

Draft amendment – Subdivision Chapter

SUBDIVISION

SUB-GEN – General Subdivision Provisions that Apply in All Zones

Background

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.

Resource Management Issues

SUB-GEN-11 *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.

SUB-GEN-12 *That **subdivision** does not adversely affect significant natural landforms, areas of significant indigenous natural vegetation or significant habitats of indigenous fauna or areas of landscape and/or visual value as identified within the Southern Hills Overlay Area.*

Land disturbance in sensitive locations can seriously damage or denigrate the visual amenity of the **environment**. In the case of Upper Hutt, the eastern, southern 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**.

SUB-GEN-13 *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. **Subdivision** within a **Flood Hazard Extent** should avoid high hazard areas and ensure appropriate mitigation measures can be implemented in lower hazard areas to provide for suitable future development. 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.

SUB-GEN-14 *Subdivision within identified Flood Hazard Extents could potentially create allotments susceptible to flooding hazards.*

Subdivision creates an opportunity for further development within the new **allotment** and therefore when proposed within an identified **Flood Hazard Extent**, the suitability of the proposed **allotment** for future development needs to be considered to avoid exposing future development to unacceptable risk. **Subdivision** within the **Flood Hazard Extent** should avoid creating new **allotments** in high hazard areas and ensure mitigation measures can be implemented in lower hazard areas to provide suitable future development opportunities that do not expose people and property to unacceptable risk.

SUB-GEN-15 *Subdivision within the upper sub-catchment of Pinehaven Stream provides further development opportunities which can increase stormwater runoff and flood risk.*

The flood risk in the Pinehaven **Flood Hazard Extent** is influenced by **activities** in the upper Pinehaven Catchment. **Subdivision** would provide for further development potential in the upper catchment which could result in increased **stormwater** runoff exacerbating the flood risk to the community in the lower Pinehaven floodplain.

SUB-GEN-16 *Inappropriate development and activities located within floodplains that may result in damage to infrastructure and property and the obstruction of flood flow paths.*

Upper Hutt is dissected by several tributary **rivers** which flow into the main Hutt River.

The area most at risk is the Hutt River floodplain. Recognising this, the Wellington Regional Council has undertaken protection works, such as stopbanks and **river** bank stabilisation. These stopbanks run parallel to the developed urban area from Totara Park to Trentham Memorial Park. During a large flood the stopbanks may be breached, causing severe damage and disruption to the City. The stopbanks have a maximum design flood capacity so that it is possible in a significant flood event that they could be overtopped or a breach could occur causing significant damage and disruption to the City.

In addition, the Heretaunga Flood Detention Embankment and outlet control **structure** (referred to as the Heretaunga Retention Dam) has been designed to reduce the frequency and severity of flooding in the downstream urban areas along the Heretaunga Drain. A line defining the predicted maximum extent of ponding behind the Heretaunga Dam has been identified on the Planning Maps. So that the ponding capacity of the Heretaunga Dam is not compromised, **earthworks**, buildings or **structures** should not be undertaken within the area encompassed by the Retention Line as shown on the Planning Maps.

Subdivision in the rural areas is likely to increase the potential for development close to **rivers** and will require careful consideration.

It is recognised that there are varying levels of risk within an identified **Flood Hazard Extent**. High hazard areas include Stream and **River Corridors**, **Overflow Paths** and **Erosion Hazard Areas**. In these higher risk areas flood **waters** can be both deep and fast moving and the risk of erosion is high. In some cases, parts of the **Erosion Hazard Area** may be less susceptible due to the characteristics of the location and thus represent a lower risk to people and property. Lower hazard areas within identified **flood hazard extents** predominately comprise **ponding areas** but can also include lower risk parts of the **Erosion Hazard Area**. Development should avoid higher hazard areas, with sufficient mitigation applied to lower hazard areas.

Certain upstream **activities** can increase the frequency and magnitude of flood events. For example, removal of vegetation can result in increased **water** run off, sedimentation and debris blockages, thus creating significant risks.

SUB-GEN-17 *Man aging adverse **effects** including reverse sensitivity **effects** on **regionally significant network utilities**.*

Inappropriate **subdivision** in the vicinity of **regionally significant network utilities** may lead to adverse **effects** including reverse sensitivity **effects** that have the potential to impact upon the effective and efficient operation of such utilities. Inappropriate **subdivision** may result in adverse **effects** on **regionally significant network utilities** and / or restrict access to such **network utilities** including the ability to undertake **maintenance** or upgrade work. Reverse sensitivity can occur when sensitive or inappropriate **activities** locate near to or intensify by existing **network utilities** and seek to or constrain the operation or expansion of these utilities. This may mean that the local, regional and national benefits of those **regionally significant network utilities** may be compromised. The City has a lot of well-established **regionally significant network utilities** located in close proximity to existing **land use activities**. The **Council** is predominantly concerned with new more intensive **land use activities** establishing in proximity to existing **regionally significant network utilities** that may lead to reverse sensitivity **effects** on those utilities.

SUB-GEN-18 *The efficient, convenient and safe movement of people, vehicles and goods in the City.*

The location, design and characteristics of **activities**, **subdivision** and development can adversely affect the safety, accessibility and efficiency of the roading network and the quality of the **environment**. Appropriately located **activities**, and well-designed **subdivision**, can contribute to the convenience and viability for access by walking, cycling and public transport. **Roads** themselves (including the State Highway network) contribute to the convenience, viability, and access to **activities** enjoyed by City residents.

SUB-GEN-I9 *The limits that rural roading places on subdivision.*

Mangaroa Hill Road, Blue Mountains Road, Akatarawa Road, and parts of Moonshine Hill Road and Mount Cecil Road require major **upgrading** to be able to accommodate further significant development. Such **upgrading** may have significant adverse environmental **effects**.

The limits that the rural roading system places on further development not only apply to formed and sealed **roads**, but also to the large number of 'paper roads' within the City. The pressure to subdivide with access to these paper **roads** can pose a public interest issue. **Council** could be placed in a position where it may have to spend public money on **road upgrading** where the community would receive little benefit in return. The limited access provisions applying to State Highway 2 and the nature of other **roads** in the Kaitoke area impose limits on further development in this part of the City.

SUB-GEN-I10 *The potential adverse **effects** generated by subdivision in close proximity to high voltage (110kV or greater) electricity **transmission lines**.*

There can be a risk to the health and safety of nearby people and **property** when development occurs within close proximity to high voltage electricity **transmission lines**. Equally, development located under or in close proximity to high voltage electricity **transmission lines** can pose a risk to the efficient operation of the national grid. Additionally, development in close proximity to high voltage electricity **transmission lines** generally does not provide a good level of amenity, particularly in the case of residential development or other sensitive **activities**.

Objectives

SUB-GEN-O1 *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 **sites** can influence the **effects** of **activities** that can occur on the subdivided **land**.

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 has the potential to affect finite **indigenous vegetation**. **Effects** on this should be avoided, remedied or mitigated.

SUB-GEN-O2 *To control **subdivision** within identified **Flood Hazard Extents and Erosion Hazard Area** to ensure the risk from flood hazards to **building** platforms and access in high hazard areas are avoided and the flood risk to people and property can be appropriately mitigated in the lower hazard areas.*

Where **subdivision** is proposed within a **Flood Hazard Extent**, the **natural hazard** constraints will be considered, with development avoided in the high hazard areas, and mitigated in the lower hazard areas. The impact of development on the flood hazard will also need to be managed to ensure it does not increase the level of risk to other people and property.

Subdivision in a **Flood Hazard Extent** can also mean that any development or **activity** on the subdivided **site** is prone to flood hazards. By controlling **subdivision** within identified **flood hazard extents**, this risk to people and property can be managed.

SUB-GEN-03 *To control **subdivision** within the upper areas of the **Pinehaven Catchment Overlay** to ensure that peak **stormwater** runoff during both a 1 in 10-year and 1 in 100-year event does not exceed the existing run off and therefore minimise the flood risk to people and property within the **Flood Hazard Extent**.*

Development in the **Pinehaven Catchment Overlay** needs to be controlled to ensure that **stormwater** runoff does not exacerbate the impact of flooding in the lower catchment. Most of the upper catchment is currently undeveloped and any new development has the potential to affect the **land** use and peak **stormwater** runoff. This policy seeks to ensure that the peak **stormwater** runoff does not increase, thereby increasing the flood risk downstream.

