

9 SUBDIVISION AND EARTHWORKS

9.1 Background

Subdivision

The principal purpose of subdivision is to provide a suitable framework for land ownership to facilitate development and activities. Subdivision itself is a procedural and legal function which creates constraints and opportunities for subsequent development. Therefore, even though the legal process itself may be environmentally neutral, the end product provides the framework for the generation of environmental impacts and resource use constraints.

In addition, the subdivision process is often closely associated with engineering works and a demand for services and utilities to make the land suitable for development. Thus, the subdivision process can generate immediate or indirect effects that could have implications for the sustainable management of the City's resources. Accordingly, the Plan adopts such controls as are necessary to avoid, remedy or mitigate actual or potential future adverse effects that subdivision may generate. The Chapters of the Plan dealing with zones set out the rationale for the different controls, including minimum lot sizes, that apply in each zone.

Earthworks

Earthworks and land disturbance may be required for subdivision or other activities. The undertaking of these activities in areas with natural hazards, active geological and geomorphological processes, watercourses, or where future urban growth will be directed may have adverse effects on the environment.

9.2 Resource Management Issues

9.2.1 *The potential adverse effects of subdivision on infrastructure and development.*

One of the major potential impacts of subdivision is adverse effects on infrastructure and development. Subdivision may add to the demands on the City's transport and roading system, telecommunications and utilities (such as water supply, sewage disposal, and electricity). Such demands should be monitored and responded to as appropriate, with controls to ensure that each developer contributes towards the cost of that additional demand and to ensure that cumulative effects are recognised.

9.2.2 *The potential effects of earthworks and vegetation removal on the stability of the land.*

Earthworks and land disturbances have the potential to cause or aggravate land instability. This may result in subsidence, erosion or slippage if undertaken in areas which have topographical constraints, are subject to active geological processes or have a geological or subsoil structure that is susceptible to land displacement. Because subdivision can create expectations that land can be used more intensively, any subsequent development may increase exposure to risk from natural hazards.

Land instability can be a significant hazard. Depending on the location and type of earthworks, and the intended or potential use of the site, earthworks will need to be undertaken subject to standards to avoid a potential hazard to the community, buildings or the environment.

Due to the City's geological and topographical characteristics, there are large areas of steep slopes vulnerable to erosion and slope instability. Removal of vegetation from these areas increases risks of erosion and there is the possibility of downstream hazards as a result of sedimentation of streams increasing the flood risk.

9.2.3 *That subdivision, earthworks and vegetation removal do not adversely affect significant natural landforms, areas of significant indigenous natural vegetation or significant habitats of indigenous fauna.*

Land disturbance in sensitive locations can seriously damage or denigrate the visual amenity of the environment. In the case of Upper Hutt, the eastern and western hills are an important component of the landscape and visual appeal of the City. The scarring of land, whether urban or rural, detracts from the visual quality of the City.

Land disturbance in sensitive locations can also seriously damage or destroy the ecological values of the environment.

9.2.4 *That the needs of future generations are met.*

Land to be subdivided should be suitable for the anticipated land use, and be serviceable and clear of unacceptable hazards or limitations. Furthermore, the subdivided land should, where practical, also allow for a range of appropriate land uses so that the potential of the land for use by future generations is not significantly diminished. Thus, the pattern of subdivision within the City should provide future generations with a choice of lifestyles and living and working environments. It is important that indigenous vegetation, which is a finite resource, is protected for future generations, and for intrinsic ecological reasons.

9.2.5

The potential of earthworks to alter the natural flow of surface water and to adversely affect the visual amenity of the City.

Land disturbance can create visual effects beyond the area of development that may be visible for a long period of time. This affects the amenity of an area, neighbouring properties or the wider valley floor where earthworks are undertaken on hillsides or other visually prominent areas such as ridgelines.

Earthworks may alter the natural flow of surface water and hence can cause effects on lower lying land. This issue becomes particularly significant for the City as more development occurs along the surrounding hillsides.

9.3

Objective

9.3.1

The promotion of subdivision and development that is appropriate to the natural characteristics, landforms, and visual amenity of the City, significant areas of indigenous vegetation and habitats of indigenous fauna, is consistent with the sustainable use of land, and has regard for walking, cycling and public transport.

Subdivision is usually a precursor to a change or intensification in land use, and the size and shape of the new lots can influence the effects of activities that can occur on the subdivided land.

Earthworks and land disturbance can create hazards such as land slippage, subsidence and falling debris. It is in the interest of the community that the adverse effects of earthworks are avoided, remedied or mitigated.

Earthworks undertaken in order to promote the development of land may affect the visual amenity of the City and hence the visual amenity enjoyed by surrounding residents and the wider community. It is essential that the adverse visual effects resulting from earthworks are avoided, remedied or mitigated.

