasibility of supplying a reticulated system and the feasibility of other available alternative methods for the supply of energy/telecommunications.

Explanation and Principal reason (1):

Telephones and electricity supply are deemed essential services.

Delete Policy 12.4.1

Explanation: These matters are covered by the new policies and assessment criteria. The wording has changed for consistency but the general content remains.

12.6.8 Energy and Telecommunications

a) New allotments shall be supplied with energy and telecommunications where:

- a lot is served by a shared driveway
- a new road is created as a result of subdivision

Note: Policy 12.4 gives the circumstances where the requirement to provide telecommunications or energy services shall be waived or amended through the consent process.

Where a site is not supplied with telecommunications or energy services at the time of subdivision, the cost for any subsequent provision of those services to the site will be the responsibility of the owner of the site.

Delete Rule 12.6.8

Explanation: As discussed under the general provisions, it is proposed that the initial developer be responsible for providing services in all subdivision and development scenarios. The new requirement is expressed through the general provisions and the proposed rules outlined in that section.

4.11.3 Proposed new provisions

8.8 Policies (Works and Services)

Energy and Telecommunications

13. To ensure that the supply of energy and telecommunications is reliable and appropriate for the anticipated land use and the particular circumstances of the subdivision or development.

8.13.8 Energy and Telecommunications

- a) Sites for any activity that requires electricity and telecommunication services shall be provided those services.
- ~~b) Where a reticulated supply is used, any new allotment shall be provided with underground reticulation to the net area.~~

8.16.8 Assessment Criteria: Energy and Telecommunications

In regard to energy and telecommunication supply, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether agreement has been reached with the relevant service provider for connection to their network and provision of supply;
- Compliance with the relevant service provider's design and construction requirements.
- Whether suitable legal arrangements have been made for the ongoing operational, maintenance and upgrading responsibilities where supply is not provided by a network utility operator.

5.0 Summary of Submissions, Further Submissions and Recommended Decisions on Submissions

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.2c42

Summary:

In respect of high voltage transmission lines it is proposed to relocate the policies for high voltage transmission lines into the energy and telecommunication section of the Plan. At present they are located under the Taruheru Structure Plan section and only apply to that area, which is not considered either efficient or effective as most high voltage transmission lines occur outside of this area. The provisions should therefore apply on a district wide basis.

Decision Sought:

Relocate the policies for high voltage transmission lines from the Taruheru Section of the Plan into the energy and telecommunication section of the Plan.

Recommended Decision on Submission 1.2c42:

Partially Accept

Changes:

The policies for high voltage transmission lines have been relocated to 8.4: Policies (Network Utility Operations – Policy 6) and 8.4: Policies (Structure Plans – Policy 4).

Reasons:

Council agrees that the policies for high voltage transmission lines should apply beyond the Taruheru Structure Plan area. However, the energy and telecommunications section is not considered the most appropriate location as these provisions are intended to address the servicing requirements for new subdivision and development. The issues raised by Transpower are focussed on protecting existing infrastructure from inappropriate land use, reverse sensitivity and future upgrading requirements. Therefore, the most appropriate location is under the policies for Network Utility Operations where these issues can be read in context with other related provisions. The policies have been finalised in association with Transpower but will be included in Stage 2.

A policy addressing high voltage transmission lines has been retained within the structure plan component of Chapter 8. This is because a high voltage transmission corridor is specifically shown on the structure plan map and it is important to ensure safe separation distances are retained when this part of the Taruheru Block develops. This will be included as part of Stage 1.

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.3c42

Summary:

The provisions of the Plan Change need to:

- Recognise the benefits of the National Grid.
- Ensure and protect the ability for ongoing operation and maintenance of the network;
- Protect the existing network from issues of reverse sensitivity;
- Enable the existing network to be upgraded in order to meet growth in power demand.

Transpower agrees that if the objectives are to be achieved, managing land use in relation to the high voltage lines should be consistent throughout the district.

Decision Sought:

Retain, without modification, objectives 8.3.1 and 8.3.2 as follows:

1. Infrastructure that enables people and communities to provide for, and enhance, their environmental, social, cultural and economic well-being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment
 - The maintenance and enhancement of amenity values
 - The efficient use of energy and resources
 - Adverse effects are avoided, remedied or mitigated

Recommended Decision on Submission 1.3c42:

Partially Accept

Changes:

The wording of Objective 2 has been amended as follows:

2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment.
 - ~~The maintenance and enhancement of amenity values.~~
 - The efficient use of energy and resources.
 - Adverse effects are avoided, remedied or mitigated.

Reasons:

This objective has been amended as a result of another submission. See Recommended Decision on Submission 3.1c42.

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.4c42

Summary:

Transpower considers that, if the new provisions are to achieve the desired outcomes, then they need to address reverse sensitivity issues in respect of avoiding, remedying or mitigating the adverse impact of activities undertaken by others on transmission lines. The new provisions fail to address reverse sensitivity effects, which were previously addressed in Policy 12.4.1, but which is to be deleted by the Plan Change and is (perhaps inadvertently) not replaced. The policy framework to address reverse sensitivity issues is required to address not only subdivision but also land use and development activities. To that end, Transpower seeks to ensure an adequate level of protection for its transmission lines from inappropriate third party activities, including subdivision, development, earthworks and vegetation.

Decision Sought:

Amend new Objective 8.3.5 and the associated explanation and principal reason to relate to both past and future investment. This could be achieved by making the following changes (additions underlined, deletions in strikethrough):

Ensure that Network Utility Operations, ~~and the past~~ including investment ~~into~~ those operations, are not compromised by the development of sensitive land uses in adjoining areas.

Explanation and principal reasons:

5. Network Utility Operators are often constrained in where they can be located or how they can be designed, with their options for relocating limited. They have generally made significant investments into their operations, which provide essential services to the wider community, and for which the potential for upgrade should not be foreclosed. It is considered an important aspect of resource management that those interests are recognised and provided for in the District Plan.

Further Submission: New Zealand Transport Agency

NZTA supports the suggested wording as a way of protecting network utility infrastructure from reverse sensitivity effects.

Recommended Decision on Submission 1.4c42:

Accept

Changes:

The wording of Objective 5 has been amended as follows:

5. ~~Ensure that Network Utility Operations and the past investment into these operations are not compromised by the development of sensitive land uses in adjoining areas.~~

That the efficient and effective provision of network utility infrastructure, including investment in that infrastructure, is not adversely affected by inappropriate land use, development and subdivision activities.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. The proposed wording is more consistent with terminology used in the RMA and is considered clearer in what it is trying to address. Submitters have had a chance to review the proposed wording and have raised no concerns with the amendment.

Recognition of the importance of the efficient and effective maintenance and operation of network utility operations gives effect to the provisions in the Regional Policy Statement.

Submitter Name: Transpower New Zealand Limited**Submission ID: 1.5c42****Summary:**

In respect of high voltage transmission lines it is proposed to relocate the policies for high voltage transmission lines into the energy and telecommunication section of the Plan. At present they are located under the Taruheru Structure Plan section and only apply to that area, which is not considered either efficient or effective as most high voltage transmission lines occur outside of this area. The provisions should therefore apply on a district wide basis.

Decision Sought:

Retain existing Policy 8.5.11, but amend it to apply across the district rather than only to the Taruheru Infrastructure Plan, and include it (with an appropriate explanation and principle reason) in with the Policies in new section 8.4. This can be achieved by making the following amendments (deletions in strikethrough, additions underlined):

x.To alert of the presence of ~~the~~ high voltage transmission lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor ~~in the Taruheru Infrastructure Plan (Appendix 20)~~.

Explanation x: A High Voltage Transmission Line Corridor is identified through a combination of information on the Planning Maps and in the subdivision and network utility chapters of the Plan. Principal reason (x): To facilitate addressing the potential effects of subdivision, land use and development on transmission corridors at an early stage in the planning process.

Recommended Decision on Submission 1.5c42:

Partially Accept

Changes:

The policies for high voltage transmission lines have been relocated to 8.4: Policies (Network Utility Operations – Policy 6) and 8.4: Policies (Structure Plans – Policy 4). There are no changes to the wording of the policy above.

Reasons:

See Recommended Decision on Submission 1.2c42.

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.6c42

Summary:

The new provisions fail to address reverse sensitivity effects, which were previously addressed in Policy 12.4.1, but which is to be deleted by the Plan Change and is (perhaps inadvertently) not replaced. The policy framework to address reverse sensitivity issues is required to address not only subdivision but also land use and development activities. To that end, Transpower seeks to ensure an adequate level of protection for its transmission lines from inappropriate third party activities, including subdivision, development, earthworks and vegetation.

Decision Sought:

Delete existing Policy 12.4.1.

Recommended Decision on Submission 1.6c42:

Accept

Changes:

No changes

Reasons:

This submission has been incorrectly summarised as Transpower is not requesting that this policy be deleted. Policy 12.4.1 is to be retained in Chapter 12 (Subdivision). Reverse sensitivity issues outside of the subdivision process are addressed by the reverse sensitivity policies contained in Chapter 8 (Infrastructure, Works and Services).

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.9c42

Summary:

Transpower considers that, if the new provisions are to achieve the desired outcomes, then they need to address reverse sensitivity issues in respect of avoiding, remedying or mitigating the adverse impact of activities undertaken by others on transmission lines. The new provisions fail to address reverse sensitivity effects, which were previously addressed in Policy 12.4.1, but which is to be deleted by the Plan Change and is (perhaps inadvertently) not replaced. The policy framework to address reverse sensitivity issues is required to address not only subdivision but also land use and development activities. To that end, Transpower seeks to ensure an adequate level of protection for its transmission lines from inappropriate third party activities, including subdivision, development, earthworks and vegetation.

Decision Sought:

Add a new issue, objective, policy and associated explanation and principal reason to new Sections 8.2 – 8.4 to address potential reverse sensitivity effects in respect of subdivision and land use / development. These provisions could be worded as follows:

Issue x: The provision and operation of infrastructure has the potential to be adversely affected by new subdivision, activities and development in close proximity.

Objective x: Infrastructure that is protected from reverse sensitivity effects generated by the activities of others.

Policy x. To ensure that new subdivision, development and activities are designed and planned around the high voltage transmission lines in order to achieve appropriate separation distances required to maintain and protect safety and security, access to the infrastructure for inspection and maintenance purposes, the potential for future development of existing corridors and to minimise the amenity impacts of the lines.

Explanation (x): Development within the transmission corridor may result in increased actual or perceived health, safety and operational risks. Encroaching development may also lead to restrictions being placed on the continuation or upgrading of existing infrastructure, which in turn restricts the National Grid's ability to meet growing energy demands. Principal reason (x): To avoid the effects of third party activities on the safe and secure operation of the transmission network and to mitigate, to the extent practicable, the potential effects of transmission lines on surrounding land.

Further Submission: New Zealand Transport Agency

NZTA supports the general intent of the requested amendment but considers that the wording should not be limited to transmission lines and corridors.

Recommended Decision on Submission 1.9c42:

Partially Accept

Changes:

There is now an issue (8.2.8), objective (8.3.5) and policies (8.4.5 and 8.4.6) that address reverse sensitivity. The wording is different to that proposed.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. Submitters have had a chance to review the proposed wording and have raised no concerns with the amendments.

Recognition of the importance of the efficient and effective maintenance and operation of network utility operations gives effect to the provisions in the Regional Policy Statement.

The policies for network utility operations have been finalised but will be included in Stage 2.

Submitter Name: Transpower New Zealand Limited

Submission ID: 1.15c42

Summary:

Plan Change 42 follows a review of the infrastructure provisions in the Combined Regional Land and District Plan. It:

- Reviews the infrastructure requirements for subdivision and land development;
- Reviews the requirements for structure plans and network utilities;
- Rationalises the layout of the infrastructure provisions into a consolidated chapter.

Decision Sought:

Retain the amended general rule in the Papakainga and Marae Settlements, Residential, Commercial, Industrial, Port Management, Rural and Reserve Zones that requires all activities to comply with rules specified in Chapter 8 – Infrastructure, Works and Services.

Recommended Decision on Submission 1.9c42:

Accept

Changes:

No Change

Reasons:

Retaining Chapter 8 as a general rule is the most appropriate way to link Chapter 8 (Infrastructure, Works and Services) to the individual zoning chapters.

Submitter Name: New Zealand Fire Service Commission

Submission ID: 2.1c42

Summary:

The Commission monitors development occurring under the RMA to ensure that, where necessary, appropriate consideration is given to fire safety.

The standards for water supply and access for fire fighting purposes are outlined in the 'New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. The Commission wish to take the opportunity to advocate firefighting provisions that enable them to carry out their requirements under the Fire Service Act 1975 more effectively.

The Commission supports the following proposed provisions:

- 8.8 Policies (Works and Services);
- 8.13.6 Rules for Water Supply;
- 8.16.6 Assessment Criteria – Water.

The Commission requests an amendment to the rules for vehicle crossings that increases the minimum width from 3m to 4m for single residential units.

Decision Sought:

The Commission recommend approving the Plan Change subject to the above amendment.

Recommended Decision on Submission 2.1c42

Partially accept

Changes:

The Commission's initial submission requested a minimum access width requirement of 4m for single residential units. However, following discussions with the submitter this request has been amended to more accurately reflect what the Commission is trying to achieve. The following changes are proposed:

- 15.3.7 Single-Site Vehicle Access:

Activity	Width of Crossing (Metres)	
	Minimum	Maximum
Residential (Single Unit)	3	6
All Other Activities	4	9

Access ways shall comply with the standards set out in New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

- 15.3.8 Multiple-Site Access and / or Multiple Unit Access:

Dwellings to be Served	Legal Width (Metres)	Minimum Carriageway Width (Metres)
2 to 4	4	3
5 - 7	5	4
8 - 10	6	5.5

Access ways shall comply with the standards set out in New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Reasons:

Council has existing provisions that require water supply to be provided in accordance with SNZ 4509:2008 - New Zealand Fire Service Firefighting Water Supplies Code of Practice (The Code). However, these provisions are not integrated with suitable access to that water supply for fire fighting vehicles. Ensuring this access is provided will enhance the effectiveness of the existing rules to mitigate fire hazards.

The NZFS provided additional information to accompany their submission. This includes comments from Charlie Turei (Area Manager/Commander) at the local level, who has highlighted specific examples where restricted access has been an issue for fire fighters. It also includes information from the NZFS Fire Engineer at the national level outlining the risks of not ensuring adequate access. Procedural and technical issues around complying with the access requirements have also been provided by the NZFS.

The Code outlines alternative options to meet the access standards for non-reticulated areas. One is a large water supply (45,000 litres) with sufficient access that allows a fire truck to get within six metres of a connection point. The other is a lesser supply (7000 litres) with a household sprinkler system installed. This allows more flexible access arrangements that could generally be met within the confines of existing standards. Other alternatives can be considered in consultation with the NZFS.

The proposed amendment will require additional time and assessment for the relevant applications. The amount of time will depend on the nature of the development and the option taken to meet the Code. It may also require additional costs to those who are required to meet the Code. Again, this will depend on the specific development and options taken. However, for most developments these time and costs should not be significant. Hillside developments with long or restricted access options are likely to be most affected by the new rule. The proposed standards are important to compliment existing water supply provisions and ensuring those provisions are effective in achieving their purpose.

Submitter Name: Telecom New Zealand Limited

Submission ID: 3.1c42

Summary:

Due to operational requirements it may not always be possible to design, locate, construct, operate and maintain infrastructure to ensure the maintenance and enhancement of amenity values. Telecom requests that this policy be amended to better reflect s5(2)(c) of the Act, which provides an applicant the opportunity to avoid, remedy or mitigate adverse effects, as well as avoiding them.

Decision Sought:

Amend Objective 8.3.2 as follows:

Infrastructure that is designed, located, constructed, operated and maintained to ensure:

- A safe and healthy environment.
- ~~The maintenance and enhancement of amenity values.~~ Adverse effects on amenity values are avoided, remedied or mitigated
- The efficient use of energy and resources.
- ~~Adverse effects are avoided, remedied or mitigated.~~

Recommended Decision on Submission 3.1c42:

Partially Accept

Changes:

Amend Objective 8.3.2 as follows:

2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment.
 - ~~The maintenance and enhancement of amenity values.~~
 - The efficient use of energy and resources.
 - Adverse effects are avoided, remedied or mitigated.

Reasons:

As noted by Telecom, and reflected in other infrastructure objectives, it may not always be possible to design, locate, construct, operate and maintain infrastructure to ensure the maintenance and enhancement of amenity values. There may be constraints on the design and location that may not always result in a high level of amenity. However, it is appropriate that adverse effects are avoided, remedied or mitigated. The amended wording ensures that amenity values can still be taken into account within this context.

The amendment also provides greater consistency with existing network utility policies, which identify that it is not always possible to enhance amenity values given the technical and locational constraints faced by utility operators. In addition, Chapter 8 is subject to the natural heritage overlays, which identify high amenity areas and provide specific policies to protect amenity in those areas.

Submitter Name: Telecom New Zealand Limited**Submission ID: 3.2c42****Summary:**

The criteria identified in objective 8.3.3 are inappropriate in a resource management context. With respect to telecommunication infrastructure, the objective criteria have the potential to be traded off with one another. This policy presents a risk to the future provision of telecommunication facilities.

Decision Sought:

Either remove Objective 8.3.3 in its entirety, or amend it as follows:

That the infrastructure, other than telecommunications facilities, associated with growth and development be provided in an integrated and co-ordinated manner to ensure:

- Compatibility with existing infrastructure networks.
- Adequate capacity for the anticipated land use.
- Ongoing management and lifecycle costs are taken into account.

- Unanticipated costs to the community are avoided.

Further Submission: Transpower New Zealand Limited

Transpower supports the deletion of Objective 8.3.3 for the reasons given in the submission. As an alternative Transpower supports the rewording of the objective to address the issues raised in the submission, but not limited to the exclusion of telecommunication facilities.