SUB-GEN-04 *The provision of access to **waterbodies** and the management of **activities** on **waterbodies** in a manner that does not result in undue adverse **effects** on the **environment** and which avoids conflict between users and with adjoining **land** uses.*

Public access to **rivers** is important to the community. The Hutt River has public access along the majority of its length. Access to many rural **rivers** and streams is gained through informal arrangements over private **land**, or the access is held as public **land**. As **land** adjoining **rivers** and streams is developed, formal access can be obtained through the **subdivision** process. This allows a City-wide network to be developed. The public benefits gained from enhanced access to **rivers** must be weighed against the **effects** (for example, loss of privacy) on adjoining **properties**.

The City Council is responsible for managing **activities** on the surface of **rivers**. It is important that **activities** which use the surface of **waterbodies** be provided for, while ensuring that the **effects** of these **activities** are compatible with the **conservation**, visual, intrinsic, cultural and other important values of the **waterbody**.

SUB-GEN-05 *Identify **Flood Hazard Extents** and **Erosion Hazard Areas** in order to avoid or mitigate the risk to people and property and provide for the function of the floodplain.*

The extent of the threat from flood hazards and erosion hazards must be identified within the Pinehaven Stream and Mangaroa River catchments. The types of hazards within an identified **Flood Hazard Extent** can vary, with high hazard areas and lower hazard areas that need to be considered when planning for future development.

High hazard areas within the **Flood Hazard Extent** comprise the Stream and **River Corridor**, **Overflow Paths** and the **Erosion Hazard Area**. These are characterised by areas of moving flood **water** which may also be deep or fast and includes areas most at risk to erosion during a flood event. These are identified on the Hazard Maps. **Subdivision** within high hazard areas should be avoided given the threat these areas represent to people and property.

Outside the high hazard areas, but still within the **Flood Hazard Extent**, are lower hazard areas generally comprising the **ponding areas** and some parts of the **Erosion Hazard Area**. These areas are generally characterised by still or slow moving flood **water** and a lower risk of erosion. These areas are identified on the Hazard Maps. **Subdivision** or development may be possible in these areas subject to appropriate mitigation (such as raising the floor levels above the 1 in 100-year flood level).

All development should be undertaken in a manner that provides for the function of the floodplain to **discharge** flood **waters** and thereby ensure that the **effects** from flooding are not exacerbated on the **site**, adjacent **properties** or the wider **environment**.

SUB-GEN-O6 *To recognise and protect the benefits of **regionally significant network utilities** and ensure their functions and operations are not compromised by other activities.*

This objective seeks to identify the importance of **regionally significant network utilities** within the City and to give **effect** to the Regional Policy Statement. The objective and supporting policies are focused on recognising the benefits that these **regionally significant network utilities** have locally, regionally and nationally and ensuring that they are protected from incompatible **subdivision**.

Policies

SUB-GEN-P1 *To promote a sustainable pattern of **subdivision** 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 the Transport and Parking (TP) Chapter. It is also important to protect the limited areas of **indigenous vegetation** that remain in Upper Hutt.

SUB-GEN-P2 *To avoid **subdivision** where **building** platforms would be located within high hazard areas of the identified **Flood Hazard Extents** and **Erosion Hazard Areas**.*

This policy seeks to avoid **subdivisions** that result in **building** platforms being located within the high hazard areas of the relevant **Flood Hazard Extent** or **Erosion Hazard Area**. This is due to the risk that these high hazard areas present to people and property, characterised by the Stream or **River Corridor**,

Erosion Hazard Area and **Overflow Paths**. The high hazard areas can contain both fast and deep flowing **water** in a 1 in 100-year flood event, or are potentially subject to erosion, which have the potential to damage **buildings** and threaten lives.

SUB-GEN-P3 *To control **subdivision** where **building** platforms would be located within lower hazard areas of identified **Flood Hazard Extents** and **Erosion Hazard Areas** by requiring mitigation to minimise the risk to people and property.*

This policy recognises that there are areas within the **Flood Hazard Extent** and **Erosion Hazard Area** that are outside the high hazard areas and therefore represent a lower level of flood or erosion hazard to people and property. As such, some development within these areas may be appropriate providing appropriate mitigation measures are incorporated into developments to reduce the risk (for example floor levels above the 1 in 100-year flood extent or being **setback** from the riverbank). These lower hazard areas are characterised by still or slow moving **water** and do not present the same threat to people and property as the higher hazard areas subject to the risk being appropriately mitigated.

SUB-GEN-P4 *To ensure **subdivision** within the **Pinehaven Catchment Overlay** area is designed so that the **stormwater** runoff, during both a 1 in 10-year and 1 in 100-year event, from all new **allotments** and future **building** areas shall be at a rate no greater than when compared to the pre-development situation.*

Subdivision in the **Pinehaven Catchment Overlay** needs to be controlled to ensure that **stormwater** runoff does not exacerbate the impact of flooding in the lower catchment. The upper catchment is currently mostly undeveloped and any new development has the potential to affect the **land** use and peak runoff.

SUB-GEN-P5 *To protect **wetland** areas within the City from **activities** which would have adverse **effects** on their life supporting capacity, natural character or habitat values.*

The preservation of the natural character of **wetlands** and their protection from inappropriate **subdivision** is identified as a matter of national importance under the Act. **Wetlands** are important ecological areas which provide habitats for wildlife and endangered species, help to reduce flood damage and abate **water** pollution. Historically many have been drained and converted to pasture, and consequently **wetlands** have become increasingly rare.

SUB-GEN-P6 *To promote the establishment of **esplanade reserves** and **esplanade strips** for the purposes of enhancing public access, recreation, riparian protection, **water** quality and ecological values along the main **rivers** and waterways adjoining specified watercourses.*

Esplanade reserves represent the formal means of ensuring protection of **waterbodies** from the adverse **effects** of **activities** and should be set aside where possible for protection of public access and for **water** quality reasons. **Esplanade reserves** and strips have recreational potential, high **conservation** values, or provide continuity with adjoining reserves and land uses. For access and **conservation** purposes, **esplanade reserves** and strips may be acquired upon **subdivision** along specified watercourses.

SUB-GEN-P7 *To identify and mitigate the potential adverse **effects** of **natural hazards** that are a potentially significant threat within Upper Hutt.*

Adequate information is necessary to make informed decisions on developments that may be affected by **natural hazards**. The main objective relating to **natural hazards** is knowing where they can occur so that the **effects** can be avoided, or the appropriate management strategies can be put in place.

The **Council** will co-ordinate the provision of information identifying these hazards and the areas at risk. This can be used by developers, the community and the **Council** to consider the potential risks when making decisions on developments and deciding on possible mitigation measures where **natural hazards** are involved.

The **Council** will recognise the high and low hazard areas within the identified Pinehaven Stream and Mangaroa River **Flood Hazard Extents**.

High hazard areas comprise moving **water** that can also be deep and are the areas most at risk from erosion during a flood event. Accordingly, **subdivision** and development within high hazard areas should be avoided given the threat they have to people and property.

Lower hazard areas are generally characterised by still or slow moving flood **water** and a lower risk of erosion. In these areas, it may be possible to undertake development provided appropriate mitigation is implemented (for example floor levels above the 1 in 100 year flood extent or being **setback** from the stream or **river bank**).

Some parts of the identified **Erosion Hazard Area** within the Mangaroa **Flood Hazard Extent** may represent a lower risk depending on the characteristics of the **site** and its location in relation to the **river**. Where a site specific assessment identifies there is a lower threat then the erosion hazard may be considered a lower hazard area and assessed in accordance with the lower hazard policies.

SUB-GEN-P8 *In areas of known susceptibility to **natural hazards, activities** and **buildings** are to be designed and located to avoid, remedy, or mitigate, where practicable, adverse **effects** of **natural hazards** on people, property and the **environment**.*

This policy lessens the risk factor by restricting developments in hazard prone areas. These controls include appropriate separation distances from a **river** or fault, or designing **structures** and **site** development to meet acceptable levels of safety. This also enables applicants to consider the potential risks when making decisions on developments.

