

Subdivision Chapter (SUB)

Issues

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** by introducing long-term development patterns that cannot be easily changed.

Large-scale and greenfield **subdivisions** should be designed in an integrated way that contributes to sense of place, supports connectivity 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 Management.

Māori **land** is exempt from the **subdivision** provisions of the Resource Management **Act** 1991 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 – Valued Features and Resources	<p>Subdivision provides for the protection and enhancement of the District's:</p> <ol style="list-style-type: none"> 1. Highly versatile soils. 2. Outstanding Natural Features. 3. Outstanding Natural Landscapes. 4. Coastal Area. 5. Areas of High Natural Character. 6. Outstanding Natural Character. 7. Significant Natural Areas. 8. Sites of Significance to Māori. 9. Historic Heritage.
SUB-O3 – Community Needs	<p>Land is subdivided in a manner that provides for the changing needs of people and communities, and for future generations, while taking into account:</p> <ol style="list-style-type: none"> 1. Amenity values including good quality urban design. 2. Local character and sense of place. 3. The outcomes anticipated by the relevant zone, overlay and district-wide provisions.
SUB-O4 – Infrastructure	Subdivision and development provides for the efficient and orderly provision of services and infrastructure .
SUB-O5 – Managing Adverse Effects	Subdivision is designed to avoid, remedy or mitigate 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"> 1. Reflect patterns of development that are compatible with the role, function, amenity values and predominant character of the zone. 2. Maintain the integrity of the zone with lot sizes sufficient to accommodate intended land uses. 3. Respond positively to and integrate with the surrounding context. 4. Appropriately avoid, remedy or mitigate adverse effects on: <ol style="list-style-type: none"> a. Outstanding Natural Features. b. Outstanding Natural Landscapes. c. Coastal Areas. d. Areas of High Natural Character. e. Areas of Outstanding Natural Character. f. Sites of Significance to Māori. g. Historic Heritage. h. Significant Natural Areas. i. Highly versatile soils.
SUB-P2 – Existing Development	<p>To provide for subdivision:</p> <ol style="list-style-type: none"> 1. That creates sites to recognise existing development. 2. Where it enables the creation of sites for uses that are expressly allowed by a resource consent. 3. 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 new allotments are capable of being provided with adequate services and infrastructure.</p>

Rules

SUB-R1	Any Subdivision
	<ol style="list-style-type: none"> 1. Is subject to all relevant Overlay, Resource Area and District-wide subdivision and land use rules. 2. Is subject to all relevant Matters of Control and Matters of Discretion detailed in the How the Plan Works Chapter. 3. In the following Zones, shall refer to the relevant zone chapter for subdivision rules (except for SUB-R2 below): <ol style="list-style-type: none"> a. Rural Production Zone.

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- b. Rural Living Zone.
- c. Rural Village Zone.
- d. Rural (Urban Expansion) Zone.
- e. Strategic Rural Industries Zone.
- f. Ruakaka Equine Zone.
- g. Marsden Primary Centre.
- h. Port Nikau Development Area

SUB-R2	Any Subdivision
	<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The <u>land</u> contains a Site of Significance to Māori, or an area of <u>historic heritage</u> and the proposed boundaries are located to ensure that the whole Site of Significance to Māori or area of <u>historic heritage</u> is entirely within one of the <u>allotments</u> produced by the <u>subdivision</u>. 2. The <u>land</u> contains existing <u>buildings</u> or <u>major structures</u> and the boundaries of the proposed <u>allotments</u> result in compliance with the relevant zone permitted activity <u>building</u> and <u>major structure setback</u>, <u>building coverage</u>, <u>impervious areas</u>, <u>outdoor living court</u>, and <u>height in relation to boundary</u> rules.
All Zones	<p>Activity Status when compliance not achieved with SUB-R2.2 and the <u>subdivision</u> enables the creation of <u>allotments</u> for uses that have a <u>land</u> use consent: Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The <u>effect</u> of the design and layout of the <u>allotments</u> and whether it enables the efficient use of <u>land</u>. 2. The <u>effects</u> of <u>infrastructure</u> and servicing. 3. Matters listed in the How the Plan Works Chapter.
All Zones other than RUEZ, RLZ, RPZ, RVIZ, RVCZ SRIZ, HIZ and LIZ	<p>Activity Status when compliance is not achieved with any rule other than SUB-R2.2 or the subdivision is not a Controlled or Restricted Discretionary activity: Discretionary</p> <ol style="list-style-type: none"> 3. a. Every <u>allotment</u> is provided with an underground connection or easements to secure connection to a <u>reticulated</u> electrical supply system at the <u>boundary</u> of the <u>allotment</u>. b. A connection, or the ability to connect to a wireless, above ground or underground <u>telecommunications</u> system.
RUEZ	<ol style="list-style-type: none"> 4. a. Every <u>allotment</u> is provided with a connection, or easements to secure connection, to a reticulated electrical supply system at the <u>boundary</u> of the <u>net site area</u> of the <u>allotment</u>. b. A connection, or the ability to connect to a wireless, above ground or underground <u>telecommunications</u> system.