Recommended Decision on Submission 3.2c42:

Not Accept

Changes:

Objective 8.3.3 is not proposed to be deleted or amended as requested in the submission. However, it has been amended as follows:

That the infrastructure associated with growth subdivision and development be provided in an integrated and co-ordinated manner to ensure:

- Compatibility with existing infrastructure networks.
- Adequate capacity for the anticipated land use.
- Ongoing management and lifecycle costs are taken into account.
- Unanticipated costs to the community are avoided.
- The requirements of infrastructure providers are taken into account.

Reasons:

The objective has been amended to clarify that the focus is on integrating the infrastructure associated with subdivision and development activities. The concern was raised that these criteria are inappropriate in a resource management context and have the potential to conflict or be traded off with another. The objective is seen as a risk to the future provision of telecommunication facilities. Transpower have made a further submission supporting these concerns.

Gisborne District Council considers the criteria to be completely appropriate in a resource management context. Integrated management and promoting the economic well being of the community through the sustainable management of the infrastructure resource is within the purpose and principles of the Act and within the functions of a unitary authority. It is appropriate that the infrastructure related to a development proposal is subject to an assessment in terms of its compatibility with existing infrastructure, capacity and ongoing costs for the community. To not address these matters may lead to adverse effects on the environment.

The criteria may not always be directly applicable to telecommunications or electricity facilities but that is not justification to remove the objective entirely. There are many other aspects of infrastructure to consider. Another bullet point has been added to clarify that the specific needs of infrastructure providers are taken into account during the assessment process.

Telecom has suggested that the objective could be further improved by adding the following text to the new bullet point:

The requirements of infrastructure providers are taken into account, recognising that it may not be possible to ensure the above objectives are achieved in all instances.

However, this is not considered necessary. It is not obligatory to meet every objective in all circumstances, all of the time. There will always be circumstances where competing interests or requirements will have to be weighed against each other and this is already inherent in resource management decision making processes. In any case, the bullet points listed in the objective are not too onerous and are matters that would generally be taken into account when assessing a subdivision or development proposal. Transpower have had a chance to review the amended objective and have not raised any concerns.

It is also important to acknowledge that the District Plan is generally permissive for network utility operations and there are now national standards that cover some telecommunication and electricity facilities. Stage 2 of Plan Change 42 will focus on closer alignment of the District Plan with these national directives.

Therefore, Council does not consider there is any threat to the provision of network utility operations as a result of this objective.

Submitter Name: Telecom New Zealand Limited

Submission ID: 3.3c42

Summary:

Telecom does not always consider it practical to apply urban design principles to telecommunications infrastructure. This policy presents a risk to the future provision of telecommunication facilities. There are no guidelines within the Plan to provide certainty as to what constitutes good urban design or low impact design from the Council's perspective.

Decision Sought:

Either remove Objective 8.3.4 in its entirety, or amend it as follows:

To enable and promote the provision of infrastructure, other than telecommunication facilities, that:

- Allows the implementation of good urban design practice.
- Allows the implementation of low impact design principles.
- Reflects the environmental and social context of the location.

Further Submission: Transpower New Zealand Limited

Transpower supports the deletion of Objective 8.3.4 for the reasons given in the submission. As an alternative Transpower supports the rewording of the objective to address the issues raised in the submission, but not limited to the exclusion of telecommunication facilities.

Recommended Decision on Submission 3.3c42:

Not Accept

Changes:

Objective 8.3.4 is not proposed to be deleted or amended as requested in the submission. However, it has been amended as follows:

To enable and promote ~~the provision of~~ subdivision and development infrastructure that:

- Allows the implementation of good urban design practice.
- Allows the implementation of low impact design principles.
- Reflects the environmental and social context of the location.

Reasons:

Telecom have provided the following comments on the amended objective:

The proposed amendment of the objective is not considered to be satisfactory, given that there are no urban design guidelines provided for in the District Plan, and thus there is no certainty for what constitutes good urban design practice. Examples of Plans where urban design guidelines are incorporated include the Auckland City and Wellington City District Plans – these provide utility operators with assurance around what is being required of new utility developments. As the proposed explanatory text alludes to, Council will just be feeling their way with urban design principles as time goes by and they build their experience. As such, this will in the short term leave network utility operators without any guidance as to what Council's objectives are in respect of urban design. Telecom ultimately request that, without any urban design guidelines in the District Plan, either Objective 8.3.4 be removed in its entirety, or telecommunications facilities be excluded from having to meet these objectives (as per the original relief sought). Should this not be favoured by Council, to provide a balance between urban design practice and the functional requirements of utility infrastructure, a fourth bullet point is proposed as follows:

To enable and promote infrastructure that:

- *Allows the implementation of good urban design practice.*
- *Allows the implementation of low impact design principles.*
- *Reflects the environmental and social context of the location.*
- *Meets the functional requirements of the Network Utility Operator.*

The focus of the objective is more specific to the infrastructure associated with subdivision and development as opposed to the construction, operation and maintenance requirements of network utility operations.

The critical wording in this objective is "to enable and promote". The bullet points identified are relatively recent initiatives in Gisborne District Council's planning regime and have been grouped under the "enable and promote" objective to reflect this. However, good urban design and low impact design practice is now recognised nationally and internationally and there is no shortage of information and guidelines to assist in practical implementation. Council has employed an urban design planner and generic low impact design standards

are easily accessible. So although, Gisborne District Council does not have its own specific guidelines included in its District Plan, this is not seen as a significant barrier to “enable and promote” such initiatives.

Eventually, Council may include such guidelines but excluding this objective until that time is not considered an effective or efficient way to achieving these environmental objectives. “Enabling and promoting” these aspects in the meantime also means that practical experience is gained that can feed back into any specific guidelines for the future. This is already happening.

Therefore, the additional bullet point promoted by Telecom is not considered necessary. It mixes objectives that do not need mixing. The functional requirements of network utility operators are covered in other objectives and policies as well as national environmental standards. There is a much wider context here than telecommunication facilities and the objective does not place an unnecessary burden on infrastructure providers to always meet this objective.

It is also important to acknowledge that the District Plan is generally permissive for network utility operations and there are now national standards that cover telecommunication and some electricity facilities. Stage 2 of Plan Change 42 will focus on closer alignment of the District Plan with these national directives.

Submitter Name: Telecom New Zealand Limited

Submission ID: 3.8c42

Summary:

In terms of Rule 8.13.1(c), while Telecom supports the undergrounding of new lines, it does not support the undergrounding of individual customer connections where such services need to connect to existing overhead lines.

Decision Sought:

Amend Rule 8.13.7(c) as follows:

- c) Services (excluding overhead customer connections from an existing overhead supply) shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Gisborne Urban Area Boundary and in residential and commercial zones district wide.

Recommended Decision on Submission 3.8c42:

Accept

Changes:

- c) Services shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Gisborne Urban Area Boundary and in residential and commercial zones district wide.

Provided that:

Stormwater infrastructure may be provided above ground where retention or attenuation measures are required or low impact design approaches are to be used.

Individual customer connections may be provided above ground where there is an existing overhead supply.

Reasons:

Telecom has provided the following comments on existing overhead lines:

Overhead lines have Existing Use Rights under the RMA and this should be recognised. As such, the individual connections to houses should also be allowed to be overhead as a permitted activity – particularly given the minimal environmental impact these have.

New customer connections from the existing overhead network can be placed underground. However, the practicalities and cost will vary from site to site and customer to customer and this needs to be recognised. Requiring all connections to be underground may well require unnecessary trenching through road reserve and unnecessary costs for those wishing to connect for little (if any) environmental benefit.

Council accepts the above assessment. It may not be practical or desirable in all circumstances to underground new lines. Given the minimum environmental impact of retaining customer connections overhead, it is considered consistent with the wider infrastructure objectives to allow flexibility around these existing situations.

The rule has been amended accordingly. The wording is slightly different to that proposed by Telecom but achieves the same purpose and is consistent with the existing layout.

Submitter Name: Telecom New Zealand Limited

Submission ID: 3.9c42

Summary:

In terms of Rule 8.13.7(a), while Telecom supports the requirement for the developer to be responsible for providing services, it does not support the undergrounding of new reticulation where overhead connections are already available from existing overhead reticulated supplies.

Decision Sought:

Amend Rule 8.13.7 (b) as follows:

- b) Where a reticulated supply is used, any new allotment shall be provided with underground reticulation to the net area. This excludes instances where there is an existing overhead reticulated supply available for an individual customer connection or the new allotment is in a rural area.

Recommended Decision on Submission 3.9c42:

Partially Accept

Changes:

8.13.7 Energy and Telecommunications

- a) Sites for any activity that requires electricity and telecommunication services, shall be provided with those services.
- ~~b) Where a reticulated supply is used, any new allotment shall be provided with underground reticulation to the net area.~~

Reasons:

See Recommended Decision on Submission 3.8c42 above. Council agrees with the points raised in the submission but it has been identified that Rule 8.13.7(b) is superfluous as the issue is already covered by Rule 8.13.1 (c). Rule 8.13.7(b) is proposed for deletion.

Submitter Name: Vector Gas Limited

Submission ID: 4.1c42

Summary:

Within the Gisborne Region, Vector own and operate approximately 85km of gas transmission pipeline. Vector is required to ensure the protection and integrity of the pipelines is maintained to ensure the safety of the public, property and the environment.

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. The operation, maintenance and protection of the gas transmission pipelines can be significantly constrained by the effects of encroaching activities and development (reverse sensitivity).

Vector considers that the Council should have regard to any potential adverse effects development and land use activities may have upon network utility infrastructure such as gas transmission pipelines. Such infrastructure is critical to the well-being of the community and is an important issue which should be included in proposed Chapter 8: Infrastructure, Works and Services. Similar issues, objectives and policies relating to the effect activities can have on important infrastructure are included in other District Plans throughout the country.

Such regard should ensure that potential adverse effects are appropriately managed to ensure that the ongoing operational, maintenance and protection requirements of network utilities are not compromised.

Decision Sought:

Insert a further issue under 8.2 Issues to read as follows:

The effect land use and subdivision activities can have on the effective and efficient operation of network utility infrastructure.

Further Submission: New Zealand Transport Agency

As a network utility provider NZTA supports the general intent of this submission and the suggested wording.

Recommended Decision on Submission 4.1c42:

Partially Accept

Changes:

Council proposes an amended issue (8.2.8), objective (8.3.5) and policies (8.4.5 and 8.4.6) that address reverse sensitivity. The wording is different to that proposed by Vector.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. As there were other suggestions for the wording of reverse sensitivity provisions, the proposed wording is slightly different to the Vector submission. However, the same outcome is achieved. Submitters have had a chance to review the proposed wording and have raised no concerns with the amendment.

Submitter Name: Vector Gas Limited

Submission ID: 4.2c42

Summary:

Within the Gisborne Region, Vector own and operate approximately 85km of gas transmission pipeline. Vector is required to ensure the protection and integrity of the pipelines is maintained to ensure the safety of the public, property and the environment.

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. The operation, maintenance and protection of the gas transmission pipelines can be significantly constrained by the effects of encroaching activities and development (reverse sensitivity).

Vector considers that the Council should have regard to any potential adverse effects development and land use activities may have upon network utility infrastructure such as gas transmission pipelines. Such infrastructure is critical to the well-being of the community and is an important issue which should be included in proposed Chapter 8: Infrastructure, Works and Services. Similar issues, objectives and policies relating to the effect activities can have on important infrastructure are included in other District Plans throughout the country.

Such regard should ensure that potential adverse effects are appropriately managed to ensure that the ongoing operational, maintenance and protection requirements of network utilities are not compromised.

Decision Sought:

Insert a further objective under 8.3 Objectives to read as follows:

That the continued efficient and effective operation of network utility infrastructure is maintained and not adversely affected by inappropriate land use or subdivision activities.

Further Submission: New Zealand Transport Agency

As a network utility provider NZTA supports the general intent of this submission and the suggested wording.

Recommended Decision on Submission 4.2c42:

Partially Accept

Changes:

Council proposes an amended issue (8.2.8), objective (8.3.5) and policies (8.4.5 and 8.4.6) that address reverse sensitivity. The wording is different to that proposed by Vector.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. As there were other suggestions for the wording of reverse sensitivity provisions, the proposed wording is slightly different to the Vector submission. However, the same outcome is achieved. Submitters have had a chance to review the proposed wording and have raised no concerns with the amendment.

Submitter Name: Vector Gas Limited

Submission ID: 4.3c42

Summary:

Within the Gisborne Region, Vector own and operate approximately 85km of gas transmission pipeline. Vector is required to ensure the protection and integrity of the pipelines is maintained to ensure the safety of the public, property and the environment.

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. The operation, maintenance and protection of the gas transmission pipelines can be significantly constrained by the effects of encroaching activities and development (reverse sensitivity).

Vector considers that the Council should have regard to any potential adverse effects development and land use activities may have upon network utility infrastructure such as gas transmission pipelines. Such infrastructure is critical to the well-being of the community and is an important issue which should be included in proposed Chapter 8: Infrastructure, Works and Services. Similar issues, objectives and policies relating to the effect activities can have on important infrastructure are included in other District Plans throughout the country.

Such regard should ensure that potential adverse effects are appropriately managed to ensure that the ongoing operational, maintenance and protection requirements of network utilities are not compromised.

Decision Sought:

Insert a further policy under 8.4 Policies to read as follows:

Avoid and/or mitigate possible adverse effects from land use and/or subdivision activities on network utility infrastructure by considering the potential adverse effects of activities which are subject to resource consent applications. Consultation and advice should be sought from the network utility operator.

Further Submission: New Zealand Transport Agency

As a network utility provider NZTA supports the general intent of this submission and the suggested wording.

Recommended Decision on Submission 4.3c42:

Partially Accept

Changes:

Council proposes an amended issue (8.2.8), objective (8.3.5) and policies (8.4.5 and 8.4.6) that address reverse sensitivity. The wording is different to that proposed by Vector.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. As there were other suggestions for the wording of reverse sensitivity provisions, the proposed wording is slightly different to the Vector submission. However, the same outcome is achieved. Submitters have had a chance to review the proposed wording and have raised no concerns with the amendment.

Submitter Name: Eastland Group Limited

Submission ID: 5.1c42

Summary:

The Government's plans to deploy ultra fast fibre optic broadband to each urban home will bring significant benefits to the region. Installing ducting while trenches are open for other services such as power or water is the most efficient and least cost time to undertake this work.

Decision Sought:

Would like to see a condition imposed on all new developments, subdivisions and city works/trenches to have a spare duct installed for fibre optic installation.

Recommended Decision on Submission 5.1c42:

Not Accept

Changes:

No change.

Reasons:

Council does not consider it necessary to implement such a provision.

It is not recommended by the Telecommunications Carrier's Forum. Their document: 'Principles for Telecommunications Infrastructure for New Subdivisions', sets out some of the issues involved with this approach including:

- Who will own, maintain and administer access to the ducts at some unknown time in the future.
- How to ensure the design and specification of ducts is suitable for infrastructure network providers when network architecture and standards vary between providers?

It would be difficult to implement when there is uncertainty over who the service provider will be. Who will be responsible for ensuring the infrastructure is installed correctly and "signing off" for consenting processes? Ownership and access to the ducts could become problematic.

It is also important to note that there are various wireless solutions available that may negate the need for any underground network. This is particularly relevant for those developments outside the 75% target the government has set for Ultra Fast Broadband (UFB) availability.

Council considers a more practical approach to this issue would be to require all new developments to provide a telecommunications service (whatever form that may be at the time) and for the developer and Council to liaise with the relevant service provider to install the correct infrastructure. In terms of future proofing for fibre optic installation, this could still be achieved within these parameters.

Telecom has confirmed that they do not support this approach.

Submitter Name: Norman Weiss, Wainui/Okitu Residents and Ratepayers Association Inc

Submission ID: 6.1c42

Summary:

The rules for development and the associated infrastructure should require developers to be responsible and accountable for the infrastructure associated with their development. All costs for development infrastructure must fall on the developers and not on the general ratepayers of the district.

The rules for development must clearly ensure developers are responsible for mitigating any potential adverse effects their developments may cause on the properties and lifestyles of people in the area. For example, the effects of stormwater runoff or increases in traffic.

Decision Sought:

The Association is in general support/agreement with Plan Change 42 as long as:

-
- Infrastructure costs for developments are paid for by developers
 - Developers are responsible for mitigating adverse effects (and the costs associated with this) that may result from their developments.

Recommended Decision on Submission 6.1c42:

Partially Accept

Changes:

No Changes

Reasons:

Infrastructure costs are generally paid by the developer for private subdivisions or developments. However, there are situations where there may be a wider public benefit from the infrastructure required to serve a development. In cases such as this, Council may become involved in financing part of the infrastructure and recouping costs from subsequent developers through the financial or development contribution regime. There are various aspects of Plan Change 38 and the Development Contribution policy that provide the flexibility to deal with these issues.

In terms of adverse effects, the RMA requires that adverse effects be avoided, remedied or mitigated and this is reinforced through the District Plan, including Plan Change 42.

Submitter Name: Norman Weiss, Wainui/Okitu Residents and Ratepayers Association Inc

Submission ID: 6.2c42**Summary:**

Not having the Engineering Code of Practice as an incorporated document makes infrastructure requirements part of the consent process. This is vital in ensuring developers pay for the infrastructure associated with their development rather than ratepayers.

Decision Sought:

Support the option of not having the Engineering Code of Practice as an incorporated document.

Recommended Decision on Submission 6.2c42:

Accept

Changes:

No Changes

Reasons:

As originally proposed, the Code of Practice will not be an incorporated document.

Submitter Name: Norman Weiss, Wainui/Okitu Residents and Ratepayers Association Inc**Submission ID: 6.3c42****Summary:**

Sometimes it is not possible to anticipate the effects a development may have. Sponge Bay development is an example. Council made assurances that this development would have no adverse effects on the Wainui Stream or the beach at its outlet. Residents have noticed adverse effects during storm events on the stream and beach.

Decision Sought:

The Association would also like to see Council put into effect a policy that holds developers accountable for a certain period of time for any adverse effects that their development may cause.

Recommended Decision on Submission 6.3c42:

Not Accept

Changes:

No Changes

Reasons:

Council does not consider it necessary to include the policy suggested. There are already provisions in the RMA (consent notices, bonds, consent conditions etc) that allow for the ongoing performance of developments and their infrastructure. However, once Council takes ownership of infrastructure constructed by a private developer, it becomes responsible for that infrastructure. There are existing liability, verification and stand-down processes in place for works that are to be vested with Council.