The **effects** of permitting more intensive **subdivision** (and subsequent development and infrastructure) could be substantial and controls on **subdivision** can reduce these.

SUB-GEN-P97 *Avoid, or as appropriate, remedy or mitigate, the potential for any adverse **effects** including reverse sensitivity **effects** on **regionally significant network utilities** from inappropriate new **subdivision** occurring under, over, or adjacent to **regionally significant network utilities**.*

Any potential adverse **effects** including reverse sensitivity **effects**, on **regionally significant network utilities** are to be appropriately managed, with priority given to avoiding adverse **effects**, where practicable, on those utilities. The location of inappropriate new **subdivision** in proximity to existing **regionally significant network utilities** has the potential to compromise the efficient operation and use of the **network utility** including restricting access and result in

the benefits of that **network utility** being reduced. In addition, the safety and **amenity values** of the community may be adversely affected by locating in too close proximity to **regionally significant network utilities**.

The potential for adverse **effects** including reverse sensitivity **effects** may arise when the pattern and density of **land use activities** changes through the **subdivision** or rezoning of **land**. At the time of rezoning, the **Council** will seek to introduce new provisions to manage those potential adverse **effects** on existing or designated **regionally significant network utilities**. Any applications for **subdivision** that involve potential intensification located in proximity to **regionally significant network utilities** will require assessment in terms of the potential **effects** on those utilities as well as consultation with the relevant **network utility operator**.

SUB-GEN-P108 *To manage **subdivision** within close proximity to existing high voltage (110kV or greater) electricity **transmission lines** to protect both:*

- (1) the safe, secure and efficient use and development of the electricity transmission network; and*
- (2) the safety and **amenity values** of the community.*

A corridor management approach involves setting minimum buffer distances from high voltage electricity **transmission lines** to manage development both in the immediate proximity of and adjacent to the **lines**.

SUB-GEN-P119 *To promote the safe and efficient use and development of the transportation network.*

Rural **roads** place limits on further development in certain areas of the City because of their condition or potential capacity. Closer **subdivision** in these areas may be restricted because of the demand that it would place on these **roads** and the likely costs incurred by the **Council**. Other rural **activities** can cause damage to **roads** or create dangerous situations where **roads** are not designed to accommodate such traffic. The **upgrading** of such **roads** can place a heavy financial burden on the community and have significant adverse environmental **effects**. Therefore, a requirement for financial contributions and/or limitations on development is an appropriate response.

SUB-GEN-P1210 *To ensure that the **subdivision**, of **land** is served by safe and adequate access from the roading network*

The roading network provides access to a wide range of **activities**. It is important to ensure that connections to the network are located, designed and maintained so as to provide for the safety of all **road** users.

SUB-GEN-P1311 *Protect consented and existing renewable energy generation **activities** from incompatible **subdivision**.*

The Plan recognises that new **subdivision** can result in reverse sensitivity **effects** on existing and consented renewable energy generation facilities and may result in the benefits of facilities being reduced. In addition, community **amenity values** may be adversely affected by locating in too close proximity to renewable energy generation facilities.

At present, the City only contains **small scale renewable energy generation** facilities with no established community scale or commercial facilities. It is likely any such larger scale facilities would be established in the rural areas and that any reverse sensitivity **effects** would arise from subsequent new **subdivision** which would provide an opportunity for assessment of any such potential **effects**.

Rules

District-wide matters

Each **subdivision** shall comply with the relevant permitted activity standards in the District-wide matters of the Plan as listed below.

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| District-wide matters |
| TEMP - Temporary Activities |
| SIGN - Signs |
| EW - Earthworks |
| NATC – Natural Character |
| DC – Development Contributions |
| HH - Historical Heritage |
| TREE - Notable Trees |
| UTG - Urban Tree Groups |
| ECO - Ecosystems and Indigenous Biodiversity |
| NFL - Natural Features and Landscapes |
| PA – Public Access |
| ASW - Activities on the Surface of Water |
| NU – Network Utilities |
| REG - Renewable Energy Generation |
| TP – Transport and Parking |

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|---------------------------|
| NOISE - Noise |
| NH - Natural Hazards |
| CL – Contaminated Land |
| HS - Hazardous Substances |
| WM – Waste Management |
| AIR - Air |
| LIGHT - Light |

Activities Tables

| Controlled Activities | | | Zones |
|--|--|------------|------------|
| SUB-GEN-R1 30.10 <i>Policies</i> <i>NU-P5,</i> <i>NU-P6,</i> <i>NU-P9</i> | Subdivision for the purpose of accommodating any network utility Council may impose conditions over the following matters: (1) Site design, frontage and area; (2) Legal and physical access to the allotments ; (3) Risks to public health and safety; (4) Earthworks and sediment and erosion control; (5) Landscaping and screening; (6) Traffic and parking management; (7) The imposition of financial contributions in accordance with Part E of this Plan. (8) Any adverse effects on a heritage site or area of native vegetation. | CON | <i>All</i> |
| SUB-GEN-R2 <i>Policy</i> <i>SUB-GEN-P6</i> | Subdivision of land adjoining a river or stream listed in SUB-GEN-S1 , that complies with the requirements of SUB-GEN-S1 relating to esplanade reserves or strips In determining the width of esplanade reserves or strips where no definite figure is provided, the Council shall consider: (1) Ecological values, including the riparian vegetation, water quality, potential for erosion, the impact of flooding and the enhancement of aquatic and terrestrial habitat. (2) The need for public access to and along the waterbody . | CON | <i>All</i> |

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|--|--|--|--|
| | <ul style="list-style-type: none"> (3) The rights of property owners and the security of private property. (4) The benefits and costs of the provision and maintenance of esplanade reserves and strips. (5) Public health. (6) The benefit to the local landscape. (7) The width of any adjoining esplanade reserve or strip. (8) The width of the river or stream concerned. | | |
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Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of **the Act**, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of **the Act**.

Advice Note:

For any **activity** within the Stream/River Corridor, **Overflow Path**, **Ponding Area** or **Erosion Hazard Area**, applicants are advised to consult the Wellington Regional Council determine if regional consent is also required.

| Standards for Controlled Activities | | Zone | | | | | | | | |
|--|---|--------------|----------------------------|----------------|------------------|--|--|--|--|-------------------|
| <p>SUB-GEN-S1</p> <p><i>Policy</i> <i>SUB-GEN-P6</i></p> | <p>Subdivision of land adjoining a river or stream listed below</p> <p>(1) Esplanade Reserves When any land being subdivided adjoins any of the following rivers or streams, an esplanade reserve shall be set aside according to the provisions of the following table and Part 77 of the Act:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left;">River/stream</th> <th style="width: 50%; text-align: left;">Width of esplanade reserve</th> </tr> </thead> <tbody> <tr> <td>(a) Hutt River</td> <td>20m (both banks)</td> </tr> <tr> <td>(b) Whakatiki River from its junction with the Hutt River to 1km upstream from the junction of the Whakatiki River and Wainui Stream</td> <td></td> </tr> <tr> <td>(c) Akatarawa River West for that part of the river passing through Wellington Regional Council land</td> <td></td> </tr> </tbody> </table> | River/stream | Width of esplanade reserve | (a) Hutt River | 20m (both banks) | (b) Whakatiki River from its junction with the Hutt River to 1km upstream from the junction of the Whakatiki River and Wainui Stream | | (c) Akatarawa River West for that part of the river passing through Wellington Regional Council land | | <p><i>All</i></p> |
| River/stream | Width of esplanade reserve | | | | | | | | | |
| (a) Hutt River | 20m (both banks) | | | | | | | | | |
| (b) Whakatiki River from its junction with the Hutt River to 1km upstream from the junction of the Whakatiki River and Wainui Stream | | | | | | | | | | |
| (c) Akatarawa River West for that part of the river passing through Wellington Regional Council land | | | | | | | | | | |

