

Subdivision (SUB)

Overview

Subdivision is the process of dividing a site or building into one or more additional sites or units, or changing an existing boundary location. The way a site is subdivided, including its size and shape, is important as it not only determines the quality and character of development, but also impacts on adjacent sites and the future use of the land. Subdivision affects the natural and physical environment and introduces long-term development patterns that cannot be easily changed.

Large-scale and greenfield subdivisions should be designed in an integrated a way that contributes to sense of place, supports connectively to the surrounding neighbourhood, and provides well-designed, accessible, sunny and safe open spaces.

Subdivision of land within overlays (Resource Areas) is subject to additional subdivision rules and standards in the relevant overlay chapter (e.g. Outstanding Natural Features and Landscapes, Historic Heritage, Coastal Area, Natural Hazard Areas).

Provision of infrastructure and services with the subdivision of land is achieved by compliance with district wide chapters such as Transport and Three Waters.

Māori land is exempt from the subdivision provisions of the Act and must be undertaken through the Māori Land Court.

Objectives

SUB-O1 – Zone, Overlay and District Wide Objectives	Land is subdivided to achieve the objectives of each relevant zone, overlays and district wide provisions.
SUB-O2 – Natural Features	Subdivision provides for the protection and enhancement of the District's: <ol style="list-style-type: none"> a. Highly versatile soils b. Outstanding Natural Features c. Outstanding Natural Landscapes d. Coastal Area e. High Natural Character f. Outstanding Natural Character g. Significant Natural Areas h. Sites of Significance to Maori i. Historic Heritage
SUB-O3 – Community Needs	Land is subdivided in a manner that provides for the needs of the community.
SUB-O4 – Infrastructure	Subdivision and development provides for the efficient and orderly provision of services and infrastructure.
SUB-O5 – Minimise Adverse Effects	Subdivision is designed to minimise any adverse effects on the environment and occurs in a sequenced and coherent manner.

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Policies	
SUB-P1 – Zone, Overlay and District Wide Policies	<p>To enable subdivision where it meets the relevant zone, overlay and district wide policies, where subdivision and development is designed to :</p> <ol style="list-style-type: none"> a. Reflect the patterns of development that are compatible with and reinforce the role, function and predominant character of the zone. b. Maintain the integrity of the zone with lot sizes sufficient to accommodate intended land uses. c. Respond positively to and is integrated with the surrounding context. d. Appropriately avoid, Remedy or Mitigate adverse effects on: <ol style="list-style-type: none"> i. Outstanding Natural Features ii. Outstanding Natural Landscapes iii. Coastal Area iv. High Natural Character v. Outstanding Natural Character vi. Sites of Significance to Maori vii. Historic Heritage
SUB-P2 – Existing Development	<p>To provide for subdivision:</p> <ol style="list-style-type: none"> a. Around existing development. b. Where it enables creation of sites for uses that are in accordance with an approved land use resource consent. c. Where there is compliance with district wide, overlay and zone rules.
SUB-P3 – Boundary Adjustment	<p>To provide for minor boundary adjustments which enable a more efficient and effective use of land where there is compliance with district-wide, overlay and zone rules.</p>
SUB-P4 - Minor Residential Unit	<p>To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum lot size and residential density.</p>
SUB-P5 – Infrastructure	<p>To achieve efficient and effective provision of services and infrastructure by ensuring subdivision is capable of being provided with adequate services and infrastructure.</p>

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Rules

SUB-R1	Any Subdivision
	<ol style="list-style-type: none"> 1. Shall comply with all relevant Overlay, Resource Area and District Wide subdivision and land use rules. 2. Shall comply with all relevant Matters of Control and Matters of Discretion detailed in the How to Use the Plan Chapter. 3. In the following Zones, shall refer to the relevant zone chapter for subdivision rules: <ol style="list-style-type: none"> a. Rural Production Zone b. Rural Living Zone c. Rural Village Zone d. Strategic Rural Industry Zone e. Ruakaka Equine Zone f. Marsden Primary Centre

SUB-R2	Any Subdivision	
	<p>Activity Status: C</p> <p>Where:</p> <p>All Zones</p> <ol style="list-style-type: none"> 1. The land contains a Site of Significance to Māori, or an area of historic heritage and the proposed boundaries are located to ensure that the whole Site of Significance to Maori or area of historic heritage is entirely within one of the allotments produced by the subdivision. 2. The land contains existing buildings and the boundaries of the proposed allotments result in compliance with the relevant zone permitted activity building setback, building coverage, impervious surface and height in relation to boundary rules. <hr/> <p>All zones other than RUEZ, RLZ, RPZ, SRIZ, HI and LI</p> <ol style="list-style-type: none"> 3. Every allotment is provided with an underground connection or easements to secure connection to a reticulated electrical supply system at the boundary. <hr/> <p>RUEZ</p> <ol style="list-style-type: none"> 4. Every allotment is provided with a connection, or easements to secure connection, to a reticulated electrical 	<p>Activity Status when compliance not achieved: D</p>

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	supply system at the boundary of the net site area.
RPZ & RLZ	5. Every allotment is provided with the ability to connect, or easements to secure the ability to connect, to an electrical supply system at the boundary.
SRIZ, RVCZ, RVIV, HI, LI	6. Every allotment is provided with a connection to a reticulated electrical supply system at the boundary; and 7. The electrical supply is underground where new roads are to be formed within the subdivision or the existing electrical supply is underground.
ALL Zones	8. A below ground electrical supply system is provided where the subdivision is within an Outstanding Landscape Area or Outstanding Natural Character Area.
All Zones	9. The most efficient route for electrical supply to any allotment(s) is across other allotments or other land owned by the subdivider, and easements are provided to secure the route.
	Matters over which control is reserved:
	1. Matters listed in the HPW Chapter.