Submitter Name: Peter Anderson, Wainui Residents Association (Lloyd George Road Residents)**Submission ID: 7.1c42****Summary:**

The 16% building and impervious surface limit for the Rural Residential and Rural Lifestyle Zones (proposed Rule 8.13.4) is not practical and reasonable for the Lloyd George Road residents whose properties are zoned Rural Lifestyle. The 16% limit was derived from the Haisman Road Rural Lifestyle Zoning change, where there was no existing residential development. This 16% limit was applied to Lloyd George Road, which has existing residential development. The 16% limit restricts the ability and increases the cost of subdividing. It also increases the cost of resident's lifestyles such as adding a shed, building extensions etc.

Decision Sought:

- Delete this clause and look at applications on a case by case basis.
- Amend this clause to an increased limit through consultation with residents.

-
- Each property to have own legal right of way to drain stormwater.
 - Driveways that are rights of way to several properties should have the impervious surface shared.

Recommended Decision on Submission 7.1c42:

Not Accept

Changes:

No Changes

Reasons:

This matter will not be dealt with through Plan Change 42. More specific stormwater controls (not just for Lloyd George Road) were initially considered but the amount of information and costs associated with gathering the appropriate information would have been prohibitive and time consuming. However, Plan Change 42 does provide a framework in the District Plan to include new or additional stormwater provisions that may be developed for specific areas.

A project specific to Wainui/Okitu that is programmed for 2011/2012 will include reviewing stormwater provisions. This will involve consultation with residents. The Wainui/Okitu project will be a more appropriate mechanism to look at this issue as it can be integrated with other issues specific to that area.

It is recognised that the existing rules (which have been in place since 2008) are not ideal for the Lloyd George Road area but there is no viable alternative at this stage without creating significant delays. It should also be noted, that there are already community concerns over the amount of stormwater runoff entering the Wainui Stream. Relaxing the existing stormwater provisions will have to be balanced with these concerns.

There is always the ability to look at individual developments on a case by case basis. There are a variety of stormwater management techniques that are available now and the expectation would be, that if going beyond the impervious surface limit, specific measures should be put in place to address the additional run-off.

Submitter Name: Opus Consultants**Submission ID: 8.1c42****Summary:**

Support Plan Change 42 and make the following suggestions:

- Currently it is not clear what the activity status becomes if there is non-compliance with Chapter 15 (Roads, Accessways and Parking).
- Would like clarification of Rule 8.12.2.3 (Construction of New Roads). The Glossary states that road construction includes widening greater than 4m, however, GDC staff have indicated this only applies when the widening extends beyond the road reserve.

- Rule 15.2.4 (Sight Distances) is different to NZTA (New Zealand Transport Agency) sight distance requirements for arterial roads.

Decision Sought:

Update rules relating to utilities/infrastructure and roading to enable ease of use and greater understanding.

Recommended Decision on Submission 8.1c42:

Partially Accept

Changes:

No Changes

Reasons:

Bullet points one and three are relevant to Stage 1.

As Chapter 15 is to be deleted by Plan Change 42, activity status will be determined by the individual zoning or subdivision chapters. Chapter 8 (Infrastructure, Works and Services) is now a general rule for these chapters and activity status for non-compliance with the general rules can be easily determined.

Bullet point two (construction of new roads) will be dealt with as part of Stage 2 as it relates to the network utility provisions.

Submitter Name: Opus Consultants

Submission ID: 8.2c42

Summary:

Support Plan Change 42 and make the following suggestions:

Reference to Transit New Zealand should be changed to New Zealand Transport Agency.

Decision Sought:

Change references to Transit New Zealand to New Zealand Transport Agency.

Recommended Decision on Submission 8.2c42:

Accept

Changes:

References to Transit New Zealand will be changed to New Zealand Transport Agency.

Reasons:

References to Transit New Zealand are no longer required as the organisation has changed its name to the New Zealand Transport Agency (NZTA).

Submitter Name:NZ Transport Agency (Late Submission)**Submission ID: 9.1c42**Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Support the general intent of 8.2 Issues and believe the issues identified are a good reflection of those faced in the region.

Decision Sought:

Retain the wording of 8.2 Issues or with changes that achieve similar outcomes.

Recommended Decision on Submission 9.1c42:

Accept

Changes:

Minor amendments have been made to 8.2 Issues to address reverse sensitivity.

Reasons:

The issue of protecting infrastructure assets from inappropriate land use, development and subdivision is important to network utility operators. Reverse sensitivity is seen as a threat to the ongoing provision of some infrastructure assets and was a common theme through the submissions. NZTA have had a chance to review the amended provisions and have raised no concerns.

Submitter Name:NZ Transport Agency (Late Submission)**Submission ID: 9.2c42**Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Support the general intent of 8.3 Objectives and believe these enable the Plan to achieve the purpose and principles of the RMA. Particularly support the recognition that sensitive land uses adjoining network utility operations can compromise those operations.

Decision Sought:

Retain the wording of 8.3 Objectives or with changes that achieve similar outcomes.

Recommended Decision on Submission 9.2c42:

Accept

Changes:

Minor amendments have been made to 8.3 Objectives.

Reasons:

Minor amendments have been made to 8.3 Objectives to address concerns raised by other submitters. NZTA have had a chance to review the amended provisions and have raised no concerns.

Submitter Name:NZ Transport Agency (Late Submission)

Submission ID: 9.4c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

There are existing references to Transit New Zealand which should be changed to New Zealand Transport Agency.

Decision Sought:

Replace Transit New Zealand with New Zealand Transport Agency in rules 8.13.10.6, 15.3.6 and 19.14.10c).

Recommended Decision on Submission 9.4c42:

Accept

Changes:

References to Transit New Zealand will be changed to New Zealand Transport Agency.

Reasons:

References to Transit New Zealand are no longer required as the organisation has changed its name to the New Zealand Transport Agency (NZTA).

Submitter Name:NZ Transport Agency (Late Submission)

Submission ID: 9.5c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Support the inclusion of assessment criteria that seek to ensure new developments provide linkages to existing land transport networks and ensure the existing capacity is not compromised.

Decision Sought:

Retain the wording of 8.14.3 Assessment Criteria (Roading) or with changes that achieve similar outcomes.

Recommended Decision on Submission 9.5c42:

Accept

Changes:

No Changes

Reasons:

Council considers the Assessment Criteria (Roading) appropriate to retain.

Submitter Name: NZ Transport Agency (Late Submission)

Submission ID: 9.6c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

NZTA considers that the Anticipated Environmental Results a), b) and c) should be achieved through the proposed plan change.

Decision Sought:

Retain the wording of 8.15 Anticipated Environmental Results or with changes that achieve similar outcomes.

Recommended Decision on Submission 9.6c42:

Accept

Changes:

No Changes

Reasons:

Council considers the Anticipated Environmental Results appropriate to retain.

Submitter Name: NZ Transport Agency (Late Submission)

Submission ID: 9.7c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Appendix 31 (Roading Concept Plan) shows a restricted access along the SH35 boundary. NZTA considers the local roading network should be utilised to service the Rural Industrial A Zone.

Decision Sought:

Support the amendment to Appendix 31.

Recommended Decision on Submission 9.7c42:

Accept

Changes:

No Changes

Reasons:

Council considers the restricted access appropriate to retain.

Submitter Name: NZ Transport Agency (Late Submission)

Submission ID: 9.8c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Concerned that there is no clear definition of Infrastructure and how this differs from Network Utility Operations. Suggest that clear explanation be added to section 8.1 to clarify this matter.

Decision Sought:

Seek greater clarification at the start of Chapter 8 in relation to infrastructure.

Further Submission: Transpower New Zealand Limited

Transpower supports the inclusion of a definition of infrastructure and the inclusion of a clear explanation to the beginning of Section 8.1. Transpower retains an interest in the wording of any such provisions.

Recommended Decision on Submission 9.8c42:

Accept

Changes:

The following text has been added to 8.1 Introduction:

This chapter sets out how Council will manage the infrastructure resources of the Gisborne District. It is divided into two main parts:

- **Network Utility Operations**

- Works and Services

Chapter 24 (Glossary) provides formal definitions for the terms *Infrastructure, Network Utility Operations, Subdivision and Works and Services.*

Reasons:

A brief explanation and associated definitions will assist in understanding and implementation of the new provisions.

Submitter Name: NZ Transport Agency (Late Submission)

Submission ID: 9.9c42

Summary:

As a network utility operator, NZTA is required to apply for resource consent for any new roads or certain maintenance works and as such, considers the content of Chapter 8 as of paramount importance.

Consider that aligning the definition of Infrastructure with that set out in Part 1 of the RMA as well as adding a definition for Works and Services would make interpreting the plan clearer.

Decision Sought:

Amend glossary to align with RMA and rest of proposed plan.

Further Submission: Transpower New Zealand Limited

Transpower supports the inclusion of a definition for infrastructure and for works and services. Transpower retains an interest in the wording of any such provisions.

Recommended Decision on Submission 9.9c42:

Accept

Changes:

The following definitions have been added to Chapter 24 (Glossary):

<u>Infrastructure</u>	<u>Has the same meaning as in Section 2 of the Act.</u> <i>in regard to utility infrastructure, any component, device, machinery, physical apparatus or physical object used in relation to the construction, alteration, upgrading, maintenance or operation of a utility. Note for the purpose of the District Plan, utility infrastructure excludes buildings, depots, vehicles and signs.</i>
<u>Works and Services</u>	<u>In relation to Chapter 8 – Infrastructure, Works and Services, means the provision of infrastructure required for a subdivision or development.</u>

For clarification, the following definitions are already included in Chapter 24 (Glossary):

<p><u>Network Utility Operation</u></p>	<p><i>any activity relating to:</i></p> <p><i>The distribution or transmission by pipeline of natural or manufactured gas, petroleum product or geothermal energy; or</i></p> <p><i>Telecommunication activities including telecommunication or radio communication as defined in Section 2 (1) of the Telecommunications Act 1987; or</i></p> <p><i>The generation, transformation, transmission, or distribution of electricity; or</i></p> <p><i>The distribution of water for supply, including irrigation; or</i></p> <p><i>Drainage or sewage reticulation; or</i></p> <p><i>The construction, maintenance or operation of roads and railway lines; or</i></p> <p><i>The construction, maintenance or operation of heliports, helipads or airports as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990; or</i></p> <p><i>Undertaking a major project or work described as a “network utility operation” by regulations made under the Resource Management Act 1991 and subsequent amendments; or</i></p> <p><i>Lighthouses, navigation aids and beacons, meteorological services and ancillary structures.</i></p>
<p><u>Subdivision</u></p>	<p><i>has the same meaning as in Section 2 and 218 of the Act</i></p>

Reasons:

A brief explanation and associated definitions will assist in understanding and implementation of the new provisions.

6.0 Proposed Chapter 8: Infrastructure, Works and Services

Key:

New or amended provisions inserted since notification shown as underlined

Provisions deleted since notification shown as ~~strike through~~

Unchanged provisions since notification shown as standard text

Provisions relating to Stage 2 are included for completeness

8.0 INFRASTRUCTURE, WORKS AND SERVICES

8.1 Introduction

This chapter sets out how Council will manage the infrastructure resources of the Gisborne District. It is divided into two main parts:

- Network Utility Operations
- Works and Services

Chapter 24 (Glossary) provides formal definitions for the terms *Infrastructure*, *Network Utility Operations*, *Subdivision* and *Works and Services*.

Network Utility Operations

Network utility ~~services~~ operations include sewage and wastewater disposal systems, water, energy and telecommunication systems, meteorological facilities and all road, rail and air transport infrastructure. ~~Note that the formal definition of Network utilities is given in the Chapter 24 Glossary.~~

Network utility services are essential to the day-to-day activities of the people in Gisborne District. The dispersed settlement patterns of the District's population often make the installation and operation of utility networks difficult, both physically and economically. Environmental considerations, particularly hazards and amenity values, must also be considered in the development of this resource. This chapter seeks to facilitate the efficient use and development of utility networks, while avoiding, remedying or mitigating any adverse effects arising from network utility activities.

Gisborne Airport

Gisborne airport is a physical resource of regional significance. It's efficient operation is important to enable the community to provide for it's social, cultural and economic well-being. It also contributes to peoples' safety and health as a facility to enable the local operation of the Air Ambulance Service.

Intense development near Gisborne Airport could affect the safety and efficiency of air transport activities. Historically there has been some encroachment into flight corridors by vegetation. The use of nearby rural land, or it's development for industrial use could potentially lead to effects that interfere with aircraft flight corridors, such as increasing the number of birds near the airport, or causing dust, smoke or thermal air currents. These activities may not only jeopardize aircraft activities, but also place people at risk from the potential of aircraft accidents.

Works and Services

The Act requires Council to manage the effects of subdivision and development in a manner which promotes the sustainable management of natural and physical resources. The provision of works and services for subdivision and development activities is a mechanism whereby:

- The community is provided with the services and facilities that are necessary to provide for and enhance its wellbeing, health and safety.
- Natural and physical resources can be managed in a sustainable way for present and future generations.
- The adverse effects on the environment from subdivision and development can be avoided, remedied or mitigated.

The rules for works and services are given effect to through the general rules for subdivision (Chapter 12) and within each zone (Chapters 16-22). Subdivision and development activities are required to comply with the rules in Chapter 8 with the status of an activity to be determined through the relevant zoning or subdivision provisions. Where a resource consent is necessary and works and services are identified as a matter for control or discretion (controlled and restricted discretionary activities), or the activity is identified as a discretionary or non-complying activity, the assessment criteria can be used to determine the suitability and adequacy of the proposed infrastructure.

8.2 Issues

- 8.2.1 Infrastructure provides essential services and is an important physical resource, which enables opportunities for people and communities to provide for and enhance their environmental, social, cultural and economic wellbeing.
- 8.2.2 The provision and operation of infrastructure has the potential to adversely affect:
- Amenity values
 - Natural values
 - Heritage values
 - Health and safety
 - Natural hazards
- 8.2.3 The long lifespan of development layouts and the associated infrastructure has long term social, economic and environmental implications for the community and the environment.
- 8.2.4 Additional demand caused by growth and development may place pressure on the capacity on existing infrastructure systems, which are already at capacity in some areas.
- 8.2.5 There are benefits to be derived from providing an integrated and co-ordinated approach to the provision of infrastructure.
- 8.2.6 Given the diverse nature of the district's environment and communities, it is difficult to prescribe infrastructure and engineering standards that cover all possible development scenarios and aspirations.
- ~~8.2.7 Given the specific technical and operational requirements that constrain where many infrastructure services can be located or how they can be designed, there is the potential for conflict with sensitive land uses.~~
- 8.2.7 Network Utility Operations have technical and operational requirements that constrain their design and location.
- 8.2.8 Inappropriate land use, development and subdivision has the potential to adversely affect the provision and operation of infrastructure.
- 8.2.9 There is growing interest and uptake in alternative approaches to infrastructure provision including:
- Privately or communally owned and maintained assets.
 - Wireless technology.
 - Independent energy generation.

8.3 Objectives (Infrastructure)

1.	Infrastructure that enables people and communities to provide for, and enhance their environmental, social, cultural and economic wellbeing.
2.	Infrastructure that is designed, located, constructed, operated and maintained to ensure: <ul style="list-style-type: none"> • A safe and healthy environment. • The maintenance and enhancement of amenity values. • The efficient use of energy and resources. • Adverse effects are avoided, remedied or mitigated.
3.	That the infrastructure associated with <u>growth subdivision</u> and development be provided in an integrated and co-ordinated manner to ensure: <ul style="list-style-type: none"> • Compatibility with existing infrastructure networks.

<ul style="list-style-type: none"> • Adequate capacity for the anticipated land use. • Ongoing management and lifecycle costs are taken into account. • Unanticipated costs to the community are avoided. • <u>The requirements of infrastructure providers are taken into account.</u>
<p>4. To enable and promote the provision of <u>subdivision and development</u> infrastructure that:</p> <ul style="list-style-type: none"> • Allows the implementation of good urban design practice. • Allows the implementation of low impact design principles. • Reflects the environmental and social context of the location.
<p>5. Ensure that Network Utility Operations and the past investment into these operations are not compromised by the development of sensitive land uses in adjoining areas.</p> <p><u>That the efficient and effective provision of network utility infrastructure, including investment in that infrastructure, is not adversely affected by inappropriate land use, development and subdivision activities.</u></p>
<p>6. Unobstructed and unimpaired land and airspace for all activities associated with aircraft operations at Gisborne Airport.</p>

Explanations and principal reasons:

1. *This objective applies Part 2 of the Act to the provision of infrastructure and therefore promotes sustainable management. It also recognises the importance of enhancing the wellbeing of people and communities.*
2. *These requirements are considered core principles to be achieved in the provision of new infrastructure. Achieving these principles will help to ensure that the purpose and principles of the Act are taken into account and minimum environmental standards are upheld.*
3. *An integrated approach is important to ensuring growth and development proceeds in a way and at a rate that is sustainable and manageable for the communities resources. The objective aims to ensure the long-term interests of the community and infrastructure providers are taken into account when growth and development proposals are considered.*
4. *This objective relates to the benefits and opportunities that the provision of infrastructure presents. Many of the concepts around low impact urban design are in their infancy in Gisborne and as knowledge and experience increases they will likely become more common place. Currently, the best approach council can take to achieve these objectives is to promote the concepts through increasing awareness and Council leadership in its own projects. There is an increased awareness around the environmental and social implications of subdivision and development. Enabling and promoting initiatives that improve outcomes in this regard is considered to be an important part of sustainable management.*
5. ~~*Network Utility Operators are often constrained in where they can be located or how they can be designed, with their options for relocating limited. They have generally made significant investments into their operations which provide essential services to the wider community. It is considered an important aspect of resource management that those interests are recognised and provided for in the District Plan.*~~
Network Utility Operations are often constrained in where they can be located or how the infrastructure can be designed, with options for relocating limited. Significant investments have been made into these operations, which provide essential services to the wider community. It is important to ensure that inappropriate land use and subdivision does not adversely affect these services or foreclose the potential for replacement and upgrading.
6. *A safe operating environment is required for all activities associated with aircraft operations. In particular, defined airspace corridors, unobstructed by physical objects or electronic interference, are required for the safe approach, departure and in-flight manoeuvres of aircraft.*

8.4 Policies (Network Utility Operations) – Stage 2

1. Provide for the ongoing operation, maintenance, replacement and upgrading of network utilities and for the future development and operational requirements of new network utilities.
2. Recognise that in order to achieve sustainable management given the technical and physical constraints which may be experienced by network utility operations including those associated with their scale, location, design and operation, a compromise of the natural and physical environment may occur.
3. To enable the development, maintenance and use of network utility infrastructure (including individually owned and operated systems) in a manner that avoids, as far as practicable, remedies or mitigates any adverse effects on the environment.
4. To enable network utility activities in the road reserve that have minor adverse environmental effects, including:
 - road maintenance;
 - maintenance or reinstatement of structures, land and flora.
5. To ensure that the interests of network utility operators are taken into account when land use, development and subdivision is proposed assessing resource consents in close proximity to their infrastructure and any potential adverse effects are avoided and/or mitigated.