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|-----|--|---|
| (d) | Pakuratahi River for that part of the river passing through Wellington Regional Council land | |
| (e) | Mangaroa River for that part of the river where sites are within 50m from the road on a walkable grade | 8m (minimum) (both banks) |
| (f) | Mawaihakona Stream for that part of the river passing through the St Patrick's Estate Area where the adjoining land is reserve | 5-12m (both banks) with the width being determined having regard to the criteria set out in 24.4 SUB-GEN-R2 |
| (g) | Collins Creek from its intersection with the Mangaroa River to the Tunnel Gully Recreation Area | Varying width suitable for access purposes along one side of the creek for its full length, except along its lower reaches near Mangaroa Road where the environmental qualities of the bush clad gorge are significant, and an esplanade reserve shall be provided along both banks of the creek. The width shall be determined having regard to the criteria set out in SUB-GEN-R2 |

(2) **Esplanade Strips**

When any land being subdivided adjoins any of the following rivers or streams, an esplanade strip shall be set aside according to the provisions of the following table and Part 77 of the Act:

| River/stream | Width of esplanade strip |
|---|---|
| (a) Hulls Creek from its junction with the Hutt River to Field Street | 5-12m with the width being determined having regard to the criteria set out in SUB-GEN-R2 |
| (b) Cooleys Creek from its junction with the Mangaroa River to Mangaroa Valley Road | |
| (c) Huia Stream from its junction with the Mangaroa River to Whitemans Valley Road | |
| (d) Narrow Neck Stream from its junction with the Mangaroa River to Whitemans Valley Road | |

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| | <p>(e) Akatarawa River from its junction with the Hutt River to its entry into Wellington Regional Council land at the City boundary with Kapiti District</p> <p>(f) Mangaroa River for that part of the river where sites are not easily accessible from existing roads, (i.e., more than 50m from the road or of a difficult grade), running from the junction of Mangaroa River with the Hutt River to Russells Road</p> | Varying width (minimum of 5m or as otherwise determined by Council) to reflect the width of the river and having regard to the criteria set out in 24.4 SUB-GEN-R2 | |
| | <p>(g) Mawaihakona Stream for that part of the river passing through the Wellington Golf Club land extending from Trentham Memorial Park to Heretaunga Park, and also for that part of Mawaihakona Stream passing through the St Patrick's Estate Area, where the adjoining land is not a reserve</p> | 5-12m being a width suitable for access purposes having regard to the criteria set out in 24.4 SUB-GEN-R2 | |
| | <p>(h) Pakuratahi River for that part of its lower reaches not passing through Wellington Regional Council land</p> | 10-15m with the width being determined having regard to the criteria set out in 24.4 SUB-GEN-R2 | |

| Restricted Discretionary Activities | | | Zones |
|-------------------------------------|--|-------------|------------|
| SUB-GEN-R3 | <p>Subdivision that creates a building platform for a Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Mangaroa Peat Overlay</p> <p>a. Activity status: Restricted discretionary</p> <p>Where:</p> <p>b. The subdivision will create a suitable building platform for a Potentially Hazard Sensitive Activity or Hazard Sensitive Activity.</p> <p>Matters of discretion are restricted to:</p> | RDIS | All |

| | | | |
|-------------------|---|-------------|------------|
| | <ul style="list-style-type: none"> a. <u>The matters in NH-P5</u> b. <u>Design, appearance and layout of the subdivision.</u> c. <u>Landscaping.</u> d. <u>Provision of and effects on utilities and/or services.</u> e. <u>Standard, construction and layout of vehicular access.</u> f. <u>Earthworks.</u> g. <u>Provision of esplanade reserves and strips.</u> h. <u>Protection of any special amenity feature.</u> i. <u>Financial contributions.</u> <p>Notification <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> | | |
| SUB-GEN-R4 | <p><u>Subdivision that creates a building platform in the High Slope Hazard Overlay</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>The subdivision will result in a suitable building platform for a Potentially Hazard Sensitive Activity or Hazard Sensitive Activity in the High Slope Hazard Overlay.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The matters in NH-P7</u> b. <u>Design, appearance and layout of the subdivision.</u> c. <u>Landscaping.</u> d. <u>Provision of and effects on utilities and/or services.</u> e. <u>Standard, construction and layout of vehicular access.</u> f. <u>Earthworks.</u> g. <u>Provision of esplanade reserves and strips.</u> h. <u>Protection of any special amenity feature.</u> i. <u>Financial contributions.</u> | RDIS | All |

| | | | |
|--|---|--------------------|-------------------|
| <p>SUB-GEN-R5</p> | <p>Subdivision for a Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</p> <p>Where:</p> <p>a. The building platform associated with the subdivision is located within the uncertain poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>a. The ability for a future building to maintain life safety as a result of fault rupture</p> <p>b. The ability for a future building to remain structurally sound as a result of fault rupture; and</p> <p>c. The location of the building platform relative to the fault line and any mitigation measures to reduce the impacts from fault rupture.</p> <p>d. Design, appearance and layout of the subdivision.</p> <p>e. Landscaping.</p> <p>f. Provision of and effects on utilities and/or services.</p> <p>g. Standard, construction and layout of vehicular access.</p> <p>h. Earthworks.</p> <p>i. Provision of esplanade reserves and strips.</p> <p>j. Protection of any special amenity feature.</p> <p>k. Financial contributions.</p> | <p>RDIS</p> | <p><i>All</i></p> |
| <p>SUB-GEN-R36</p> <p><i>Policies SUB-GEN-P1 NFL-P2 NFL-P3, ECO-P6, NFL-P4, ECO-P7,</i></p> | <p>Subdivision, otherwise controlled under the underlying zone, within an area identified as Southern Hills Overlay Area</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <p>(1) The standards for permitted and controlled activities in the underlying zone.</p> <p>(2) The design and layout of the subdivision.</p> <p>(3) Effects on visual values.</p> | <p>RDIS</p> | <p><i>All</i></p> |

| | | | |
|------------------------------|---|--|--|
| TREE-P1, UTG-P1, NU-P9 | (4) Effects on landscape values. (5) Effects on ecological values. (6) Measures to avoid, remedy or mitigate potential adverse effects . (7) In addition to the above, for the Mount Marua Structure Plan Development Area, compliance with the Mount Marua Structure Plan. | | |
|------------------------------|---|--|--|

| Discretionary Activities | | | Zone |
|---|--|------------|------------|
| SUB-GEN-R47 <i>Policies</i> NFL-P2, NFL-P3, ECO-P6, NFL-P4, TREE-P1, UTG-P1, NU-P9 | Subdivision , otherwise restricted discretionary or discretionary under the underlying zone, within an area identified as Southern Hills Overlay Area | DIS | <i>All</i> |
| SUB-GEN-R58 <i>Policies</i> HS-P1, CL-P1, WM-P1, | The subdivision of any contaminated land | DIS | <i>All</i> |
| SUB-GEN-R69 | Subdivision of land adjoining a river or stream listed in SUB-GEN-S1, that does not comply with the requirements of SUB-GEN-S1 relating to esplanade reserves or strips | DIS | <i>All</i> |

| Non-Complying Activities | | | Zone |
|--------------------------|---|------------|------------|
| SUB-GEN-R10 | Subdivision for a Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay Where: | DIS | <i>All</i> |

| | | | |
|--|--|----|-----|
| | a. The building platform associated with the subdivision is located within the well-defined or well-defined extension areas of the Wellington Fault Overlay. | | |
| SUB-GEN-R711 <i>Policies</i> NFL-P2, NFL-P3, ECO-P6, NFL-P4, TREE-P1, UTG-P1, NU-P9 | Subdivision, otherwise non-complying under the underlying zone within the Southern Hills Overlay Area | NC | All |

| Matters for Consideration | | Zone |
|--|--|------|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| SUB-GEN-MC1 | Subdivision (1) The requirements of section 106 of the Act. (2) Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. (3) Whether the subdivision compromises future subdivision potential of the land . (4) The cumulative effect on existing infrastructure as a result of the proposed subdivision . (5) The extent of compliance with Council's Code of Practice for Civil Engineering Works . | All |
| SUB-GEN-MC2 | Reduction or waiver of esplanade reserves and strips (1) Availability of alternative public access. (2) Other means of protecting water quality and conservation values. (3) Recreational values of the waterbody in question. (4) Information provided to support any proposal to waive or vary esplanade reserve requirements. | All |

Methods

SUB-GEN-M1 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) Rules to control the location of **building** platforms, **earthworks** and accessways in the identified **Flood Hazard Extents** and **Erosion Hazard Area**.
- (4) Performance standards and consent conditions to minimise the adverse **effects** of **subdivision** and **earthworks**. These relate to:
 - (a) Provision of utilities, supply of **water** and disposal of effluent.
 - (b) Landscape values, native vegetation, heritage and cultural sites.
 - (c) Managing dust, **waterbody** siltation, soil erosion, **effects** on ground stability and other **natural hazards**.
- (5) Allowing **activities** permitted by the District Plan or those granted resource consent, to be undertaken on newly created **allotments**.
- (6) Encouraging recognition of landscape character in the design and layout of **subdivisions**.
- (7) Financial contributions for reserves and **community facilities**.
- (8) Management of the **effects** of **earthworks** and clearing of native vegetation by using:
- (9) The ability to impose conditions on resource consents to avoid, remedy or mitigate any adverse **effects**.