Earthworks which alter the natural flow of surface water also generate adverse effects which need to be avoided, remedied or mitigated. Particularly, earthworks should be constructed in such a way to not concentrate stormwater generated from the development onto adjoining properties.

Subdivision, and the consequent development of land, creates a demand for travel. It is important that new development considers access for public transport, pedestrians and cycles.

Subdivision and land development have the potential to affect finite indigenous vegetation. Effects on this should be avoided, remedied or mitigated.

9.4 Policies

9.4.1 *To ensure that earthworks are designed and engineered in a manner compatible with natural landforms, significant areas of indigenous vegetation and habitats of indigenous fauna, the amenity of an area, and the mitigation of natural hazards.*

Earthworks can leave unnatural forms or unsightly scars which in some cases can permanently detract from the amenities of an area. They can also alter stormwater and floodwater flows, cause potential for subsidence or erosion, or significantly affect the ecology of the area. For these reasons, Council considers that controls on such activities are necessary.

Earthworks are also essential for building development, which in some cases can have no more than minor environmental effects. Plan provisions have been designed to accommodate earthworks for building development whilst ensuring that adverse effects that may result from such earthworks on the amenity of an area are avoided, remedied or mitigated.

9.4.2 *To avoid, remedy or mitigate the contamination, degradation and erosion of soil from earthworks or vegetation removal through advocating responsible land use practices.*

It is important that activities on land are managed and monitored in such a way as to prevent the depletion of resources. This is particularly important in areas that are susceptible to this for a combination of reasons, including:

- Erosion prone areas, due to geological and topographical conditions.
- Climatic conditions, such as frequency and level of rainfall.
- Vegetative conditions, such as an absence of vegetative cover.
- Proximity of property or features that could be damaged by landslip, erosion or other events.
- Proximity of streams that could be affected by sediment from runoff.

Although the Regional Council has primary responsibility in these areas, the City Council needs to address the potential effects of land use on the quality and life-supporting capacity of the City's land resources, and to employ such methods as are appropriate for encouraging good land use practice to complement the responsibilities of the Regional Council. The Council will also seek to be involved with the Regional Council on such matters.

9.4.3 *To promote a sustainable pattern of subdivision and development that protects environmental values and systems, protects the potential of resources, and has regard for walking, cycling, public transport and transportation networks.*

The subdivision process is often a precursor to engineering works and a demand for services and utilities to make the land suitable for development. Thus, it can generate immediate or indirect effects on the environment. Accordingly, the Plan includes such controls as are necessary to avoid, remedy or mitigate adverse effects.

The effects of subdivision of land which is already developed can differ from the effects of subdividing undeveloped land. The degree to which undeveloped land may be serviced varies in terms of road access, sewage disposal, water supply, electricity and other requirements. The question of servicing is thus often an important consideration of the subdivision process, and needs careful management to ensure that all effects and costs are taken fully into account. The importance of ensuring the safe and efficient use and development of the transportation network is addressed in Chapter 16. It is also important to protect the limited areas of indigenous vegetation that remain in Upper Hutt.

9.5 Methods

9.5.1 District Plan provisions consisting of:

1. Rules to promote the subdivision of land which reflects the objectives and policies of the District Plan.
2. Rules to control the density of development through zone requirements for minimum site areas.
3. Performance standards and consent conditions to minimise the adverse effects of subdivision and earthworks. These relate to:
 - Provision of utilities, supply of water and disposal of effluent.
 - Landscape values, native vegetation, heritage and cultural sites.
 - Managing dust, water body siltation, soil erosion, effects on

ground stability and other natural hazards.

4. Allowing activities permitted by the District Plan or those granted resource consent, to be undertaken on newly created allotments.
5. Encouraging recognition of landscape character in the design and layout of subdivisions.
6. Financial contributions for reserves and community facilities.
7. Management of the effects of earthworks and clearing of native vegetation by using:
 - Zone performance standards to establish thresholds for resource consents.
 - Management plans and monitoring of ongoing operations.
8. The ability to impose conditions on resource consents to avoid, remedy or mitigate any adverse effects.

9.5.2 Liaison with service providers and network utility operators.

9.5.3 The Code of Practice for Civil Engineering Works.

9.5.4 To record known sites of potential instability on a hazard register and to supply this information, in response to requests for project information memoranda and land information memoranda and for processing resource consents.

9.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objective, policies, methods and rules in this chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
A sustainable pattern of urban development	Number of applications for activities to establish out of zone	Council records
A pattern of subdivision that enhances opportunities for the sustainable use of resources and provides for walking, cycling and	Activities located in the urban area of the City Infill development	Council records

public transport as viable and convenient transport alternatives		
Minimal adverse effects on the environment from subdivision and earthworks	Effectiveness of conditions of consent and methods used in managing adverse effects Complaints received about adverse effects	Council complaints register Council resource consent records and monitoring compliance
The maintenance of a safe and efficient roading network	Accidents caused by poorly sited or designed access points	Vehicle accident records