High Voltage Transmission Lines

6. To ensure that land use, development and subdivision ~~new development~~ is designed and planned with regard to the high voltage transmission lines in order to achieve appropriate separation distances required for:
 - Public health and safety
 - Security of the infrastructure and of electricity supply
 - Access for inspection and maintenance
 - Minimising the amenity aspects of the lines
 - Ensuring upgrade potential of the infrastructure is not compromised

Airport

7. The location and construction of any new facilities associated with aircraft operations or extensions to any existing facilities associated with aircraft operations shall be designed in a manner so as to ensure that any adverse health and safety effects are avoided, remedied or mitigated.
8. The location and construction of any new facilities associated with aircraft operations or extensions to any existing facilities associated with aircraft operations shall be designed in a manner so as to ensure that any adverse effects on the surrounding landscape are avoided, remedied or mitigated to the fullest extent possible within the operational constraints of the facility.
9. To ensure that ground-based activities do not interfere with airport and aircraft operations including the use of navigation and communication devices.
10. To ensure that activities resulting in population density and activities resulting in the mass assembly of

people in areas of highest risk from aircraft accidents are minimised. In considering whether to grant consent or impose conditions in respect of a resource consent, or designation requirement or requirement to modify a designation, Gisborne District Council will have regard to the following assessment matters:

- the maximum number of people who may occupy or use the site and the duration of time in which they will be assembled on the site.
 - any potential effects on the health and safety of people from aircraft accidents.
11. The location of noise sensitive activities in the Airport Noise Impact Overlay shall only be provided for where such activities will not compromise aircraft operations and safety.
 12. To ensure that any development in the vicinity of the Gisborne Airport does not emit discharges that have the potential to be a hazard in navigable air space as set out in Civil Aviation rules 77 (Appendix 35).

Explanation and principal reasons

- 1 -2 *Provision of network utility services is critical to the wellbeing of the community. However it is important that the provision of these services to meet legitimate community needs does not unreasonably affect the sustainable management of the natural and physical environment. Individuals shall be enabled to install their own infrastructure where the adverse effect on the environment can be avoided, remedied or mitigated.*
- 3 *The historical, cultural, spiritual or natural significance of either the proposed site or adjacent sites may be such that the presence of network utility infrastructure detracts from its amenity values or significance. Principal reason (3): To maintain or enhance the historical, cultural, spiritual or natural significance of localities throughout Gisborne District.*
- 4 *Some activities in the road reserve that are necessary to maintain the efficient use of network utility infrastructure may have minor adverse effects. Principal reason (5): To facilitate the use and development of network utility infrastructure in the road reserve.*
- 5 *The potential for aircraft accidents increases near the airport as aircraft undertaking landing or taking off manoeuvres are in close proximity to the ground, have limited options to manoeuvre and require precise control and guidance.*
Ground based activities in the proximity of the airport must be compatible to maintain the efficient operation and safety of aircraft using Gisborne Airport and its air space corridors. Threats to aircraft operations arising from nearby ground-based activities may include; intrusions into aircraft flight corridors by the height of structures, dust, smoke or birds, significant thermal disturbances or electronic interference to navigation aids, (e.g. reflection from large metal structures). Principal reason (5): To safeguard the operational environment of Gisborne Airport to provide for the safety and health of people.
- 6 *Activities near the airport that attract or accommodate large numbers of people increases the hazard potential from aircraft accidents. Allowing large numbers of people to assemble in areas where there is a risk of aircraft accidents is an adverse effect in terms of Section 3 of the Act. Principal reason (6): To avoid or mitigate any potential adverse effects of aircraft by limiting the number of people who occupy land or assemble beneath the runways' approach and departure fans.*
- 7 *The airport is an essential facility for the social and economic wellbeing of Gisborne District. There are, however, noise issues related to the airport which are essential for their operation. Noise sensitive activities that locate in the vicinity must be able to ensure that they are able to avoid, remedy or mitigate the adverse effects of noise. (refer also to Policy 11.5.6).*
- 8 *The threat to airport safety due to hazardous discharges in the vicinity should be avoided. These airport services are essential for the economic wellbeing and the continuing health and safety of the local and wider community. The policy will ensure that this service is protected as the hinterland develops over time.*
- 9 *Careful consideration must be given to the siting, design and operation of any new aircraft operation and maintenance areas to minimise the potential for aircraft accidents. Principal reason (7): To reduce the risk of injury or damage from aircraft accidents.*

8.5 Policies (Funding and Provision of Infrastructure)

Plan Change 38

1. To generally require developers to ensure that appropriate infrastructure will be provided to and within subdivisions and developments, so that the service level standards for the catchment in which the development is located can be met.
2. To use capital works planning processes to identify infrastructure projects to support developments.
3. To use development contributions as the primary method to provide funding for Council's capital expenditure on water, wastewater, stormwater, land transport and reserve infrastructure related to developments. To also consider, in special circumstances, other funding methods such as financial contributions and special rating areas.
4. To determine financial contributions for water, wastewater, stormwater, land transport infrastructure on a case-by-case basis.
5. To consider other means to address infrastructure issues before imposing any financial contribution for water, wastewater, stormwater, land transport e.g. alternative design or works and service conditions.
8. To consider negotiating agreements with developers, for example, Special Circumstance Agreements under the Development Contributions Policy, to address complex or unusual infrastructure issues.
9. Financial contributions and development contributions will not be used to fund the operation costs of Council-managed infrastructure. Other appropriate mechanisms might include trade waste charges or rates.

Plan Change 42

10. To ensure the rational and co-ordinated provision of infrastructure to serve the subdivision or development site, and where necessary the wider area within which the subdivision or development is located, without involving the Council in expenditure or financial responsibility not provided for in its capital works programmes.

Explanation and Principle Reasons:

Plan Change 38

- 1-2 *The onus of ensuring appropriate infrastructure is provided to meet service level standards will primarily lie with those seeking to undertake the development. However in some circumstances Council and other infrastructure organisations may commit, through their capital plans, to providing infrastructure that will serve a development.*
3. *Council generally wishes to avoid creating multiple funding regimes and financial contributions will only be used for projects in special circumstances. For example, where works are not planned in the Long Term Council and Community Plan or where land is required for reserves or other infrastructure. If other funding sources such as development contributions are indicated a financial contribution will generally not be required. Financial contributions will also not be appropriate where there is lack of commitment to the project for which the contribution is considered.*
4. *Rule 8.13 sets out the circumstances when financial contributions may be imposed, the manner in which the level of any contribution will be determined and the general purposes for which contribution may be used. This provides criteria to assist in deciding the actual quantum of the financial contribution and nature of the contribution. The amount payable will be determined according to the facts of the particular application, rather than any arbitrary dollar amount or percentage of project value.*
5. *In most cases alternative design or works and service conditions are likely to be preferred over financial contributions as they avoid the need to seek commitment from other parties for the project etc. for which the contributions are sought.*
6. *To consider the applying a financial contribution where the specified parking and loading spaces cannot be accommodated on the site or where the applicant proposes not to provide the specified spaces.*
7. *A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.*

8. *From time to time complex infrastructure issues arise e.g. a developer may require infrastructure ahead of when it is planned in Council's capital works programme or a Structure Plan identifies a need to acquire reserves within the development site. In such situations Council and the developer may enter into a Special Circumstance agreement e.g. to provide for payment in return for financial contribution of land for reserves and a reduction in development contributions for reserves.*
9. *Financial contribution and development contributions are to fund the capital costs of infrastructure and not operational costs.*

Plan Change 42

10. *Subdivision and development proposals must ensure that the full costs of their activities and/or intended land uses are considered in the context of the wider infrastructure network. Council cannot generally afford to provide new or upgraded infrastructure that is not provided for in its LTCCP or Annual Plan. The remaining policies provide for situations where funding issues may be identified.*

8.6 Policies (Design and Reticulation of Infrastructure)

1. To ensure the infrastructure associated with subdivision and development is designed and constructed in a manner that promotes:
 - Environmental and community well being
 - The efficient use of natural and physical resources
 - An integrated approach to the provision of works and services
 - The avoidance, remedying or mitigating of any adverse effects on the environment
 - Responsiveness to the environmental and social context of the development site
 - The minimisation of lifecycle costs while recognising the above matters
2. To ensure that it is environmentally and financially feasible to provide infrastructure for land development and subdivision activities.
3. To generally require that within the Gisborne Urban Area Boundary, provision is made for the connection to Council's reticulated services.
4. To consider applications for private infrastructure services in reticulated areas, having particular regard to the Assessment Criteria: Provision of Infrastructure.
5. To require that where public infrastructure services are not available, the appropriate levels of service are met and any environmental effects avoided, remedied or mitigated.
6. To ensure that new and upgraded infrastructure is designed and constructed with adequate capacity, taking into account the servicing requirements of future growth and development.
7. To promote the integration of non-Council infrastructure providers into the subdivision and development process.

Explanation and Principle Reasons:

1. *There are many aspects to achieving the sustainable management of infrastructure resources. This policy recognises that infrastructure systems need to be designed and constructed in an integrated manner whilst meeting the balancing requirements of Part 2 of the Act.*
2. *It is important to address the feasibility of a subdivision or development proposal prior to the granting of a consent in order to avoid future uncertainty, unexpected costs and adverse environmental effects.*
3. *Public infrastructure services have been provided to ensure public health and safety expectations are met, the environment is safeguarded and the provision of services are affordable for the community. Council's expectation is that where these services are available, subdivision and development proposals connect to them. In addition, extending Council's reticulation network to service urban fringe and peri-urban growth may impose significant costs on the community and lead to patterns of land use that do not achieve an efficient use of natural and physical resources.*

4. *There may be occasions where connection to Councils reticulation network is not feasible or appropriate and the assessment criteria shall be used to determine these situations.*
5. *Beyond the Gisborne Urban Area, there is little access to Council infrastructure services. Subdivision and development activities in these areas will need to ensure there are no adverse effects associated with their infrastructure.*
6. *It is important that proposals for new or upgraded infrastructure recognise the wider context they occur within. Providing services that take into account potential growth and development promotes an efficient use of resources and may avoid costly upgrades or in the future.*
7. *Non-Council service providers can have similar infrastructure issues to Council to Council such as capacity constraints and uncertainty over asset planning to accommodate growth. However, they do not have the same statutory ability to assess subdivision and development proposals prior to approval. In order to avoid unexpected costs and delays it is considered important to better integrate non-Council providers into subdivision and development processes.*

8.7 Policies (Structure Plans)

1. To generally require subdivision and infrastructure to be provided consistent with the following structure plans:
 - Taruheru Block Infrastructure Plan (Appendix 20).
 - Roading Concept Plan for the Rural Industrial A Zone (Appendix 31).
2. To review:
 - the intersection between the infrastructure plan road north of Ruru Avenue and Back Ormond Road; and
 - the extension of Joanne Street into the middle of the block.

Consideration will be given to severing the links to motorised vehicles but retaining access for non-motorised users and utility services (refer to Taruheru Infrastructure Plan (Appendix 20)). Consideration will also be given to the practicality of using methods which allow access to emergency vehicles e.g. retractable bollards.
3. To work with landowners to design and purchase additional reserve space in the area indicated in Appendix 20 – Taruheru Block Infrastructure Plan and to ensure that any reserves are integrated into future development in a manner that promotes safety and amenity.
4. To alert of the presence of high voltage transmission lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor in the Taruheru Infrastructure Plan (Appendix 20).

Explanation and Principle Reasons

1. *The structure plans are intended to promote coordinated development. Compliance is needed to ensure the integrity of the structure plan and to avoid uncertainty for developments.*
2. *In the future Council will consider severing the link between the structure plan road north of Ruru Avenue and Back Ormond Road in order to further protect the arterial function of Back Ormond Road. However, in the short term, the link is necessary to avoid pressure for development with multiple accesses onto Back Ormond Road and to allow for co-coordinated provision of services. Council will also consider blocking vehicle access to Joanne Street extension at the point indicated in the Infrastructure Plan in order to avoid potential congestion at Potae/Avenue / Lytton Road intersection and to promote a development pattern that maintains the link so that access can be provided into the middle of the block for services and traffic.*
3. *Reserve space for active and passive recreation should be provided within a convenient distance of every resident.*
4. *To optimise development outcomes the presence of the lines should be considered early in planning any development of the Taruheru Block. Activities will need to comply with the minimum safe separation distances specified in the NZECP 34 : 2001. The identification of a High Voltage Transmission Line corridor in Appendix 20 will help alert developers and Council of the existence of the lines and the need to maintain separation distances. The existing transmission lines may also have a visual effect, but by “designing-in” the lines, these impacts can be reduced. Alignment of the high voltage transmission lines with roads is promoted*

as this will help to ensure ease of access for maintenance. Alignment of the lines with the road will also help to ensure that the safety buffers between the transmission lines and development is incorporated into the area in a positive way, avoiding adverse impacts on amenity values.

8.8 Policies (Works and Services)

Roading and Access

1. The road reserve provides a range of environmental and community functions that shall be recognised and provided for in an integrated manner, including:
 - The safe and efficient movement of people, goods and services
 - A corridor for network utility operators and their operations
 - A space for community interaction and recreation
 - Amenity, streetscape and character values
2. To ensure that property access occurs in a manner that does not adversely affect the wider functions of the road reserve.
3. To encourage roads and accessways to be designed according to their environmental context and surrounding land uses.
4. To ensure that the development and use of existing roads does not adversely effect the character of local communities, or the surrounding environment.

Reserves and Landscaping

5. To consider requiring a financial contribution of land for reserves on subdivision consent applications where the need for a reserve is recognised in a structure plan or other policy documents; or where the applicant proposes to vest land in Council. To consider entering an agreement, e.g. a Special Circumstance Agreement under the Development Contributions Policy, where a financial contribution of land is required in order to recognise and offset the value contributed above the usual development contribution.
6. To encourage and provide for landscaping within the road reserve in appropriate locations, while avoiding, remedying or mitigating any conflict or interference potential with network utility services.

Stormwater

7. To require stormwater systems to be designed and constructed to:
 - Protect people, infrastructure, land and buildings against flooding and nuisance effects.
 - Avoid, remedy or mitigate adverse environmental effects including the pollution, sedimentation and erosion of receiving environments.
 - Provide adequate capacity and design standards to service the catchment within which they occur, taking into account foreseeable growth and development.
8. To prefer low impact design approaches to stormwater management and in particular where there is a need to:
 - Protect or enhance natural heritage and amenity values associated with receiving environments such as waterways and the coastal environment.
 - Improve the quality of stormwater discharges.
 - Reduce peak flows associated with additional runoff.

Water

9. To ensure there is an adequate supply of water in terms of volume and quality for the anticipated land use, including provision for fire fighting supply.
10. To promote and encourage the efficient use of water through subdivision and land development activities.

Wastewater

11. To ensure that the treatment and disposal of wastewater is adequate for the anticipated land use and appropriate to the location of the subdivision and/or development.
12. To ensure that the treatment and disposal of wastewater is undertaken in a manner that avoids, remedies or mitigates adverse effects on the environment and is consistent with maintaining public health and safety.

Energy and Telecommunications

13. To ensure that the supply of energy and telecommunications is reliable and appropriate for the anticipated land use and the particular circumstances of the subdivision or development.

Parking (Plan Change 38)

Funding and Provision of Parking

14. To consider applying a financial contribution where the specified parking and loading spaces cannot be accommodated on the site or where the applicant proposes not to provide the specified spaces.

Explanation and Principle Reasons:

1. *There are competing demands for the space within the road reserve. Council recognises that it is important to manage this public space in an integrated manner to ensure that the various community expectations can be met.*
2. *Individual property access is an important component of subdivision and land development. However, it should not occur in isolation to the other functions and requirements of the road reserve (listed in Policy 1). The policy aims to ensure that consideration is given to integrating property access with the wider roading context, whilst ensuring individuals the ability to efficiently and safely access their land.*
3. *Given the varied nature of the district's physical and social environments, all roads and accessways will have circumstances unique to their location and surrounding use. They should be designed and constructed to reflect their surroundings whilst ensuring their various functional requirements are met.*
4. *The development of roads may have adverse effects on the character and amenity value of the local environment. The homogeneity of a neighbourhood can be physically divided, affecting local social and economic interactions. Subsequent increased traffic flows can create added noise, dust, vibration and danger to pedestrians, (especially children) and cyclists. Similarly, changes to flora, fauna and water flow patterns may arise. Principal reason (6): To maintain or enhance the quality of the environment.*
5. *A financial contribution of land for reserves may exceed what would normally be required under the Development Contributions Policy.*
6. *It is important for community and environmental well being that planting and landscaping are taken into account where a new road reserve is proposed or an existing road is upgraded. However, planting and landscaping have the potential to adversely affect above ground and under ground utility services. Planting and landscaping that avoids, remedies or mitigates potential adverse effects is consistent with integrated management and the efficient use of resources.*
7. *This policy ensures the basic elements of a stormwater system are recognised and provided.*
8. *There is an increasing awareness of the need to improve the quality of stormwater and decrease the peak flows associated with runoff and discharges. Low impact design offers solutions where there may be capacity issues or the need to protect sensitive receiving environments such as streams, rivers or the coastal environment. It also provides opportunities to integrate amenity values with water management solutions. There are various methods and standards available to ensure these solutions can be designed to the specific circumstances.*
9. *An adequate water supply is important for the well being of people and communities and for their health and safety.*
10. *This policy is intended to promote the benefits of efficient water use and assist in minimising costs to the community by prolonging the lifetime of water supply infrastructure.*
11. *This policy aims to ensure that the wastewater system is designed to accommodate the potential level of effluent from land uses associated with subdivision and development. It also ensures consideration is given to the location of the site in terms of physical characteristics and limitations as well as the ability to connect to the reticulated system.*
12. *Maintaining health and safety and avoiding, remedying or mitigating adverse effects are core principles of sustainable management required under Part of the Act. This policy applies to both reticulated and non-reticulated wastewater disposal.*

8.9 METHODS OF IMPLEMENTATION

8.9.1 Advocacy / Information

1. Gisborne District Council will provide subdivision and land development guidelines and engineering standards to guide developers to design infrastructure in accordance with the objectives and policies of the plan.