SUB-GEN-M2 Liaison with service providers and network utility operators.

SUB-GEN-M3 The Code of Practice for Civil Engineering Works.

SUB-GEN-M4 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.

Anticipated Environmental Results

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 |
|-----------------------------------|--|---|------------------------|
| SUB-GEN-AER1 | A sustainable pattern of urban development | Number of applications for activities to establish out of zone | Council records |

| | | | |
|---------------------|---|---|---|
| SUB-GEN-AER2 | A pattern of subdivision that enhances opportunities for the sustainable use of resources and provides for walking, cycling and public transport as viable and convenient transport alternatives | Activities located in the urban area of the City Infill development | Council records |
| SUB-GEN-AER3 | 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 |
| SUB-GEN-AER4 | The maintenance of a safe and efficient roading network | Accidents caused by poorly sited or designed access points | Vehicle accident records |
| SUB-GEN-AER5 | Prevention of development which increases the level of risk in areas identified as being at high risk from natural hazards | Number of resource consent applications approved or declined in areas identified in the District Plan as being susceptible to natural hazards and whether these numbers change with time The economic and insured costs from flood hazard events and whether these decrease in time, allowing for changes in inflation The number of section 74 certificates imposed on the titles of properties at the time of building consent and whether these decrease in time | Council flood hazard modelling Council resource consent records for compliance with conditions |

SUB-RES – Subdivision in Residential Zones

Issues

SUB-RES-11 *The effects on amenity values of new subdivisions within and adjoining established residential areas.*

The amount of **land** suitable for urban use is influenced by servicing, topographical, ecological and other constraints. The General Residential Zone covers the existing residential areas as well as undeveloped **land** suitable for residential use in the future. Expansion of existing urban areas will be encouraged in

appropriate **environments** with the existing urban areas being the preferred location for higher density development. **Council** will promote the maintenance of the general character and **amenity values** of particular neighbourhoods.

Objectives

SUB-RES-O1 *The management of the adverse **effects of subdivision** within residential areas.*

This objective seeks to provide for **subdivision** which promotes residential **amenity values**, creates safe and well-designed housing development and promotes the efficient use of **natural and physical resources**.

Policies

SUB-RES-P1 *To ensure that the scale, appearance and siting of **buildings, structures and activities** are compatible with the character and desired amenity values of the area.*

On the **land** identified in SUB-RES-Figure 2, particular care needs to be taken with the design of any residential subdivision-to ensure that it appropriately addresses the interface with Maidstone Park and the adjoining General Industrial Zone.

SUB-RES-P2 *To avoid on **land** identified in SUB-RES-Figure 2 ('Maidstone Terrace Residential') which does not comply with site specific standards controlling the number of **allotments and residential units**, access from Railway Avenue, **boundary setbacks** and fencing.*

On the land identified in SUB-RES-Figure 2, particular care needs to be taken with the design of any residential development to ensure that it appropriately addresses the interface with the adjoining General Industrial Zone. In particular, site specific standards apply to the site and compliance with these standards is critical to ensuring that subdivision is appropriate.

SUB-RES-P3*To protect trees and vegetation which contribute to the **amenity values**, landscape values, character, ecological, historical and cultural values of the Conservation and Hill Precincts.*

Trees add to the character of residential areas and also have ecological, historical, and cultural values.

The Conservation and Hill Precincts have special qualities which merit the protection of trees. They also merit different requirements for subdivision to assist in protecting their **amenity values** and land stability.

SUB-RES-P4 *To provide for new residential development within the City in a sustainable manner.*

The edge of the urban area is defined primarily by a rural interface. Council generally intends to contain new residential development within the existing zoned urban area. Continuous expansion at the City's edge, while large parts of the urban areas remain undeveloped, does not constitute sustainable management.

Greenfield subdivision, for urban residential development outside Residential Zones should be considered by way of a District Plan change to extend the urban area. This enables the full effects of the potential development to be assessed.

SUB-RES-P5 To promote subdivision with a high level of amenity and ensure that it has adequate access to infrastructural requirements.

The Plan provides for the intensification of **land** use within the urban area to accommodate residential development where adverse **effects** can be avoided, remedied or mitigated.

Subdivision requires resource consent because **Council** may need to impose conditions that relate to provision or co-ordination of services and other matters relating to the sustainable management of resources.

SUB-RES-P6 *To encourage higher density housing through the provision of reduced **net site area** standards and in the form of **Comprehensive Residential Developments** in identified areas of the City.*

The Plan identifies areas considered suitable for higher density residential development. These areas are located surrounding the City Centre Zone, around the Trentham neighbourhood centre located at Camp Street, near the Wallaceville railway station from Ward Street to Lane Street and within the Urban Precinct and Grants Bush Precinct of the **Wallaceville Structure Plan Development Area**.

These areas are in close proximity to **retail** and service facilities as well as the availability of major transport points, including rail and bus services, and a major bus terminal in the CBD.

The reduction of **net site area** standards in the **Residential Centres Precinct** recognises a minimum **site area** **Council** is prepared to allow for housing development. Any reduction below this minimum **net site area** is provided for as a discretionary activity and will be assessed against the Design Guide for **Comprehensive Residential Development** so as to ensure that any **subdivision** or development below this **net site area** can still achieve a high quality.

Rules

Activities Tables

| Controlled Activities | | | Zones |
|--|---|-------------------|-----------------------------------|
| <p>SUB-RES-R1</p> <p><i>Policies</i> SUB-GEN-P1 SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1. SUB-RES-P2, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, TP-P4, DC-P1</p> | <p>Subdivision which complies with the standards in SUB-RES-S1, SUB-RES-S3.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. <p>In relation to the land identified in SUB-RES-Figure 1 Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (11) Landscape character and visual amenity. | <p>CON</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R2</p> <p><i>Policies</i></p> | <p>Subdivision around any existing lawfully established residential unit which does not result in the creation of any new undeveloped site that contains no residential unit.</p> | <p>CON</p> | <p><i>General Residential</i></p> |

| | | | |
|--|--|-------------------|-----------------------------------|
| <p>SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1, SUB-RES-P2, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, TP-P4, DC-P1</p> | <p>Note: this form of subdivision does not need to comply with the minimum net site area requirements of rule 18.5 SUB-RES-S1, but does need to meet the access standards of rule SUB-RES-S3</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | | |
| <p>SUB-RES-R3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1, SUB-RES-P2, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, TP-P4, DC-P1</p> | <p>Subdivision of land for utilities, reserves or conservation purposes</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | <p>CON</p> | <p><i>General Residential</i></p> |

| | | | |
|---|---|-------------------|-----------------------------------|
| <p>SUB-RES-R4</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1, SUB-RES-P2, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, TP-P4, DC-P1</p> | <p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (11) Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units. (12) Allocation of areas. | <p>CON</p> | <p><i>General Residential</i></p> |
|---|---|-------------------|-----------------------------------|