SUB-R3	Subdivision in the Low Density Residential Zone	
	Activity Status: C Where: 1. 50% of the total allotment area (excluding public road, access ways and impervious areas) shall be retained indefinitely: a. By legal protection such as covenant, consent notice or	Activity Status when compliance not achieved: D

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encumbrance that precludes building principal residential units and minor residential units.

- b. As a contiguous area.

2. The maximum allotment size does not exceed 2500m², except that:
 - a. 1 allotment may be larger
 - b. Any allotment may be larger where that allotment in its entirety is subject to a conservation covenant, Reserve Act covenant or similar restriction.
3. Every allotment connected to a reticulated sewerage system has a minimum net site area of at least 500m².
4. The yield of a subdivision shall not exceed one allotment per 5000m² of net site area.
5. Every allotment shall identify a building area within 50m of an existing building or proposed building area within the Low Density Residential Zone.
6. Every allotment contains an identified building area of at least 100m² within which a residential unit can be built so that there is compliance as a permitted activity with the zone rules.
7. Every allotment can contain a circle with a diameter of 16m, or a square of at least 14m by 14m.

Matters over which control is reserved:

1. Matters listed in the HPW chapter.

SUB-R4	Subdivision in the Residential Zone	
Activity Status: C	Activity Status when compliance not achieved: D	
Where:		
1. Every allotment:		

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- a. Contains an identified building area of at least 100m² within which a residential unit can be built so that there is compliance as a permitted activity with the Residential Zone rules.
- b. Has a net site area of at least 2000m².
- c. Can contain a circle with a diameter of 16m, or a square of at least 14m by 14m.

Matters over which control is reserved:

1. Matters listed in the HPW chapter.

SUB-R5	Subdivision in the Medium Density Residential and Neighbourhood Commercial Zone	
	<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Every allotment: <ol style="list-style-type: none"> a. Has a net site area of at least 450m². b. Has a minimum frontage width of 14m. c. Can contain a circle with a diameter of 14m, or a square of at least 12m by 12m. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the HPW Chapter. 2. The likely location of future buildings and their potential effect on the amenity of the locality. 3. The location and design of allotments to enable efficient use of land. 	<p>Activity Status when compliance not achieved: D</p>

SUB-R6	Subdivision in the High Density Residential Zone	
	<p>Activity Status: C</p> <p>Where:</p>	<p>Activity Status when compliance not achieved: D</p>

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1. Every unit title allotment created under the Unit Titles Act 2010 has a net site area of at least 50m².
2. Every allotment:
 - a. Has a net site area of at least 300m².
 - b. Has a minimum frontage width of 12m.
 - c. Can contain a circle with a diameter of 12m, or a square of at least 10m by 10m.

Matters over which control is reserved:

1. Matters listed in the HPW Chapter.
2. The likely location of future buildings and their potential effect on the amenity of the locality.
3. The location and design of allotments to enable efficient use of land.

SUB-R7

Subdivision in the City Centre, Mixed Use, Waterfront or Local Commercial Zones

Activity Status: C

Where:

1. Every unit title allotment created under the Unit Titles Act 2010 has a net site area of at least 50m².
2. Every allotment has a:
 - a. Net site area not less than 100m².
 - b. Frontage no less than 6m, or 12m in the case of a corner allotment.
 - c. Frontage no greater than 30m, or 60m in the case of a corner allotment.

Matters over which control is reserved:

1. Matters listed in the HPW Chapter.
2. Physical and visual linkages provided between allotments and surrounding public places.

Activity Status when compliance not achieved: D

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SUB-R8	Subdivision in the Commercial Zone	
	<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Every unit title allotment created under the Unit Titles Act 2010 has a net site area of at least 50m². 2. Every allotment has a: <ol style="list-style-type: none"> a. Net site area not less than 300m². b. Frontage no less than 15m, or 30m in the case of a corner allotment. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the HPW chapter. 	<p>Activity Status when compliance not achieved: D</p>
SUB-R9	Subdivision in the Light Industry Zone	
	<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Every allotment has a net site area greater than 500m². <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the HPW Chapter. 2. The location and design of allotments to ensure that they are suitable for future industrial activities. 	<p>Activity Status when compliance not achieved: D</p>
SUB-R10	Subdivision in the Light Industry Zone	
	<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Every allotment has a net site area greater than 8000m². <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the HPW Chapter. 	<p>Activity Status when compliance not achieved: D</p>

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2. The location and design of allotments to ensure that they are suitable for future industrial activities.

SUB-R11	Subdivision by way of boundary adjustment in the Open Space, Sport and Active Recreation and Conservation Zones
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<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No additional allotments are created. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in HPW Chapter. 	<p>Activity Status when compliance not achieved: D</p>
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SUB-R12	Subdivision in the Shopping Centre, Port, Airport or Hospital Zones
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<p>Activity Status: D</p>

SUB-R13	Subdivision within areas subject to a 'no residential unit' restriction
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<p>Low Density Residential Zone</p>	<p>Activity Status: Pr</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any proposed allotment or part of any proposed allotment is within an area subject to any form of covenant, consent notice or encumbrance that precludes building principal residential unit and minor residential unit.
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