8.9.2 Works

1. To ensure that the Gisborne District Councils' own tree planting programmes do not cause future interference with network utility infrastructure by using careful tree and site selection.

Principal reason (1): Gisborne District Council is the principal body that plants trees in existing road reserves.

8.9.3 Regulation

1. Zones
2. **Roading Hierarchy:** Council shall classify roads according to their function into a roading hierarchy. Rules and conditions may be applied according to the road and / or the adjoining property according to the road's classification within the roading hierarchy.

The four classifications of the roads within the roading hierarchy shall be:

a) **Arterial Roads:** These are roads which:

- Serve as direct links of strategic importance within the district and to the rest of New Zealand.
- Are a significant element in the district economy
- Have access standards for permitted activities determined on the basis of strategic function and traffic volumes

Principal Roads: These are roads which:

- Serve as links of strategic importance within the district
- Are a significant element in the local economy
- Often serve as local roads

Collector Roads: These are roads which:

- Are locally preferred routes between or within areas of population or activity
- Complement arterials and principals but have property access as a higher priority
- Have standards suitable to the safety requirements of the traffic volume on each section

Local Roads: These are all other roads servicing land use activities with standards appropriate for the traffic use.

3. **Airport Protection Overlay Area:** The Airport Protection Overlay Area (APOA) is an overlay illustrated on the Urban and Rural planning maps that effects the identified land in close proximity to Gisborne Airport and its' flight corridors. Rules to protect both Gisborne Airport and land users shall apply to this area.
4. **Air Noise Boundary and Outer Control Boundary:** These boundaries identify, in accordance with NZS 6805:1992 "Airport Noise Management and Land Use Planning", the 55dBA and 65dBA noise limit boundaries (respectively). These noise controls apply for activities associated with the operation of the airport. This method enables identification of areas in which noise sensitive activities would not be appropriate and recognises the essential nature of the airport operation to the Gisborne District.

5. Airport Height Control Surfaces: These are air corridors to and from each runway, together with transition side slopes, a horizontal surface and a conical surface laying over and radiating out from the runways. Vegetation and structures are restricted from encroaching into these surfaces.
6. Structure Plans: These show the planned layout for infrastructure and subdivision in development areas.

Two Structure Plans are currently incorporated into the plan:

- Taruheru Block Infrastructure Plan
- Roothing Concept Plan for the Rural Industrial A Zone.

The Taruheru Block Infrastructure Plan proposes a layout of key road links. These road links are not just for access, but also provide corridors for infrastructure such as water, wastewater, stormwater, electricity and telecommunications. The proposed rooding layout was designed to promote efficiency in these services. It promotes connectivity of water supply network to enhance pressure and security of supply; and takes advantage of the contours of the land to for wastewater and stormwater flows. The structure plan also promotes alignment of the high voltage electricity lines and the proposed major drainage swale with the rooding network so as to minimise safety, amenity and maintenance issues.

The Roothing Concept Plan for the Rural Industrial A Zone addresses rooding layout only and is intended to provide for access for future activities, while minimising the impact of access on the State Highway.

7. Rules

Principal reason (1): Different zones in which different activities take place have different amenity values. Different provisions may apply to different zones to acknowledge and compensate for the different amenity values associated with various zones.

Principal reason (2): The classification and standardisation of design and construction of road reserve infrastructure will provide consistency and certainty for developers while addressing adverse effects.

Principal reason (3): Rules within an identified area near Gisborne Airport - the Airport Protection Overlay Area - are the most certain method of both protecting the operation of Gisborne Airport and avoiding, remedying or mitigating the adverse effects of airfields and helpads.

Principal reason (4): Rules which recognise the essential nature of the airport and its inability to relocate, have been developed to protect the airport operation from compromise through location of noise sensitive activities in the vicinity of the airport. The Air Noise Boundary and the Outer Control Boundary identify noise boundaries within which these rules apply. Such activities would only be allowed within the Outer Control Boundary (they are prohibited in the Air Noise Boundary) if they are suitably insulated against the accepted noise generated by some airport activities.

Principal reason (5): Structure Plans are intended to integrate different developments and promote overall good infrastructure design.

Principal reason (76): Rules are the most practical method of ensuring safety, health and amenity values are not adversely effected while still enabling the provision of network utility services.

8.9.4 Other Controls

1. Attention is drawn to other Gisborne District Council plans made under the Act but outside of the District Plan that are relevant to network utility activities in regard to contamination and discharges. These include:
 - a) The Regional Air Quality Management Plan;
 - b) The Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan;
 - c) The Regional Coastal Environment Plan.

Attention is drawn to other regulatory controls independent of the Act used by Gisborne District Council to control activities in the road reserve: This includes:

- a) The Local Government Act 2002;
- b) Bylaws made under the Local Government Act 2002 and Local Government Act 1974;
- c) The Gisborne District Council Code of Practice for Engineering Standards 1997;
- d) The Building Act 2004 and Building Code (and subsequent amendments);

8.10 RULES FOR NETWORK UTILITY ACTIVITIES – Stage 2

Note

In addition to the rules of Chapter 8, network utility activities shall comply, where relevant, with the regional or district rules in Chapter 3-Cultural Heritage, Chapter 4-Natural Heritage, Chapter 5-Natural Hazards, Chapter 6-Land, Chapter 7-Beds of Lakes and Rivers, Chapter 9 – Contaminated Sites, Chapter 9A – Hazardous Substances, Chapter 10-Signs and Chapter 12- Subdivision.

General Rules

The following General Rules shall apply to all permitted network utility activities:

8.10.1 Noise and Parking

- a) Network utility activities shall be exempt from the requirements of Chapter 11-Noise where these activities occur in a rural (excluding the Rural Lifestyle Zone), industrial, port or commercial zone, provided that the best practicable option is used to ensure that noise does not exceed a reasonable level.
- b) Network utility activities located in a residential, reserve zone or the Rural Lifestyle Zone shall comply with the requirements of Chapter 11-Noise.
- c) Network utility activities (on sites of greater than 200m²) shall comply where relevant, with the rules for roads, accessways and parking. Provided that only network utility activities involving industrial, warehousing, motor vehicle repairs and service, office and retail activities shall be required to comply with Rule 15.4.

8.10.2 Zoning of Roads and Railway Reserve

- a) Where a road or railway reserve is surrounded by one zone, the zone of the road or railway reserve shall be that of the surrounding zone.
- b) Where a road or railway reserve is adjacent to two or more zones, the zone of the road or railway reserve shall be that of the highest adjoining zone ranked in the following order of priority:
 - i. Residential Zones (**highest**)
 - ii. Reserve Zones
 - iii. Rural Zones
 - iv. Commercial Zones
 - v. Port Management Zones
 - vi. Industrial Zones (**lowest**)

8.10.3 Radio frequency Radiation and Electro and Magnetic Fields

- a) All network utilities shall comply with the New Zealand Standard NZS2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels - 3KHz - 300GHz and with NZS 6609.2:1990 - Radiofrequency radiation: Part 2: Principles and Methods of Measurements 300khz to 100ghz or any subsequent replacement national standard for either of these standards.
- b) All network utility activities shall comply with the International Commission on Non-ionizing Radiation Protection (ICNIRP) Guidelines (1990) and any subsequent replacement Guidelines or Standards.

8.10.4 Stockpiles

- a) Stock piles of roading materials or spoil not intended for immediate use or transport:
 - i. shall not be sited in residential zones or commercial zones;
 - ii) shall be contained within the site, and not enter or interfere with drains or waterways.

8.10.5 Lighting and Glare

- a) All exterior lighting shall be directed away from adjacent properties and roads so that the spill of light is contained within the external boundaries of the property.
- b) Any welding activities (excluding construction activities) shall be screened so that they are not visible from residential or reserve zones and roads.
- c) Activities shall not emit artificial lighting greater than:
 - i) 10 lux spill (horizontal and vertical) of light as measured at or within the boundary of any site zoned residential or the notional boundary of any rural dwelling;
 - ii) 20 lux spill (horizontal and vertical) of light as measured at or within the boundary of any property zoned commercial.
- d) In industrial and reserve zones between the hours of 1800 and 2200 hrs the limits apply at the boundary of residential or rural zones directly adjoining industrial or reserve sites or 20 metres from a residential building in a rural area, and are measured in a vertical plane parallel to the relevant boundary, to a height equal to the height of the potentially affected dwellings.
- e) In industrial and reserve zones between the hours of 2200 and 0700 hrs limits apply in the plane of the windows of the habitable rooms of dwellings on nearby residential properties.

8.10.6 Height

Note:

1. To clarify, lines, cables, aerials, antennas, masts, pylons, poles, streetlights and other support structures which are excluded from the definition of “utility structures” (Chapter 24) are not subject to any restrictions on height, yard distances or building length except in the case of Rules 8.10.7.1(b), 8.11 and 8.12.1.4.
2. Where a structure, which is specifically excluded from the definition of “utility structure” is affixed to a building or structure, the affixed structure shall not be included when determining the total height of the building or structure.

8.10.6.1 Residential and Rural zones

- a) Utility structures shall be contained within recession planes commencing 2.75 metres above each site boundary. The angles of the recession plane at each site boundary shall be determined using the recession plane indicator.

Provided that in the residential zones a building or structure may be erected where it exceeds the boundary of the recession plane by not more than one metre if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority.

8.10.6.2 Reserve zones

- a) On any reserve zone having a common boundary with a residential or rural zone, utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

8.10.6.3 Commercial zones

- a) Utility structures shall comply with the following height limits:
 - i) Inner Commercial zone (Gladstone Rd/Peel St marked as continuous street facade):
Maximum: 14 metres
 - ii) Inner Commercial zone (area not marked as continuous street facade):
Maximum 10 metres
 - iii) Outer Fringe & Amenity Commercial zone
Maximum: 12 metres

- iv) Suburban & Rural Commercial zones Maximum 10 metres

PROVIDED THAT any site having a common boundary with any residential or reserve land, utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

8.10.6.4 Industrial zones

- a) Maximum height for utility structures: 20 metres
- b) Where any site has a common boundary with or is separated from land zoned residential, rural or reserve by any road or railway, then utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75 m above the boundary facing the residential, rural or reserve zoned site. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

8.10.6.5 Port zones (for utility structures)

- a) Maximum height for any structure in Zone A 12m

PROVIDED THAT

- a) structures do not include antennas and their supporting structures and network utility poles and streetlights;
- i) on any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.
- b) Maximum height for any structure in Zone B (excluding structures associated with essential port activities):
30m

PROVIDED THAT

- i) structures adjoining land zoned reserve and structures to be constructed adjacent to the edge of the "cone of vision" shall not project beyond a recession plane comprising a vertical height on the boundary of 6m and an inclined plane extending from 6m above the ground away from the cone of vision at an angle of 45 degrees.
- i) On any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of the recession planes shall be determined for each site by use of the recession plane indicator.
- c) The height of vegetation or structures in the APOA shall not extend into the air height control surfaces.

8.10.7 Yard Distances (excluding activities within road reserve and sites of 50m² or less)

8.10.7.1 Residential zones

- a) Canopies and verandahs may intrude into the street when determining compliance with yard requirements.
- b) All utility structures (including support structures): All yards: 4.5 metres

Provided that any structure may be erected a minimum of 2 metres from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the Consent Authority at the stage a building consent is sought.

8.10.7.2 Commercial zones (utility structures only)

a) Inner Commercial Zone:

A continuous building edge is required along Gladstone Road, Peel Street, Lowe Street between Gladstone Road and Reads Quay and any other areas marked on the planning maps as continuous street facade.

b) Awapuni Road Area zoned Outer Commercial between Grey Street, Awapuni, Customhouse St and Waikanae Stream:

Front yard: (on Awapuni Rd and Customhouse St)	7.5m
Rear yard on Waikanae Stream:	20m from MHWM

c) All other zones:

- ii) yards are required only where a site adjoins a residential zone.
- iii) side yards: 3.0m
- iv) rear yards for service areas & outdoor storage areas: 4.5m
- v) street boundaries of car parks: 3.0m

8.10.7.3 Industrial zones (utility structures only)

a) Yards are only required where the site adjoins a site which is zoned residential, rural, or reserve:

General Industrial zone:	4.5 metres
Rural Industrial zone:	10 metres

8.10.7.4 Rural zones (utility structures only)

a) All yards: 4.5 metres

Provided that utility structures may be erected on any side or rear yard if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.

- b) No crib or fence shall be erected where it obstructs traffic sight lines.
- c) Eaves of buildings may not encroach by more than 0.6m on any yard.

8.10.7.5 Port zones (utility structures only)

Yards are only required where the site adjoins:

- a) a road adjacent to a residential zone: 4.5m
- b) the Hirini Street Cemetery: 3.0m

8.10.7.6 Reserve zones (utility structures only)

- a) Utility structures shall be set back a minimum of 4.5 metres from road boundaries; 3.0 metres from residential and rural residential zone boundaries unless otherwise stated in the relevant zone.

8.10.8 Building Length

- a) No utility structure where it adjoins a residential or reserve zone shall be more than 15 metres long without:
 - i. having a vertical or horizontal offset in plan of at least 2 metres, or
 - ii. being confined within the arms of a 150° angle formed by two lines intersecting at a common point on all site boundaries such that each line forms an angle of 15° with the boundary (see Figure (1)), or
 - iii. being offset from each other unit by not less than 25 per cent of the width of the unit nearest the road, with a minimum offset of 2m (see Figure (2)); or
 - iv. the written consent of the adjoining property owners, shall be obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.

- v. No utility structure (excluding roads, rail and buildings) shall exceed 30m² gross floor area in or adjoining a residential or commercial zone.

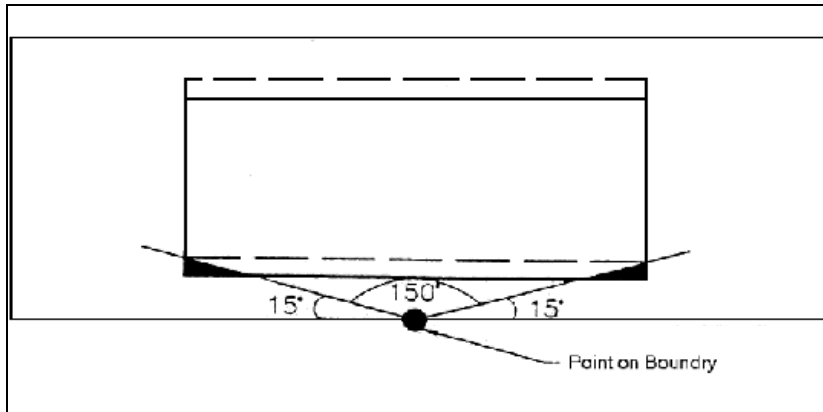


Figure 1 Example of a unit built within a 150 degree angle, centred on the boundary.

Note: In the example of Figure 1 the shaded areas denote where the buildings exceed the requirement. The dotted line indicates a building outline that does satisfy the requirement.

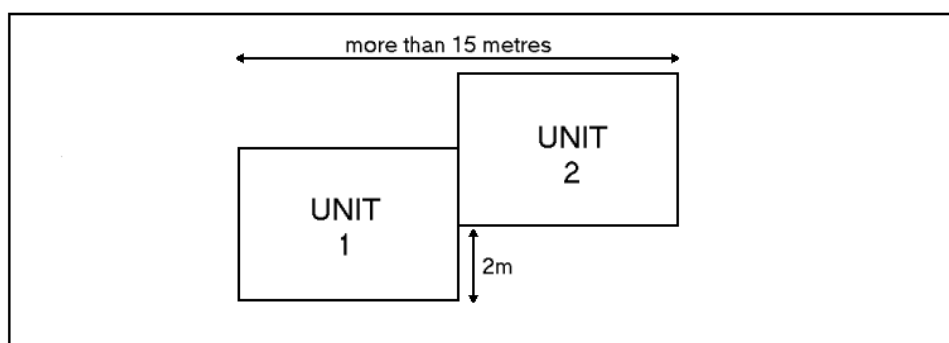


Figure 2 Example of units being offset by two metres

8.10.9 Taruheru Block

- a) All wastewater sewers and connections shall be located to achieve consistency with the wastewater pump station catchments indicated in Appendix 20 - Taruheru Block Infrastructure Plan.
- b) The drainage swale shall be aligned in road reserve as indicated in Appendix 20 – Taruheru Block Infrastructure Plan.

8.11 RULES FOR ACTIVITIES WITHIN AND ADJACENT TO THE AIRPORT

8.11.1 Airport Protection Overlay Area (APOA)

The following requirements shall apply to all activities in any area denoted as the Airport Protection Overlay Area (APOA) on the Airport Protection Area Overlay map, or the Urban and Rural planning maps:

- a) The rules for the APOA shall take precedence over the underlying zone rules.
- b) The establishment of new residential dwellings on land zoned Rural Residential in the APOA shall not result in a residential density of more than one dwelling per hectare.
- c) No structure or activity in the APOA shall, singularly or cumulatively:
 - i. attract birds onto Gisborne Airport or into the APOA that may compromise aircraft safety;
 - ii. generate or otherwise cause dust or smoke that may compromise aircraft safety;
 - iii. generate or otherwise cause thermal air movements that may compromise aircraft safety;
 - iv. cause electronic interference with Gisborne Airport navigation, communication or aircraft control device or signal.