Controlled activities – restrictions on notification

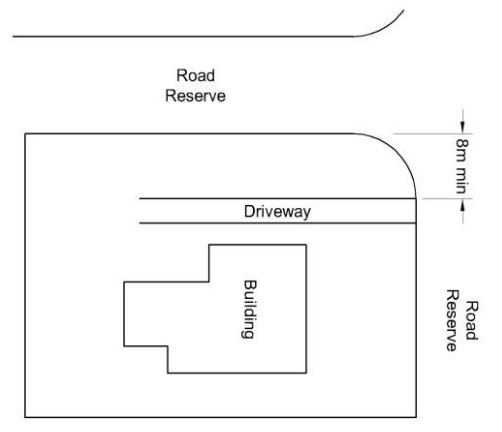
Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of **the Act**, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of **the Act**.

| Standards for Controlled Activities | | | | | Zone |
|--|--|---|---|--|-----------------------------------|
| <p>SUB-RES-S1</p> <p><i>Policies</i> SUB-RES-P3, NATC-P1, GRZ-P1</p> | <p>Minimum requirements for subdivision</p> | | | | <p><i>General Residential</i></p> |
| <p>General Residential Zone</p> | <p>Front allotments lots</p> | <p>Rear allotments lots</p> | <p>Corner allotments lots</p> | <p>Land Identified in SUB-RES-Figure 1</p> | |
| <p>Minimum net site area</p> | <p>400m²</p> | <p>400m²</p> | <p>450m²</p> | <p>600m² (900m² average)</p> | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|-------------------|---|----|-----|--------------|-----|-----|-----|-----|--|--|--|--|--|-----------------------|-------------------|-------------------|-------------------|-----|--|------------|------------|------------|-----|------------------|----|-----|----|-----|--------------|-----|-----|-----|-----|--|--|--|--|--|-----------------------|-------------------|-------------------|-------------------|---|------------------|----|-----|----|-----|--------------|-----|-----|-----|-----|-------------------|--|--|--|--|---|--|--|--|--|--|
| | <table border="1"> <tr> <td>Minimum frontage</td> <td>6m</td> <td>N/A</td> <td>6m</td> <td>N/A</td> </tr> <tr> <td>Shape factor</td> <td>12m</td> <td>12m</td> <td>12m</td> <td>12m</td> </tr> <tr> <td colspan="5">Precinct 1 – Residential Centres Precinct</td> </tr> <tr> <td>Minimum net site area</td> <td>300m²</td> <td>300m²</td> <td>350m²</td> <td>N/A</td> </tr> <tr> <td>Minimum net site area for Comprehensive Residential Developments</td> <td>No minimum</td> <td>No minimum</td> <td>No minimum</td> <td>N/A</td> </tr> <tr> <td>Minimum frontage</td> <td>6m</td> <td>N/A</td> <td>6m</td> <td>N/A</td> </tr> <tr> <td>Shape factor</td> <td>10m</td> <td>10m</td> <td>10m</td> <td>N/A</td> </tr> <tr> <td colspan="5">Precinct 2 - Residential Hill and Residential Conservation Precinct</td> </tr> <tr> <td>Minimum net site area</td> <td>750m²</td> <td>900m²</td> <td>750m²</td> <td>900m² (1500m² average)</td> </tr> <tr> <td>Minimum frontage</td> <td>6m</td> <td>N/A</td> <td>6m</td> <td>N/A</td> </tr> <tr> <td>Shape factor</td> <td>17m</td> <td>17m</td> <td>17m</td> <td>17m</td> </tr> <tr> <td colspan="5">Exemptions</td> </tr> <tr> <td colspan="5">These standards shall not apply to any allotment for utility, reserve or conservation purposes.</td> </tr> </table> | Minimum frontage | 6m | N/A | 6m | N/A | Shape factor | 12m | 12m | 12m | 12m | Precinct 1 – Residential Centres Precinct | | | | | Minimum net site area | 300m ² | 300m ² | 350m ² | N/A | Minimum net site area for Comprehensive Residential Developments | No minimum | No minimum | No minimum | N/A | Minimum frontage | 6m | N/A | 6m | N/A | Shape factor | 10m | 10m | 10m | N/A | Precinct 2 - Residential Hill and Residential Conservation Precinct | | | | | Minimum net site area | 750m ² | 900m ² | 750m ² | 900m ² (1500m ² average) | Minimum frontage | 6m | N/A | 6m | N/A | Shape factor | 17m | 17m | 17m | 17m | Exemptions | | | | | These standards shall not apply to any allotment for utility, reserve or conservation purposes. | | | | | |
| Minimum frontage | 6m | N/A | 6m | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shape factor | 12m | 12m | 12m | 12m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Precinct 1 – Residential Centres Precinct | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum net site area | 300m ² | 300m ² | 350m ² | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum net site area for Comprehensive Residential Developments | No minimum | No minimum | No minimum | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum frontage | 6m | N/A | 6m | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shape factor | 10m | 10m | 10m | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Precinct 2 - Residential Hill and Residential Conservation Precinct | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum net site area | 750m ² | 900m ² | 750m ² | 900m ² (1500m ² average) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum frontage | 6m | N/A | 6m | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shape factor | 17m | 17m | 17m | 17m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Exemptions | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| These standards shall not apply to any allotment for utility, reserve or conservation purposes. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>SUB-RES-S2</p> <p><i>Policies</i> SUB-RES-P1, SUB-RES-P2</p> | <p>Maximum number of allotments and residential units along Maidstone Terrace</p> <p>In relation to the land identified as Area B in SUB-RES-Figure 2,</p> <p>(1) There shall be no more than 12 residential units. To avoid any doubt:</p> <p>(a) The maximum is not the maximum number of residential units on any particular site.</p> <p>(2) There shall be no more than 12 allotments</p> | <p><i>General Residential –</i> <i>SUB-Figure2</i></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>SUB-RES-S3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-RES-P1, SUB-RES-P2,</p> | <p>Access standards for subdivision</p> <p>(1) Where vehicle access points are shared by three or more residential units, for all rear allotments and for all sites fronting arterial, or distributor/collector streets (identified in the Transport and Parking (TP) Chapter there must be provision for turning a vehicle on site in order that vehicles do not reverse into the street.</p> | <p><i>General Residential</i></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

SUB-RES-P6,
TP-P4,

- (2) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the **Code of Practice for Civil Engineering Works**. The required surfacing must be completed prior to certification of the survey plan. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the **road** carriageway seal.
- (3) **Sites** shall have practical vehicle access to car parking and **loading** spaces, in accordance with the **Code of Practice for Civil Engineering Works**. This requirement does not apply to **sites** solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the **road**.
- (4) Vehicular access to a **corner allotment lot** shall be located no closer than 8m from the street corner. Where a **site** is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre **setback** shall be measured from where the two front **boundaries** of the **site** (refer to the definition of a **corner allotment lot**) join, or in accordance with the diagram below.



- (5) Where a **corner allotment lot** is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no **building**, fence or other **structure** is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.