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RPZ & RLZ	<p>5. a. Every <u>allotment</u> is provided with the ability to connect, or easements to secure the ability to connect, to an electrical supply system at the <u>boundary</u> of the <u>allotment</u>.</p> <p>b. A connection, or the ability to connect to a wireless, above ground or underground <u>telecommunications</u> system.</p>
SRIZ, HIZ, LIZ	<p>6. Every <u>allotment</u> is provided with a connection to a reticulated electrical supply system at the <u>boundary</u> of the <u>allotment</u>; and</p> <p>7. The electrical supply is underground where new <u>roads</u> are to be formed within the subdivision or the existing electrical supply is underground.</p>
All Zones	<p>8. An underground electrical supply system is provided where the subdivision is within an Outstanding Landscape Area or Outstanding Natural Character Area.</p>
All Zones	<p>9. The most efficient route for electrical supply to any <u>allotment(s)</u> is across other <u>allotments</u> or other <u>land</u> owned by the subdivider, and easements are provided to secure the route.</p>
<p>Matters over which control is reserved:</p> <p>1. Matters listed in the How the Plan Works Chapter.</p>	

SUB-R3		Subdivision in the Large Lot Residential Zone
Activity Status: Controlled	Where:	Activity Status when compliance not achieved: Discretionary
1. 50% of the total allotment area (excluding public <u>road</u> , <u>access</u> ways and <u>impervious areas</u>) shall be retained indefinitely:	<p>a. By legal protection such as covenant, consent notice or encumbrance that precludes <u>building principal residential units</u> and <u>minor residential units</u>.</p> <p>b. As a contiguous area.</p>	

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2. The maximum allotment size does not exceed 2,500m², 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 5,000m² of net site area.
5. Every allotment shall identify a building area within 50m of an existing building or proposed building area within the Large Lot 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 How the Plan Works chapter.

SUB-R4

Subdivision in the Low Density Residential Zone

Activity Status: Controlled

Where:

1. Every allotment:
 - a. Where the allotment is vacant 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 Low Density Residential Zone rules.
 - b. Has a net site area of at least 2,000m².
 - c. Can contain a circle with a diameter of 16m, or a square of at least 14m by 14m.

Activity Status when compliance not achieved: Discretionary

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Matters over which control is reserved:

1. Matters listed in the How the Plan Works chapter.

SUB-R5

Subdivision in the General Residential and Neighbourhood Centre Zone

Activity Status: Controlled

Where:

1. Every allotment:
 - a. Has a net site area of at least 400m².
 - b. Has a minimum frontage width of 14m in the Neighbourhood Centre Zone.
 - c. Can contain a circle with a diameter of 14m, or a square of at least 12m by 12m.
2. Where the allotment is in the General Residential Zone and is vacant, contains an identified building area of at least 100m² within which a residential unit can be built so there is compliance as a permitted activity with the General Residential Zone rules.

Matters over which control is reserved:

1. Matters listed in the How the Plan Works Chapter.
2. The ability of future buildings and access to comply with the relevant district wide and zone rules.
3. The location and design of allotments to enable efficient use of land.

Activity Status when compliance not achieved with SUB-R5.1 and the subdivision enables the creation of allotments for uses that have a land use consent: Restricted: Discretionary

Matters of discretion:

1. The effect of the design and layout of the allotments and whether it enables the efficient use of land.
2. The effects of infrastructure and servicing.
3. Matters listed in the How the Plan Works Chapter.

Activity Status when compliance not achieved with SUB-R5.2 or the subdivision is not a Controlled or Restricted Discretionary activity: Discretionary

SUB-R6

Subdivision in the Medium Density Residential Zone

Activity Status: Controlled

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:
 - a. Has a net site area of at least 300m².