Note:

1. Metal structures with a linear horizontal length of 35m or more have a high potential to reflect radio waves from Gisborne Airport's navigation aids.
2. Attention is drawn to Civil Aviation Regulation 190 (Dangerous Lights).

8.11.2 Air Corridors

- a) No vegetation or structures shall encroach into the "Airport Height Control Surfaces.

Note:

The height of vegetation or structures applicable to the Airport Height Control Surfaces can be calculated from the text of Appendix 14 - Airport Height Control Surfaces.

8.12 ALL ZONES

8.12.1 Permitted Activities

Unless otherwise specified in this Plan, the following network utility activities shall be permitted activities provided they comply with the General Rules 8.10.1 – 8.10.9 and Rule 8.11:

8.12.1.1 Network utility activities (excluding those listed in 8.12.2 as Restricted Discretionary and 8.12.3 as Discretionary activities)

8.12.1.2 Installation and construction of structures associated with network utility activities (excluding activities listed in 8.12.2 as Restricted Discretionary and 8.11.3 as Discretionary activities)

Provided that:

- a) Where overhead reticulation of services exists on legal road, additional connections may be made overhead to individual properties. All other lines and cables shall be placed underground (except in rural zones and for subtransmission line extensions (50kV) and except that General Rule 8.10.7 shall not apply).

8.12.1.3 Alteration, minor upgrading, removal and maintenance of structures associated with network utility activities (except that General Rules 8.10.6 and 8.10.7 shall not apply)

8.12.1.4 Installation, alteration or removal of antennas and associated support structures

Provided that:

- a) In residential zones antennas shall not extend more than 3.5m above the highest point of any building they are attached to;
- b) In rural zones antennas shall not extend more than 5.0m above the maximum permitted height for buildings in the zone, or the highest point of any building or structure they are attached to, whichever is the greater. This is determined by applying the recession plane indicator as provided for in Rule 21.8.3;
- c) In residential and rural zones the maximum height of support structures (including fixtures except lightning rods) shall not exceed 20 metres;
- d) The maximum diameter of support structures (including irregular shaped support structures), above 3.4 metres vertical height from ground level, shall not exceed 600mm;
- e) In residential zones only one support structure may be erected per site (excluding accessways and roads).
- f) In residential zones antennas shall not exceed 1.4 metres in diameter.

8.12.2 Restricted Discretionary Activities

The following activities shall be restricted discretionary activities:

8.12.2.1 Network utility activities and structures listed as Permitted which do not comply with the Rules in respect of:

- a) Noise and parking
- b) Underlying zones
- c) Radiofrequency radiation and EMF
- d) Stockpiles
- e) Lighting and glare
- f) Height, yards and building length

- g) Airport Protection Overlay Area and Air Corridors**
- h) Location under or overground (Refers to non-compliance with Rule 8.12.1.2(a))**
- i) Number of support structures, per site, associated with antennas**

Council shall restrict its discretion to the matters a) - d) specified below:

- a) Health and safety
- b) Traffic
- c) Location
- d) Amenity values

In determining an application for resource consent Council shall restrict its discretion to only matters associated with conditions a) – i) above which are unable to be complied with.

8.12.2.2 Installation or alteration of pylons

Council shall restrict its discretion to the matters a) - c) specified below:

- a) Health and safety
- b) Location
- c) Amenity values

8.12.2.3 Construction of new roads

Provided that:

1. The activity is not part of a proposed subdivision.

Council shall restrict its discretion to the matters a) - d) specified below:

- a) Health and safety
- b) Traffic
- c) Location
- d) Amenity values

8.12.2.4 Noise sensitive activities (excluding noise sensitive activities in buildings which comply with Rules 8.12.2.4, 11.17.1 and 11.17.2) on land located within the Noise Impact Overlay Area

Council shall restrict its discretion to the matters a) - e) specified below:

- a) Impact on amenity values
- b) Effects on human health and comfort
- c) Reverse sensitivity on the operation of the Gisborne Airport.
- d) Acoustic insulation.
- e) Financial contributions

8.12.3 Discretionary Activities

The following activities shall be discretionary activities:

8.12.3.1 Installation or alteration of sewage treatment plants

8.12.3.2 Construction or alteration of airfields or helipads

8.12.3.3 Construction or alteration of electricity generating plant

8.12.3.4 Network utility depots in rural, residential and commercial zones

8.12.3.5 Installation or alteration of all network utility structures in Heritage Reserve and Amenity Reserve Zones

8.12.3.6 Network utility activities which are not provided for as Permitted, Restricted Discretionary or Prohibited activities

8.12.4 Prohibited Activities

The following activities shall be prohibited activities for which no resource consent shall be granted:

8.12.4.1 Activities in the APOA which do not comply with Rule 8.11

8.12.4.2 Construction or alteration of buildings in the APOA to establish the following new activities (except where they are required for airport operations):

- a) Visitor accommodation
- b) Camp grounds and motor camps
- c) Hospital
- d) Residential care housing
- e) Health and medical centres
- f) Educational institutions (including early learning centres and childcare facilities)
- g) Structures for the purpose of public assembly

8.12.4.3 Noise sensitive activities on land located within the Air Noise Boundary (except where they are required for airport operations).

8.13 RULES FOR WORKS AND SERVICES

Note

In addition to the rules of Chapter 8, the provision of works and services shall comply, where relevant, with the regional or district rules in Chapter 3-Cultural Heritage, Chapter 4-Natural Heritage, Chapter 5-Natural Hazards, Chapter 6-Land, Chapter 7-Beds of Lakes and Rivers, Chapter 9 – Contaminated Sites, Chapter 9A – Hazardous Substances, Chapter 10-Signs and Chapter 12- Subdivision

General Rules

The following Rules shall apply to all activities, where applicable:

8.13.1 General Servicing Requirements

- a) Reticulated services shall be provided to the net area of new allotments.
- b) Vehicle crossings shall be provided to the boundary of the road reserve for new allotments.
- c) Services shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Gisborne Urban Area Boundary and in residential and commercial zones district wide.

Provided that:

Stormwater infrastructure may be provided above ground where retention or attenuation measures are required or low impact design approaches are to be used.

Individual customer connections may be provided above ground where there is an existing overhead supply.

- d) Where there is a shared access way the necessary works and services shall be provided to the terminus of the right-of-way.
- e) The location of reticulated services and vehicle crossings shall be identified prior to consent approval.

8.13.2 Structure Plans

- a) Where relevant, subdivision and provision of infrastructure shall be consistent with the Taruheru Block Infrastructure Plan (Appendix 20) and the Roothing Concept Plan for the Rural Industrial A zone (Appendix 31), that is:
 - i. all wastewater, water supply and stormwater assets shall be located to achieve consistency with the structure plan;
 - ii. the pattern of roading and accesses created through subdivision shall be consistent with the structure plan roads and land indicated for roads shall be vested at subdivision;
 - iii. no access points or additional roads shall be provided off roads noted as restricted access in the structure plan, except to an access point or road that has already been approved;
 - iv. roads shall be formed at subdivision to the boundary of the subject site, except where alternative funding is provided to form the road e.g. in Council's capital works programme. In this case, the pattern of subdivision shall enable the future creation of the road; and
 - v. land outside of road reserves and noted as the location for infrastructure such as wastewater pump stations or reserves shall be vested for this purpose at subdivision, or appropriate easements created.
- b) No structure other than those associated with the relevant infrastructure shall be constructed on land indicated for infrastructure in the structure plan

For clarity, additional roads may be provided than those indicated in the structure plan.

8.13.3 Street Planting

- a) For new roads in residential, commercial and industrial zones either:
- A minimum of 5m² of land shall be set aside within the road reserve for each potential allotment accessed from that road (based on minimum permitted site areas) for the purpose of landscaping. Such areas may be combined but shall still be located evenly throughout the road. The land shall be free from utility services.
- Or:
- A dedicated berm for landscaping shall be provided. The minimum planting is one tree per allotment. The land shall be free from underground utility services.

8.13.4 Stormwater Systems

- a) Sites shall be provided within their site area with a means of collecting, managing and discharging stormwater from the roof of all buildings, accessways and from all impervious surfaces.
- b) Any connections or discharge points to the existing public stormwater system, where available, shall be at an outlet or outlets approved by the Council.
- c) Primary stormwater systems shall have sufficient capacity to convey a 10% AEP rainfall event without relying on secondary flow paths.
- d) Secondary stormwater systems shall have sufficient capacity to convey a 1% AEP rainfall event while protecting buildings and household gully traps from inundation.
- e) Secondary flow paths shall be free of obstructions and located on public land, land protected by an easement or land identified as a public drain.
- f) Stormwater conveyance shall be by way of gravity outfall with ground levels and/or contours identified prior to consent approval.
- g) With regard to Rules c) and d) where stormwater runoff is greater than the capacity of the system which is to receive it, runoff shall be managed to the relevant pre-development rates or the capacity of the system shall be upgraded.

Rural Lifestyle and Rural Residential Zones

- h) For Rural Residential and Rural Lifestyle Zones, buildings and impervious surfaces shall not exceed 16% of the site area (including impervious surfaces associated with any access strips for rear sites).
- i) In Rural R and Rural L zones, discharge and dispersal of stormwater shall not exceed the peak runoff for up to a 10% AEP event as calculated for conditions prior to development occurring, and runoff from the development site shall not be in a concentrated flow.

PROVIDED THAT:

In respect to 8 and 9 the 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008' shall be complied with.

8.13.5 Water Supply

- a) Water Supply within the Gisborne Urban Area Boundary
- i. Sites for any activity that will require a water supply shall be provided with a connection or connection point to the Council reticulated water system.
 - ii. Fire fighting water supply shall be provided in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice 2008 SNZ PAS 4509:2008.
- b) Water Supply outside the Gisborne Urban Area Boundary

- i. Sites for any activity that will require a water supply shall be provided with a safe and potable supply of water.
- ii. Sufficient water supply shall be available for fire fighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ 4509:2008.

8.13.6 Wastewater Systems

- a) Within the Gisborne Urban Area Boundary, sites for any activity that will create wastewater shall be provided with a connection or connection point to the Council reticulated wastewater system.

8.13.7 Energy and Telecommunications

- a) Sites for any activity that requires electricity and telecommunication services, shall be provided with those services.
- ~~b) Where a reticulated supply is used, any new allotment shall be provided with underground reticulation to the net area.~~

8.13.8 Roads

8.13.8.1 Infrastructural Requirements

- a) All proposed new roads shall connect to, and be compatible with, the District Roding Hierarchy, as depicted in the Roding Hierarchy Maps.
- b) To meet the access needs of potential users, all new or upgraded roads required for subdivision or development shall comply with the following rules for minimum widths:

Road Type	Zone	Potential USERS	ROAD RESERVE WIDTH (Metres)	CARRIAGE WAY WIDTH (Metres)	FOOTPATHS (1.2m in width)
Service Lane	ALL	NA	4.5	3.5	Optional
Local	Rural	NA	12	5.5	Optional
	Residential	<20	12	5.5	1
		≥20	18	8	2
	Industrial and Commercial	<10	15	10	1
		≥10	18	10	2
Port	NA	18	10	1	
Collector	Rural	NA	20	10	Optional
	Residential, Commercial, Industrial, Port	NA	20	10	2
Principal	Rural	NA	22	12	Optional
	Residential, Commercial, Industrial and Port	NA	22	12	2
Arterial	Rural	NA	Specific Design	Optional	
	Residential, Commercial, Industrial and Port	NA	Specific Design	2	

Table 1 Rules for New and Upgraded Roads Associated with Subdivision and development.

- c) The following formula shall be used to determine the potential number of users to be applied in Table One above:

$$\text{Potential Users} = T / MS$$

where:

- iii) T = total area of land to be subdivided (m²)
 iv) MS = minimum permitted site size for zone (m²)

8.13.8.2 Sight Lines

- a) All new vehicle crossings / accessways shall be designed, located and developed to ensure that the sight lines (illustrated in Figure One) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure One and Table Two specified below:
- b) All new intersections shall be designed, located and developed to ensure that the sight lines (illustrated in Figure One) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure One and Table Two specified below:

Operating Speed (km/h)	Minimum Sight Distance (Metres)	
	Local or Collector Road Frontage	Principal or Arterial Road Frontage
40	30	70
50	40	90
60	55	115
70	85	140
80	105	175
90	130	210
100	160	250

Table 2: Rules for Minimum Distances of Sight Lines

Assessment of sightlines shall be undertaken by a suitably qualified person using the Road & Traffic Standards No.6, Guidelines for Visibility at Driveways and Austroads 1993: Rural Road Design, Guide to the geometric Design of Rural Roads. Austroads Publications No AP-1/89

Note:

1. The column "Operating Speed" in Table 2 is not the posted speed limit of a particular road. It is the actual speed at any given point.
2. Sight distances shall be measured from the road reserve boundary.
3. Sight distances shall be measured to and from a height of 1.15 metres above the existing road surface and the proposed surface level of the side road or access

8.13.8.3 Turning Areas

- a) Turning areas for cul de sacs (illustrated in Figure Three) shall be constructed to accommodate the manoeuvring of vehicles as specified below:

Area	Requirement
Residential	90 percentile truck
Rural	90 percentile truck
Commercial	99 percentile truck
Industrial / Port	99 percentile truck

Table 3: Rules for Turning Areas

8.13.9 Access

8.13.9.1 Sight Lines at Vehicle Crossings

- a) All vehicle crossings shall be constructed and located to ensure that the sight lines (illustrated in Figure One) specified in Table Two are maintained with no obstructions, whether temporary or permanent, for the distances specified in Table Two:

8.13.9.2 Distances of Vehicle Crossings from Intersections

Sites shall maintain distances of crossings from intersections, so as to comply with Tables 4 and 5.

Posted (Legal) Speed Limit (Km/h)	Location of property access relative to intersection		
	Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)
50	20	30	20
60	50	50	30
70	100	100	45
80	120	120	60
100	200	200	60

Table 4: Property access performance criteria located on principal and arterial roads

Posted (Legal) Speed Limit (Km/h)	Location of property access relative to intersection
	Minimum Distance K, L & M (m)
50	20
60	30
70	45
80	60
100	60

Table 5: Property Access performance criteria located on collector and minor roads

Note:

All distances are to be measured in accordance with Figure 5.

8.13.9.3 Manoeuvring Areas

- a) Subject to 15.3.3(b) with the exception of sites containing no more than one single dwelling unit, all sites shall provide either accessways, aisles and turning areas or parking spaces adequate to enable vehicles to enter and exit to the road in a forward direction.

Note

An adequate turning area is one that provides for the car tracking curves depicted in Figure 2.

- b) Sites fronting arterial roads

The construction, addition to, or alteration of buildings (including new dwelling units) shall not encroach on or reduce on-site manoeuvring areas beyond the point that they continue to provide the ability for vehicles to enter and exit to the road in a forward direction.

8.13.9.4 Surfaces

- a) In residential, commercial or industrial zones or reserves adjoining these zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be finished with a sealed surface and drained.

- b) In rural zones, or reserves adjoining rural zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be:
 - i) Finished with a sealed surface where the adjoining carriageway is sealed.
 - vi) Finished with a hard surface where the adjoining carriageway is unsealed.
- c) All shared accessways and associated turning areas shall be:
 - i) Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.
 - i) Finished with a hard surface in rural zones, or reserves adjoining rural zones.
- d) All accessways and associated turning areas for industrial and commercial activities shall be :
 - i) Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.
 - ii) Finished with a hard surface in rural zones, or reserves adjoining rural zones.

8.13.9.5 Access to Sites With More Than One Road Frontage

- a) For properties that have legal frontage on to two roads:
 - i) Where the property is located in a rural zone and adjoins an arterial or principal road, access shall be from the road with the lessor traffic function, as identified in the Roding Hierarchy Maps.
 - ii) Where the property is located in a commercial zone, industrial zone or a port management zone, and adjoins an arterial or principal road, access shall be from the road with the lessor traffic function, as identified in the Roding Hierarchy Maps.

8.13.9.6 Minimum Distance Between Vehicle Crossings

- a) The minimum distance between vehicle crossings on any one site shall be 15m.
- b) In commercial zones, industrial zones and the Port Management Zones the minimum distances between vehicle crossings on any two adjacent sites shall be 2m, unless a combined crossing not exceeding 9m serves the two adjacent sites, or the vehicle crossing is for two or more residential dwelling units located on the one site.

Note:

Attention is drawn to ~~Transit New Zealand's~~ NZ Transport Agency requirement for permission to construct any accessway or vehicle crossing in the road reserve of any state highway

8.13.9.7 Single-Site Vehicle Access

- a) The width of accessways and vehicle crossings for individual sites shall comply with the rules in Table Four:

Activity	Width of Crossing (Metres)	
	Minimum	Maximum
Residential (Single Unit)	3	6
All Other Activities	4	9

Table 4: Rules for Vehicle Crossing Widths

- b) The number of accessways and vehicle crossings onto a road frontage on any one site shall not exceed that shown in Table 5.