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| | <p>(6) At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1A in the Transport and Parking (TP)-Chapter.</p> <p>(7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p> <p>(8) In relation to the land identified in SUB- Figure 2:</p> <p>(a) There will be no access off Maidstone Terrace. Access to the land shall be off Railway Avenue.</p> <p>(b) Neither a right of way, private way or legal boundary of any road or accessway serving the land shall at any point encroach within Area B of SUB- Figure 2.</p> | |
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| Restricted Discretionary Activities | | | Zones |
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| <p>SUB-RES-R5</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, SUB-GEN-P1210, NATC-P1</p> | <p>Subdivision which complies with the standards of SUB-RES-S1 but not with the access standards in SUB-RES-S3</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's restriction is also restricted to the matters listed in SUB-RES-R1</p> | <p>RDIS</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R6</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, SUB-GEN-P1210, NATC-P1</p> | <p>Subdivision around any existing lawfully established residential unit that does not result in the creation of any new undeveloped site that contains no residential unit, that does not comply with the access standards of SUB-RES-S3</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's restriction is also restricted to the matters listed in SUB-RES-R1</p> | <p>RDIS</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R7</p> | <p>Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p> | <p>RDIS</p> | <p><i>General Residential</i></p> |

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| <p><i>Policies</i> SUB-GEN-P2 SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NU-P1</p> | <p>In addition to the matters listed in SUB-RES-R1, Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line. (2) The extent to which maintenance and inspections of transmission lines are affected including access. (3) The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping. (4) The outcome of any consultation with the affected utility operator. (5) Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines. (6) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). (7) Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery. <p>Restriction on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p> | | |
| <p>SUB-RES-R8</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision within the Ponding Area of the Pinehaven Flood Hazard Extent, which creates any undeveloped allotments that do not contain a residential unit, and complies with the requirements of SUB-RES-S1 and SUB-RES-S4.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters listed in SUB-RES-R1. (2) The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard. (3) Ability for a future residential unit to be constructed above the 1 in 100- year flood level. (4) The effect of the future development of the building platform on the Pinehaven flood hazard extent. (5) Consent notice restricting the future development to the identified platform. (6) Matters addressing the standards for access under SUB-RES-S3 where any standards are not met. | <p>RDIS</p> | <p><i>General Residential</i></p> |

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| <p>SUB-RES-R9</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision of a site within the Pinehaven Catchment Overlay that complies with the requirements of SUB-RES-S5</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters listed in SUB-RES-R1 (2) Ability for the subdivision and proposed design to ensure peak flow of stormwater discharge will be no greater than pre subdivision levels and thus achieve hydraulic neutrality. (3) The effect of the subdivision on the Pinehaven Flood Hazard Extent. (4) Recommendations and mitigation measures of the hydraulic report. (5) Consent notice restricting the future development of the allotment to the design and recommendations of the hydraulic neutrality report. (6) Matters addressing the standards for access under SUB-RES-S3 where any standards are not met. | <p>RDIS</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R10</p> <p><i>Policies</i> SUB-GEN-P29, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroo Flood Hazard Extent, which results in any undeveloped allotment that contain no residential unit or non-residential building, and complies with the requirements of SUB-RES-S1 and SUB-RES-S6.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters listed in SUB-RES-R1. (2) The appropriateness of the proposed building platform in terms of area and location and erosion risk in relation to the flood hazard. (3) Ability for a future residential unit to be constructed above the 1 in 100 year flood level. (4) The effect of the future development of the building platform on the function of the floodplain. (5) Consent notice restricting the future development to the identified platform. (6) Matters addressing the standards for access under SUB-RES-S3 where any standards are not met. | <p>RDIS</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R11</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1,</p> | <p>Subdivision of a Comprehensive Residential Development applied for concurrently with a Comprehensive Residential Development under Rule GRZ-PREC1-R3 that also complies with the requirements of SUB-RES-S7.</p> <p>Note: Comprehensive Residential Development within the Residential Centres Precincts is not subject to the minimum net site area requirements of GRZ-S2</p> <p>For subdivision of a Comprehensive Residential Development under this Rule, Council's discretion is also limited to the matters specified in this rule, but not the standards and terms.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> | <p>RDIS</p> | <p><i>General Residential – Residential Centres Precinct</i></p> |

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| <p>GRZ-P1, GRZ-P4,</p> | <ol style="list-style-type: none"> (1) Site layout, design and external appearance. (2) Provision of and effects on network utilities and/or services. (3) Landscaping. (4) Standard, construction and layout of vehicular access. (5) Protection of any special amenity feature. (6) Financial contributions. (7) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. <p>In relation to the land identified in SUB-RES-Figure 2, Council will restrict its discretion to and may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (8) The measures necessary to address the interface of any residential development with both Maidstone Park and the General Industrial Zone. These may include, but are not limited to: <ol style="list-style-type: none"> (a) the orientation of residential units and the location of habitable rooms relative to Maidstone Park and adjacent General Industrial zoned properties; (b) the orientation of buildings, fences, or landscaping to buffer outdoor living spaces from adjacent General Industrial zoned properties. <p>In considering a resource consent application, Council's discretion is also restricted to an assessment against the Design Guide for the Residential Centres Precinct (refer to Appendix 1) and, where relevant, the Wallaceville Structure Plan (refer to DEV1 – Wallaceville Structure Plan Development Area).</p> <p>Restriction on notification</p> <p>In respect of this rule, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the relevant standards and terms will be decided without the need for public notification under section 95A, but limited notification of an application will still be determined in accordance with section 95B. The restriction in respect of public notification does not apply if the application requires land use consent under any other provision of the Plan.</p> <p>For Comprehensive Residential Development in the Wallaceville Structure Plan Development Area, in respect of this rule, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the relevant standards and terms will be decided without the need for public notification under section 95A</p> | | |
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| | <p>and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.</p> <p>Notes:</p> <ul style="list-style-type: none"> • A Comprehensive Residential Development that does not comply with the relevant standards and terms for this rule, will be assessed against the relevant Matters for Consideration below. • Notwithstanding this rule any Comprehensive Residential Development on land identified in SUB-RES-Figure 2 that does not comply with SUB-RES-S1, SUB-RES-S2, and SUB-RES-S3, GRZ-PREC1-S5 and/or GRZ-PREC1-S9 is a non-complying activity. | | |
| <p>SUB-RES-R12</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P1, SUB-RES-P5, SUB-RES-P6, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, GRZ-P1, GRZ-P4</p> | <p>Subdivision In relation to land identified in SUB-RES-Figure 2 ('Maidstone Terrace Residential') which complies with standards in SUB-RES-S1, SUB-RES-S2 and SUB-RES-S3.</p> <p>Council will restrict its discretion to:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (11) The measures necessary to address the interface of any residential development with both Maidstone Park and the General Industrial Zone. These may include, but are not limited to: <ol style="list-style-type: none"> (a) the future orientation of residential units and the location of habitable rooms, relative to the Maidstone Park and (b) adjacent General Industrial zoned properties; (c) the future orientation of buildings, fences or landscaping to buffer outdoor living spaces from adjacent General Industrial zoned properties; | <p>RDIS</p> | <p><i>General Residential - SUB-RES-Figure 2</i></p> |

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| | <p>(d) whether the subdivision could result in more than 12 residential units being constructed within Area B in SUB-RES-Figure 2; and</p> <p>(e) the imposition of the consent notices to give effect to these matters.</p> | | |
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| Standards for Restricted Discretionary Activities | | Zones |
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| <p>SUB-RES-S4</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3,</p> | <p>Standards for subdivision within the Ponding Area of the Pinehaven Flood Hazard Extent</p> <p>(1) Suitable future building platform area must be identified and must not be located within an Overflow Path, or Stream Corridor.</p> | <i>General Residential</i> |
| <p>SUB-RES-S5</p> <p><i>Policy</i> SUB-GEN-P4</p> | <p>Standards for subdivision of a site within the Pinehaven Catchment Overlay</p> <p>(1) Achieves hydraulic neutrality.</p> <p>(2) Provision of a report by a suitably qualified and experienced person providing an assessment of the ability for the site to achieve hydraulic neutrality in accordance with the requirements of Section 2.4.11 of Part 1 of this Plan.</p> <p>(3) Compliance with the standards of SUB-RES-S1.</p> | <i>General Residential</i> |
| <p>SUB-RES-S6</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3</p> | <p>Standards for subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent</p> <p>(1) Suitable future building platform area must be identified and must not be located within the River Corridor.</p> <p>(2) Where located within the Erosion Hazard Area, provision of a report by a suitably qualified and experienced person assessing the erosion risk to the proposed building platform in accordance with the requirements of Section 2.4.10 of Part 1 of this Plan</p> | <i>General Residential</i> |
| <p>SUB-RES-S7</p> <p><i>Policies</i> SUB-RES-P1, SUB-RES-P6, SUB-GEN-P9Z, GRZ-P1, GRZ-P4,</p> | <p>Standards and terms for Comprehensive Residential Development</p> <p>(1) Compliance with the access standards of SUB-RES-S3.</p> <p>(2) Compliance with the building coverage standard of GRZ-PREC1-S4.</p> <p>(3) Compliance with the yard setback standards of GRZ-PREC1-S5 and GRZ-PREC1-S7 for external boundaries only.</p> <p>(4) Compliance with the outdoor living space standard of GRZ-PREC1-S6.</p> <p>(5) Compliance with the maximum building height standard of GRZ-S7.</p> <p>(6) Compliance with the sunlight access planes of GRZ-S8 for external boundaries only.</p> <p>(7) Compliance with the on-site soakage standard of GRZ-PREC1-S8.</p> | <i>General Residential – Residential Centres Precinct</i> |