Activity Status when compliance not achieved with SUB-R6.2 and the subdivision enables the creation of allotments for uses that have a land use consent: Restricted Discretionary

Matters of discretion:

1. The effect of the design and layout of the allotments and whether it enables the efficient use of land.

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<p>b. Can contain a circle with a diameter of 12m, or a square of at least 10m by 10m.</p> <p>3. Where the <u>allotment</u> is vacant, contains an identified <u>building area</u> of at least 100m² within which a <u>residential unit</u> can be built so there is compliance as a permitted activity with the Medium Density Residential Zone rules.</p> <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the How the Plan Works Chapter. 2. The ability of future <u>buildings</u> and <u>access</u> to comply with the relevant district wide and zone rules. 3. The location and design of <u>allotments</u> to enable efficient use of <u>land</u>. 	<ol style="list-style-type: none"> 2. The <u>effects</u> of <u>infrastructure</u> and servicing. 3. Matters listed in the How the Plan Works Chapter. <p>Activity Status when compliance not achieved with SUB-R6.1, 6.3, or the <u>subdivision</u> is not Controlled or Restricted Discretionary activity: Discretionary</p>
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SUB-R7	Subdivision in the City Centre, Mixed Use, Waterfront or Local Centre Zones
<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Every unit title <u>allotment</u> created under the Unit Titles Act 2010 has a <u>net site area</u> of at least 50m². 2. Every <u>allotment</u> has a: <ol style="list-style-type: none"> a. <u>Net site area</u> not less than 100m². b. <u>Frontage</u> no less than 6m, or 12m in the case of a corner <u>allotment</u>. c. <u>Frontage</u> no greater than 30m, or 60m in the case of a corner <u>allotment</u>. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Matters listed in the How the Plan Works Chapter. 2. Physical and visual linkages provided between <u>allotments</u> and surrounding <u>public places</u>. 	<p>Activity Status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The <u>effect</u> of the design and layout of the <u>allotments</u> and whether it enables the efficient use of <u>land</u>. 2. The <u>effects</u> of <u>infrastructure</u> and servicing. 3. Matters listed in the How the Plan Works Chapter.

SUB-R8	Subdivision in the Commercial Zone
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<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> Every unit title <u>allotment</u> created under the Unit Titles Act 2010 has a <u>net site area</u> of at least 50m². Every <u>allotment</u> has a: <ol style="list-style-type: none"> <u>Net site area</u> not less than 300m². <u>Frontage</u> no less than 15m, or 30m in the case of a corner <u>allotment</u>. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Matters listed in the How the Plan Works chapter. 	<p>Activity Status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> The <u>effect</u> of the design and layout of the <u>allotments</u> and whether it enables the efficient use of <u>land</u>. The <u>effects</u> of <u>infrastructure</u> and servicing. Matters listed in the How the Plan Works Chapter.
<p>SUB-R9 Subdivision in the Light Industrial Zone</p>	
<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> Every <u>allotment</u> has a <u>net site area</u> greater than 500m². <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Matters listed in the How the Plan Works Chapter. The location and design of <u>allotments</u> to ensure that they are suitable for future <u>industrial activities</u>. 	<p>Activity Status when compliance not achieved: Discretionary</p>
<p>SUB-R10 Subdivision in the Heavy Industrial Zone</p>	
<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> Every <u>allotment</u> has a <u>net site area</u> greater than 8,000m². <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Matters listed in the How the Plan Works Chapter. The location and design of <u>allotments</u> to ensure that they are suitable for future <u>industrial activities</u>. 	<p>Activity Status when compliance not achieved: Discretionary</p>

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SUB-R11	Subdivision by way of Boundary Adjustment in the Open Space, Sport and Active Recreation and Natural Open Space Zones	
	<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> No additional allotments are created. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Matters listed in How the Plan Works Chapter. 	<p>Activity Status when compliance not achieved: Discretionary</p>
SUB-R12	Subdivision in the Shopping Centre, Port, Airport or Hospital Zones	
	Activity Status: Discretionary	
SUB-R13	Subdivision within Areas Subject to a 'No Residential Unit' Restriction	
Large Lot Residential Zone	<p>Activity Status: Prohibited</p> <p>Where:</p> <ol style="list-style-type: none"> 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 units and minor residential units. 	