Frontage Length (Metres)	Type of Road	
	Local and Collector Roads	Principal and Arterial Roads
0 - 25	1	1
26 - 60	2	1
>60	3	2

Table 5 Rules for the Maximum Number of Vehicle Crossing

8.13.9.8 Multiple-Site Access and / or Multiple Unit Access

- Up to 10 potential dwelling units may share access from a single accessway and vehicular crossing.
- Access to serve more than 10 dwelling units are required to be served by a public road vested in the Gisborne District Council.
- Up to 3 commercial or industrial sites may share access from a single accessway and vehicular crossing.
- More than 3 commercial or industrial sites are required to be served by a public road vested in the Gisborne District Council.
- To meet the access needs of potential users, every accessway and vehicle crossing serving more than one site shall be constructed in accordance with the rules specified below:

Dwellings to be Served	Legal Width (Metres)	Minimum Carriageway Width (Metres)
2 to 4	4	3
5 – 7	5	4
8 - 10	6	5.5

Table 6 Rules for Dimensions of Multiple Site Accessways

8.13.10 Parking

8.13.10.1 Provision of Parking and Loading Spaces

- a) Unless otherwise provided for in this chapter, parking spaces and loading bays shall be provided on site in accordance with Table Seven below.
- b) When activities on the same site occur at different times during the day, then the number of parking spaces and loading bays to be provided shall be for the maximum requirement at any one time during the day or night.
- c) In Table 7 GFA = Gross Floor Area.
- d) Parking spaces and loading bay requirements are as follows in Table Seven below:

Activity	Minimum Number of Parking Spaces	Minimum Number of Heavy Goods Vehicle Loading Bays
Industry, manufacturing and processing sites	1 space per 50 m ² GFA	1 plus 1 space per 1000m ² of GFA over 2000m ²
Warehouses, auction rooms and bulk storage facilities, depots	1 space per 100 m ² GFA	1 plus 1 space per 1000m ² of GFA over 2000m ²
Motor vehicle repairs and services	4 spaces per service bay	Nil
Service stations	4 spaces per service space plus 3 spaces per car wash	Nil
Motor vehicle sales	1 space per 2 staff members	Nil
Offices	1 space per 50 m ² GFA	1 per 2000m ² GFA
Retail Stores (excluding retail stores with 1500m ² or more GFA)	1 space per 40 m ² GFA plus 1 space per 40 m ² outdoor retail area	1
Large Retail Stores (including retail stores with 1500m ² or more GFA)	1 space per per 40 m ² GFA	1 plus 1 per 1000m ² GFA over 2000m ²
Banks	1 space per 40 m ² GFA	1
Taverns, casinos, nightclubs, licensed clubrooms	1 space per 5 person design capacity plus 1 space per 2 staff members	1 plus 1 per 1000m ² GFA over 2000m ²
Restaurants, cafes, wine-bars and fast food outlets	1 space per 40 m ² GFA for indoor space plus 1 space per 40 m ² outdoor eating area	> 500m ² GFA; 1

Activity	Minimum Number of Parking Spaces	Minimum Number of Heavy Goods Vehicle Loading Bays
Entertainment facilities, including; cinemas, libraries, museums, theatres, gymnasiums, indoor sports facilities, indoor pools, marae, and conference centres	1 space per 5 person design capacity	> 500m ² GFA; 1
Outdoor recreation:		
Golf	2 spaces per hectare	Nil
Field sports	12 spaces per hectare	Nil
Sealed surface sports (including club affiliated lawn tennis courts)	20 spaces per hectare	Nil
Manicured lawn	80 spaces per hectare	Nil

sports (including bowls and croquet)		
Unlicensed club rooms	80 spaces per hectare	Nil
Spiritual facilities	1 space per 20m ² of main auditorium / worship area; or 1 space per 20m ² of accessory meeting rooms whichever is the greater	Nil
Mortuary chapels and funeral parlours	1 space per 5 m ² meeting rooms	Nil
Visitor accommodation. <u>Note:</u> Public areas assessed separately.	1 space per accommodation unit plus 1 space per 2 staff members	Nil
Camp grounds and motor camps	1 space per site plus 1 space per 2 staff members	Nil
Hospitals	1 space per 2 patient beds plus 1 space per 2 staff members	1 per 50 beds
Residential care housing	1 space per 5 people accommodated plus 1 space per 2 staff members	Nil
Health & medical centres	4 spaces per health practitioner plus 1 space per 2 support staff	Nil
Tertiary Institutions	1 space per staff member plus 2 space per classroom equivalent	1 plus 1 per 2000m ² GFA over 2000m ²
Secondary Schools	2 spaces per classroom equivalent	1
Primary Schools	2 spaces per classroom equivalent	Nil
Child care and early learning centres	1 space per staff member plus 1 space per 10 children	Nil
Home occupations- medical and health services	(Additional to household unit requirements) 1 space for non residents staff plus 2 spaces for public use	Nil
Home occupations - all other activities	(Additional to household unit requirements) 1 space for non residents staff space plus 1 space for public use	Nil
Home stays	(Additional to household unit requirements) 1 space per accommodation room	Nil
Residential dwelling unit greater than 65m ² GFA	2 spaces per unit	Nil
Residential dwelling unit 65m ² or less GFA	1 space per unit	Nil

Table 7 Rules for Parking and Loading Provisions

8.13.10.2 Waiver of Parking Space or Loading Bay Requirements

- a) It shall not be necessary to provide parking spaces, loading bays or financial contributions in lieu of parking spaces or loading bays on sites in the Inner Commercial Zone or the Fringe Commercial Zone:

Provided that

1. The site has frontage to streets marked as continuous street facade on the urban maps.
2. The site has no legal access to any other road or service lane.

8.13.10.3 Assessment of Number of Spaces

- a) The required number of parking spaces and loading bays shall be:
 - i) Calculated in respect of each activity undertaken on the site.
 - ii) Re-calculated in the event of a change in activity.
 - vii) Re-calculated in the event of a change in the scale or intensity of land use.

8.13.10.4 Sharing of Parking and Loading Spaces

- a) Parking spaces and loading bays may be shared between different activities that occupy the same site.
Provided that:
 1. The occupier requiring the parking spaces or loading bay is located adjacent to the occupier who provides the parking spaces or loading bay.
 2. The total number of required parking spaces or loading bays calculated from Table 7 for the site is still provided.
 3. The written agreement of the occupier providing the parking or loading bay is obtained and a copy of the agreement is lodged with Gisborne District Council prior to the commencement of the activity.

8.13.10.5 Availability of Spaces

- a) All required loading and parking spaces shall be kept clear and available for use of occupants or visitors during the normal hours of operation of that use.
- b) With the exception of the following activities, no parking space or loading bay shall obstruct access to any other parking space or loading bay:
 - i) Parking spaces for single residential or minor dwelling units;
 - ii) Parking spaces for home occupations;
 - iii) Parking spaces for service stations.

8.13.10.6 Provision of Parking Spaces for the Disabled

- a) Parking spaces for disabled persons shall be provided in accordance with New Zealand Standard NZS 4121:1985: Design for Access and Use of Buildings and Facilities by Disabled Persons.
- b) The number of parking spaces for the disabled required by with New Zealand Standard NZS 4121:1985 is inclusive of the parking requirements specified in Table Seven.

8.13.10.7 Design and Construction of Parking Spaces

- a) The gradient of any parking space used for industrial or commercial activities shall not exceed 1:20.
- b) Where the public make use of vehicle parking spaces at night they shall be lit in accordance with Australian Standard AS 1158.1:1986: ASS Public Lighting Code.
- c) All parking spaces shall be formed and constructed to comply with either the following rules for dimensions in table 8 (to accommodate the 90 percentile car illustrated in Figure 4) or the Australian / New Zealand Standard AS/NZS 2890.1:2004, Part 1 Off-street car parking or any subsequent replacement AS/NZS standard for this standard.

A Parking Angle (°)	B Width of Parking Space (Metres)	C Kerb Overhang (Metres)	D Depth of Parking Space (Metres)	E Manoeuvring Space (Metres)	F Total Depth - One Row (Metres)	Total Depth Two rows (Metres)
90	2.3	1.0	4.9	8.3	13.2	18.1
	2.5	1.0	4.9	7.7	12.6	17.5

A Parking Angle (°)	B Width of Parking Space (Metres)	C Kerb Overhang (Metres)	D Depth of Parking Space (Metres)	E Manoeuvring Space (Metres)	F Total Depth - One Row (Metres)	Total Depth Two rows (Metres)
	2.6	1.0	4.9	7.0	11.9	16.8
	2.8	1.0	4.9	6.6	11.5	16.4
75	2.3	1.0	5.2	7.0	12.2	17.4
	2.5	1.0	5.2	6.3	11.5	16.7
	2.6	1.0	5.2	5.2	10.4	15.6
	2.8	1.0	5.2	4.1	9.3	14.5
60	2.3	1.0	5.2	5.0	10.2	15.4
	2.5	1.0	5.2	4.1	9.3	14.5
	2.6	1.0	5.2	3.5	8.7	13.9
	2.8	1.0	5.2	3.2	8.4	13.6
45	2.3	0.8	4.9	2.7	7.6	12.5
	2.5	0.8	4.9	2.6	7.5	12.4
	2.6	0.8	4.9	2.4	7.3	12.2
	2.8	0.8	4.9	2.3	7.2	12.1
30	2.3	0.6	4.0	2.5	6.5	10.5
	2.5	0.6	4.0	2.4	6.4	10.4
	2.6	0.6	4.0	2.4	6.4	10.4
	2.8	0.6	4.0	2.3	6.3	10.3
0	6.1	0.4	2.5	2.8	5.3	7.8

Table 8: Rules for the Dimensions of Parking Spaces

- d) All carparks and associated turning areas for activities other than residential activities shall be sealed and drained.

8.13.10.8 Design and Construction of Loading Bays

- a) All loading areas shall be a minimum of 3m wide and 8.5m in length and be capable of accommodating a vehicle 3m in height. Turning areas shall be based on the 99 percentile Two-Axle Truck Tracking Curve illustrated in Figure Three.
- b) The gradient of any loading bay shall not exceed 1:20.
- c) All loading bays and associated turning areas shall be hard surfaced and drained.

8.14 ASSESSMENT CRITERIA

Note: The assessment criteria apply to the requirements of 8.13: Works and Services

8.14.1 Assessment Criteria: Provision of Infrastructure

In regard to the provision of infrastructure, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether adequate capacity is available in the existing infrastructure to serve the anticipated land use and the adequacy of any proposed solutions where constraints have been identified.
- Whether adequate capacity is provided to serve other land in the catchment and/or network area of the subject site taking into account foreseeable growth and development.
- Whether agreement has been reached with non-Council service providers for connection to their network and provision of supply;
- Whether any unplanned expenditure would be needed by Council for the purposes of avoiding, remedying or mitigating adverse effects arising in or beyond the area of application.
- The use of a standard recognised by Council and best practice for the design and construction of infrastructure systems.

In addition, for applications that are reliant upon upgrades or extensions to the existing public infrastructure, the following matters shall be considered:

- The extent to which these works are provided for in the Council's capital works programmes and the timing of such works to serve the subdivision or development.
- Whether the subdivision or development would result in a duplication of resources or services.
- The use of financial contributions and/or negotiated agreements to provide the relevant services.

In addition, applications for private infrastructure services where a public reticulation system is available, the following matters shall be considered:

- Avoiding, remedying or mitigating any adverse effects arising in or beyond the area of the site..
- Ensuring suitable legal arrangements are provided for the maintenance, operation and upgrading of the relevant infrastructure without involving Council in unplanned expenditure.

In addition, applications to defer the installation of infrastructure to future land owners or developers, the following matters shall be considered:

- Whether the location of infrastructure, including vehicle crossings, is identified for future owners to comply with.
- Identifying any capacity constraints that exist and the necessary requirements to avoid, remedy or mitigate those constraints.

8.14.2 Assessment Criteria: Structure Plans

In regard to structure plans, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by the following matters:

- the assessment criteria for the provision of infrastructure and the specific infrastructure associated with the structure plan
- the impact on the integrity of the structure plan and potential uncertainty for other developments.

8.14.3 Assessment Criteria: Roading and Access

In considering whether to grant consent or impose conditions in respect of roading and access, Council shall have regard to, but not be limited by, the following matters:

- Whether there is sufficient capacity in the existing road network to safely and efficiently accommodate the intended land use.
- Whether there are safe and compatible linkages to the existing roading network including any public transport, pedestrian or cycling infrastructure.
- Ensuring adequate and co-ordinated space for services with particular regard to any agreement from service providers on the location of services.
- Ensuring access for emergency and where appropriate waste collection vehicles.
- The use of a standard recognised by Council and best practice for the design and construction of roads and accessways.

In regard to earthworks and drainage

- Ensuring stable and where necessary geotechnically proven roads and accessways.
- The extent to which roads or accessways are designed to reflect the existing topography with particular regard to avoiding steep grades and large cut and/or fill areas.
- The effective management of surface and ground water with reference to the stormwater provisions.
- Whether there are opportunities to incorporate low impact design stormwater solutions into the road design and construction.

8.14.4 Assessment Criteria: Reserves and Landscaping

In regard to the provision of reserves and landscaping, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether reserve land to be vested with Council is of an appropriate standard to meet the functions required of it, having particular regard to:
 - Accessibility, including any linkages with the roading network or other public space.
 - Ongoing operational and maintenance costs.
 - Ensuring a high level of amenity.
 - Public safety, taking into account the principles of CPTED (Crime Prevention Through Environmental Design).
 - Consistency with Council's "Open Space Strategy for Gisborne City and Wainui (2002 – 2022)".
- Whether landscaping is of an appropriate standard, having particular regard to:
 - The use of plant species and/or structures appropriate to the location and surrounding land uses.
 - Avoiding interference or conflicts with network utility operations.
 - Providing adequate space and growing conditions are provided for planting areas.
 - Ensuring any landscaping structures are secure and durable.
 - Ongoing operational and maintenance costs.

8.14.5 Assessment Criteria: Stormwater

In regard to the provision of infrastructure for stormwater, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- The extent to which the proposed system is integrated and compatible with the existing stormwater and roading network.
- Whether the proposed system has adequate capacity to convey runoff from the upstream catchment taking into account foreseeable growth and development.
- Whether sufficient capacity is available in the existing network and downstream catchment to accommodate additional runoff and any necessary works required to avoid, remedy or mitigate adverse effects on the network or catchment.
- Avoiding, remedying or mitigating any potential adverse effects on the drainage associated with adjoining properties.
- Avoiding, remedying or mitigating any potential adverse effects associated with discharge points including:
 - Protection measures against erosion and scouring
 - Avoiding unstable geological material or steep slopes
 - Ensuring discharge velocities are suitable for the receiving environment
- Taking into account the life-cycle and on-going maintenance costs of stormwater systems, and in particular where the system is to be vested with Council
- The use of a standard recognised by Council and best practice for the design and construction of the stormwater system.

In addition, applications that incorporate low impact design methodologies, the following matters shall be considered:

- Whether life cycle costs and maintenance arrangements have been taken into account, and in particular where the system is to be vested with Council.
- The extent to which any limiting factors, such as slope gradients, road widths and land area have been identified and addressed.

8.14.6 Assessment Criteria: Water

In regard to the provision of infrastructure for water supply, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether adequate capacity is available in the existing reticulated system to serve the anticipated land use, including the requirements of fire fighting supply.
- Whether provision has been made for future water supply to serve the surrounding land, taking into account foreseeable growth and development.
- The use of a standard recognised by Council and best practice for the design and construction of water supply systems.

In addition to the above, applications to connect to Council's reticulation system for sites or buildings outside the Gisborne Urban Area Boundary, the following matters shall be considered:

- Whether there are any special circumstances that justify the need for connection to the reticulated system taking into account any precedent effects that may arise.
- The degree to which the connection may effect the capacity within the Gisborne Urban Area Boundary.
- The use of financial contributions, negotiated agreements or the necessary works to remedy any capacity issues identified as a result of the proposal.

- Whether there is a reticulated wastewater system and if not, the appropriateness of supplying a restricted flow of water.

8.14.7 Assessment Criteria: Wastewater

In regard to the provision of infrastructure for wastewater, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

For wastewater infrastructure connecting to the Council reticulation system:

- Whether adequate capacity is available in the existing reticulated system to serve the anticipated landuse.
- Whether provision has been made for future wastewater disposal to serve the surrounding land, taking into account foreseeable growth and development.
- The ability to provide a reticulated system with gravity outfall and where it is physically impossible to achieve this, any special circumstances that justify the use of pumping systems.
- The use of a standard recognised by Council and best practice for the design and construction of sewage systems.

For wastewater infrastructure not connecting to the Council reticulation system:

- Any documented assessment that identifies and addresses the risks and impacts to the environment and public health taking into account the limiting constraints of the physical environment and the sensitivity of receiving ecosystems.
- The need to undertake a Land Capability Assessment (LCA) to demonstrate the ability to assimilate wastewater into the receiving environment while avoiding, remedying or mitigating the potential for adverse effects, including cumulative effects.
- The adequacy of stormwater management systems to protect the land used for wastewater disposal from flooding, surface and subsurface water drainage and elevation of groundwater.
- Whether there is adequate land area available for on-site disposal including reserve land for future requirements, taking into account treatment and disposal options.
- Whether there is a connection to a reticulated water supply system and the extent to which this is incorporated into the system design.
- The degree to which allotment size and allotment yield reflects the capability to manage wastewater, taking into account the matters outlined above.
- The use of a standard recognised by Council and best practice for the design and construction of sewage systems.

In addition to the above, applications to connect to Council's reticulation system for sites or buildings outside the Gisborne Urban Area Boundary, the following matters shall be considered:

- Whether there are any special circumstances that justify the need for connection to the reticulated system taking into account any precedent effects that may arise.
- The degree to which the connection may effect the capacity within the Gisborne Urban Area Boundary.
- The use of financial contributions, negotiated agreements or the necessary works to remedy any capacity issues identified as a result of the proposal.

8.14.8 Assessment Criteria: Energy and Telecommunications

In regard to energy and telecommunication supply, when considering whether to grant consent or impose conditions in respect of any subdivision or resource consent, Council shall have regard to, but not be limited by, the following matters:

- Whether agreement has been reached with the relevant service provider for connection to their network and provision of supply;
- Compliance with the relevant service provider's design and construction requirements.
- Whether suitable legal arrangements have been made for the ongoing operational, maintenance and upgrading responsibilities where supply is not provided by a network utility operator.

8.15 FINANCIAL CONTRIBUTIONS (Plan Change 38)

8.15.1 Financial Contributions for Water, Wastewater, Stormwater and Land Transport Infrastructure

Circumstances Imposed

Financial contributions for water, wastewater, stormwater and/or land transport infrastructure may be imposed on any resource consent where infrastructure works or land are needed to ensure the infrastructure service level requirements can be met for the catchment in which the proposed activity is located, or where infrastructure works provided in the past will service the activity.

Provided that:

Discretion or control is reserved over the infrastructure, works and services, or over financial contributions.

Purpose of Contributions

- To fund water, wastewater, stormwater or land transport infrastructure so that the service level requirements may be met for the catchment in which the proposed activity is located. This may include both the recovery of past expenditure on services and contributions towards future expenditure.
- To provide land (including easements) for water, wastewater, stormwater or land transport infrastructure so that the service level requirements may be met for the catchment in which the proposed activity is located.
- To mitigate the adverse effects of the activity on the infrastructure.

Manner for Calculating Contributions

The amount of the contribution will be determined by calculating a fair and reasonable contribution on the facts of each application with particular regard to the following factors:

- The extent to which the activity contributes to the need to undertake the project for which the contributions are considered. Contributions should generally be in reasonable proportion to the significance of any adverse effects cause or contributed to by the activity (relative to other developments). However in some cases there may be uncertainty about other potential contributors and/or a lack of commitment by Council or other organisations to undertake the work and therefore the development can only proceed if the applicant/developer provides or funds the necessary project.
- In the case of contributions of land, the extent to which the land is needed to ensure the orderly development of infrastructure for the catchment and any relevant structure plans.
- The applicant's views on whether a financial contribution is reasonable and the appropriate form and nature of the contribution.
- Where the development proposed is not consistent with service level requirements or rules in the plan, the extent to which a financial contribution may help to mitigate or avoid any adverse effect or capacity issue.
- The extent to which any positive effects of the activity offset any adverse effects.
- Whether there are any associated costs e.g. legal, administrative, tax (e.g. GST) and interest costs. Such costs will generally be included in the financial contribution.

- Whether there is likely to be any inflation costs between when the contribution is received and when the work will take place. An adjustment will usually be made for inflation. However the Council may offset the inflation costs by recognising interest on money received ahead of when costs are incurred.

8.15.2 Financial Contributions of Land for Reserves

Circumstances Imposed

Financial contributions of land (including easements) may be imposed on subdivision consents where the need for a new reserve is identified in a structure plan or Council policy or where the applicant proposes to vest land in Council.

Provided that

Discretion or control is reserved over reserves, or over financial contributions.

Purpose of Contributions

- To provide land for a new reserve.
- Enhance access to a proposed or existing reserve.

Manner for Calculating Contributions

The amount and nature of the contribution will be determined by calculating the fair and reasonable costs of providing a reserve with particular regard to any guidance given in Council policy such as a structure plan.

8.15.3 Financial Contributions for Parking

Circumstances Imposed

- a) Financial contributions for parking and loading spaces may be imposed on any resource consent where the nature of the site and proposed activity is such that the specified parking spaces and loading bay requirements cannot be provided or when the applicant proposes not to provide the specified spaces; and
- b) A financial contribution would assist Council to provide suitable land in the vicinity for parking, or will fund past provision of parking.

Provided that

Discretion or control is reserved over parking, or over financial contributions.

Purpose of Contributions

- a) To fund the provision of parking and/or loading spaces offsite. This may include both the recovery of past expenditure or contributions towards future expenditure.

Manner for Calculating Contributions

- a) The maximum amount of the contribution will be determined according to the following formula:

$$\text{Contribution} = Nb ((22.5\text{m}^2 \times \text{LC}/\text{m}^2 + (\$1000 \times \text{PPICI})) + \text{GST}$$

Where:

- i) Nb = Number of parking spaces or loading bays calculated for the activity from Table Seven.
- ii) 22.5m² = The average area required for a parking space which includes the area of the space required for manoeuvring.

- iii) LC = Land cost based on the valuation of similar land per square metre in the area as if the Council were to acquire land for parking.
 - iv) \$1000 = The cost of construction of a space based on March 1997 figures.
 - v) PPICI = Producers Price Index Outputs Construction Industry.
- b) The financial contribution calculated according to a) may be reduced or determined inappropriate on consideration of the following factors:
- Whether the use will generate the demand for the specified parking or loading spaces and the sufficiency of on-site vehicle parking areas for the likely demand generated by the activity.
 - Whether the owner/developer proposes a suitable offsite alternative.
 - The capacity of parking areas in the vicinity to cope with the likely increased demand generated by the activity and whether the volume of parking likely to be generated by the activity will place a burden on available parking in the area.
 - Whether the peak demand of the activity coincides with the peak demand of surrounding activities.
 - Whether it is feasible for the Council to provide alternative parking in the vicinity or whether any past expenditure has been identified for which the contribution could be used.
 - Whether the required parking spaces are not appropriate in this area because of adverse impacts on amenity and character and the reasonableness of imposing a contribution in these circumstances.
- c) The financial contribution calculated according to a) may also be reduced or waived as a financial incentive for heritage protection if the provision of parking and loading spaces required would preclude the adaptive reuse of a heritage building or make it less economically feasible or attractive to use the site.

Car Tracking Curves

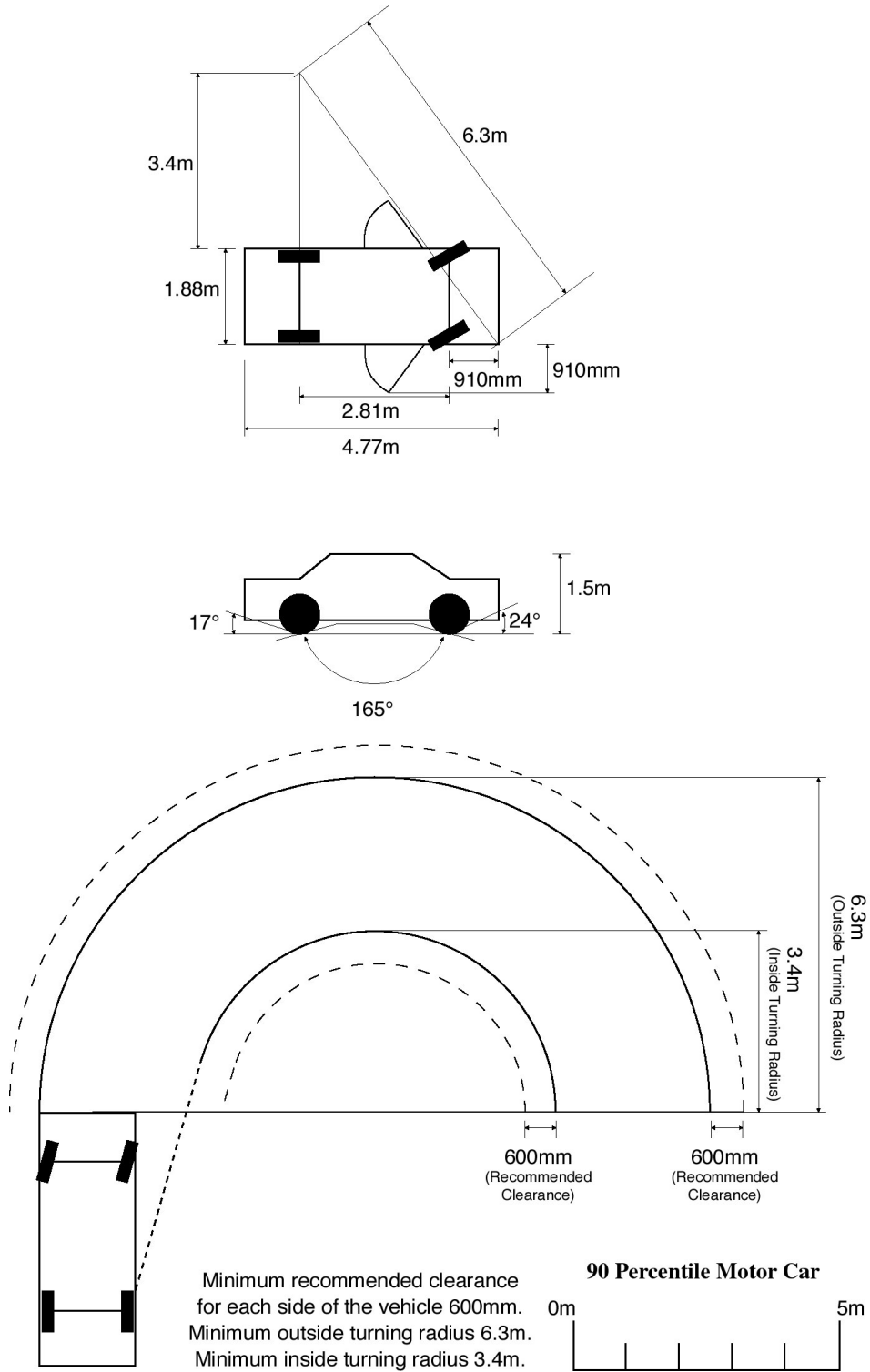


Figure 2: Car Tracking Curves

Truck Tracking Curves

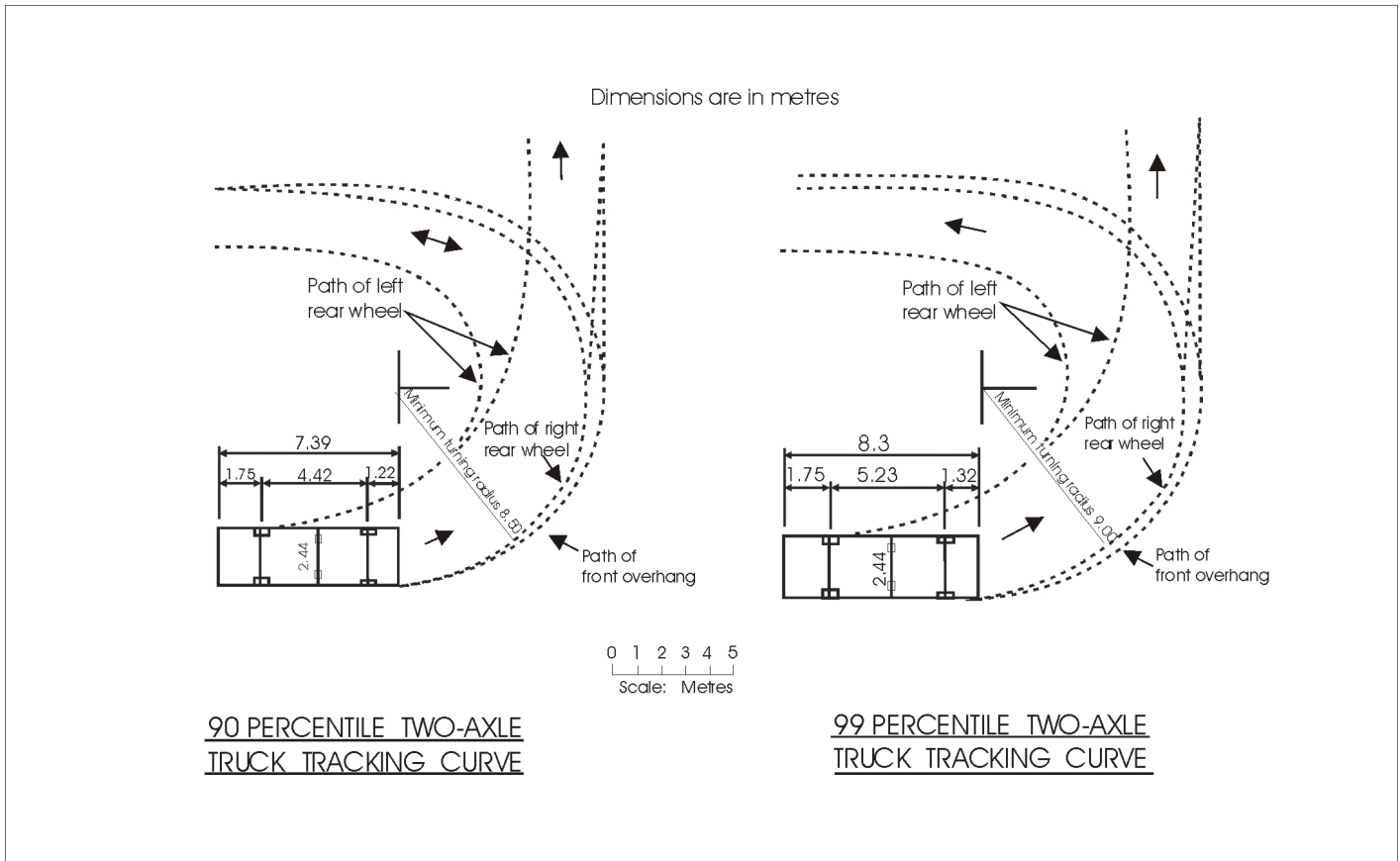


Figure 3: Truck Tracking Curves

Car Parking Dimensions

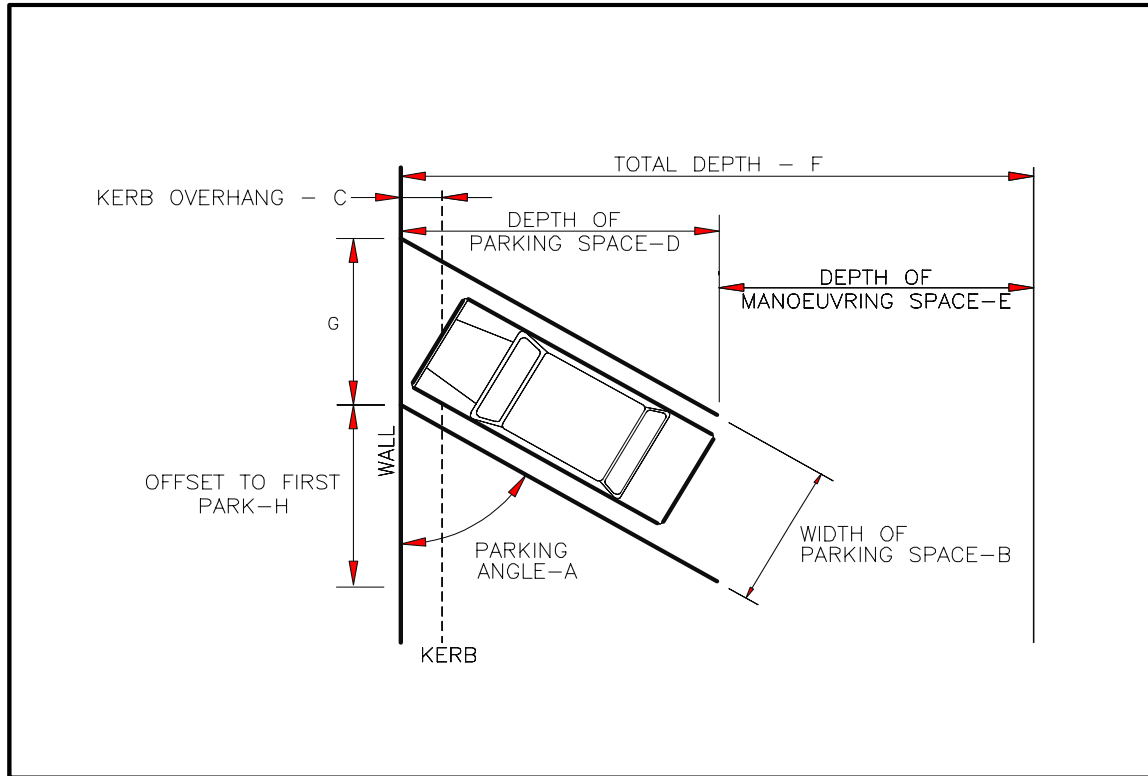


Figure 4 Car Parking Dimensions

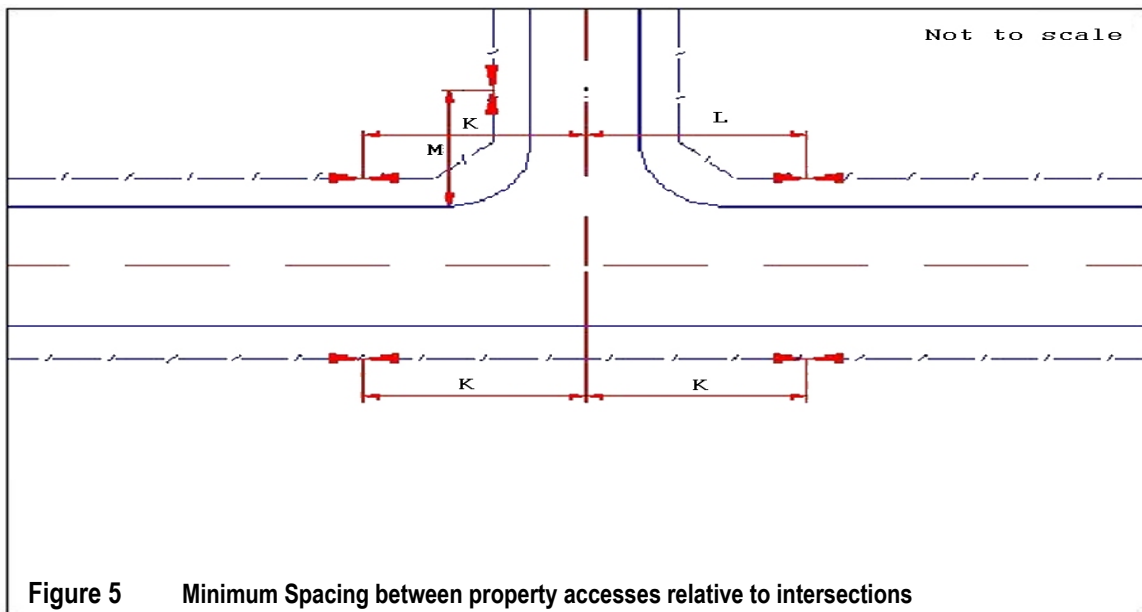


Figure 5 Minimum Spacing between property accesses relative to intersections

8.15 ANTICIPATED ENVIRONMENTAL RESULTS

- a) Integration of subdivision, development and infrastructure design.
- b) Efficient infrastructure that avoids adverse effects on the environment and which helps to promote communities social, cultural and economic wellbeing.
- c) Avoidance of conflicts between Network Utility Operations and other land uses.
- d) Integration of subdivision, development and infrastructure design.
- e) Efficient infrastructure that avoids adverse effects on the environment and which helps to promote communities social, cultural and economic well being.