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| | <p>Additional standards and terms for Comprehensive Residential Development within the Wallaceville Structure Plan Development Area</p> <p>(8) Compliance with noise insulation and ventilation standards of DEV1-S6 and DEV1-S7</p> <p>(9) Compliance with the fencing standards of DEV1-S8</p> | |
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| Discretionary Activities | | | Zone |
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| <p>SUB-RES-R13</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision which does not comply with the standards specified in rule 18.5 SUB-RES-S1.</p> | <p>DIS</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R14</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision within the Residential Centres Precinct which does not comply with the standards specified in SUB-RES-S1</p> | <p>DIS</p> | <p><i>General Residential – Residential Centres Precinct</i></p> |
| <p>SUB-RES-R15</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97,</p> | <p>Subdivision of a site identified in Schedules HH-SCHED1 or TREE-SCHED1</p> | <p>DIS</p> | <p><i>General Residential Development Area1</i></p> |

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| <p>SUB-GEN-P108, NATC-P1, NH-P6</p> | | | |
| <p>SUB-RES-R16</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision that is not listed as a permitted, controlled, restricted discretionary or non-complying activity.</p> | <p>DIS</p> | <p><i>General Residential, Development Area1</i></p> |

| Non-Complying Activities | | Zone | |
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| <p>SUB-RES-R17</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P611</p> | <p>Creation of an allotment that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works</p> | <p>NC</p> | <p><i>General Residential, Development Area 1</i></p> |
| <p>SUB-RES-R18</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision within the Pinehaven Flood Hazard Extent which creates any undeveloped allotments that do not contain a residential unit, and does not:</p> <ol style="list-style-type: none"> (1) Comply with the requirements of SUB-RES-S1, or; (2) Meet the standard of-SUB-RES-S4 | <p>NC</p> | <p><i>General Residential</i></p> |

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| <p>SUB-RES-R19</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision of a site within the Pinehaven Catchment Overlay that does not meet the standards for either SUB-RES-S5 or SUB-RES-S1</p> | <p>NC</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R20</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision within the Mangaroa Flood Hazard Extent which results in any new undeveloped allotments that contain no residential unit, where the activity does not comply with the requirements of SUB-RES-S1; or the proposed building platform is located within a River Corridor.</p> | <p>NC</p> | <p><i>General Residential</i></p> |
| <p>SUB-RES-R21</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision In relation to land identified in SUB-RES-Figure 2 ('Maidstone Terrace Residential') which does not comply with standards in SUB-RES-S1, SUB-RES-S2 and/or SUB-RES-S3</p> | <p>NC</p> | <p><i>General Residential Precinct 1- SUB-RES-Figure 2</i></p> |

| Matters for Consideration | | Zone |
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| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| <p>SUB-RES-MC1</p> | <p>Subdivision</p> | <p><i>General Residential</i></p> |

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| | <ol style="list-style-type: none"> (1) For subdivisions with a net site area less than 400m² located in a the Residential Centres Precinct, the extent to which the proposal meets the requirements for ‘small site design and development’ of the Design Guide for the Residential Centres Precinct; (2) For subdivisions of a Comprehensive Residential Development, the extent to which the proposal meets the requirements of the Design Guide for the Residential Centres Precinct. (3) The design and layout of the subdivision where any allotment lot may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid), located on or in proximity to the site. (4) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-RES-R7 covers subdivision within the Electricity Transmission Corridor. (5) The design and layout of the subdivision where any allotment lot may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site. (6) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (7) Account must be taken of the future development potential of adjoining or adjacent land. (8) Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid). (9) Where located within an identified flood hazard extent, any relevant restricted discretionary activity matters for subdivision. | |
| SUB-RES-MC2 | <p>Site layout, area and building coverage</p> <ol style="list-style-type: none"> (1) The arrangement of buildings, car parking and vehicle movements on site. (2) The extent of landscaping and screening. (3) Whether the topography of the site has been taken into account. (4) Whether a better standard of development can be achieved by varying the design standards. (5) The ability to provide adequate outdoor living areas. (6) The extent to which decreases in site size or increased site building coverage would have an adverse effect on the amenity of the area. | <i>General Residential</i> |
| SUB-RES-MC3 | <p>Traffic generation and access</p> <ol style="list-style-type: none"> (1) Accessibility for public transport, cyclists and pedestrians. (2) Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety. | <i>General Residential</i> |

Figures

SUB-RES-Figure 1

99-105 Blue Mountains Road.



SUB-RES-Figure 2

Maidstone Terrace Residential



SUB-RUR – Subdivision in Rural Zones

The subdivision provisions below also apply to subdivision within Development Area 2 – Mount Marua Structure Plan Area

Issues

SUB-RUR-11 *The loss of rural character, the destruction of significant areas of **indigenous vegetation** and areas of significant habitat for fauna, the degradation of **amenity values** from development and **activities** and competing expectations of, and demands for, rural resources.*

The rural **environment** is highly valued for a variety of reasons. It has been highly modified by changes in **land** use and exhibits a range of characteristics. The valley floors are characterised by a patchwork of fields under pasture with farm and other **buildings** dotting the landscape. The hillsides are marked by more extensive pastureland, regenerating scrub, exotic **forestry** plantations and indigenous forest.

While the appearance of the rural **environment** is subject to considerable change and evolution, some characteristics remain constant. These are the open, expansive nature of the countryside with a relatively low density of **buildings** and with vegetation being the dominant feature. Open spaces, a key feature of rural character, serve to mitigate adverse **effects** which may be generated by farming, **forestry** and other **activities** commonly located in the rural **environment**. Loss of this open space through more intensive **subdivision** and subsequent residential development may create an **environment** in which the **effects** of rural **activities** are no longer acceptable.

SUB-RUR-12 *The loss of the life supporting capacity of soil through inappropriate development and unsustainable **land** use practices.*

Land and soil are the most important non-renewable resources in the City, and form part of the City's economic and social wellbeing. The productive potential of **land** relies on the ability of the soil resources to support the production of food, the growth of plantation timber and the sustenance of **indigenous vegetation**. Soil retention is important in maintaining the life-supporting capacity of **land** in the City as well as protecting **water** quality. The productivity of soils is also dependent on soil quality which results from the physical, chemical and organic elements that make up soil.

Subdivision, and subsequent development, can affect the life supporting capacity of soils. They can be removed, compacted, covered, contaminated or otherwise damaged by development.

SUB-RUR-13 *Limited development opportunities in the Blue Mountains Precinct due to infrastructural and environmental constraints.*

Subdivision and development in the Blue Mountains Precinct is restricted due to constraints associated with **land** stability, drainage, existing **allotment** sizes and roading and access. There is difficulty with **sewage** disposal due to poor soakage, as well as limited opportunities to draw **groundwater**. Blue Mountains Road requires major **upgrading** to accommodate further development and this may result in significant adverse environmental **effects**.

The Blue Mountains Precinct is separately identified in the Plan. Because of its physical constraints, development can only be contemplated where adverse **effects** can be adequately mitigated. The present capacity of Blue Mountains Road is a limiting factor in considering development proposals in the areas served by it.

Policies

SUB-RUR-P1 *To manage the adverse environmental **effects** arising from the scale, density, number and location of **earthworks**, new **building** developments and **activities** so that they do not significantly compromise rural character and landscape values.*

Buildings, structures and associated **earthworks** which are not in harmony with the rural landscape have the potential to adversely affect the appearance and rural character of the **environment**. **Council** seeks to maintain the natural elements which give the rural area its character. For this reason the District Plan seeks to limit the number of new **buildings** and **structures** by controlling the **subdivision** of rural **land**, limiting the intensity of residential and other **activities**, and by placing control on associated **earthworks**.

SUB-RUR-P2 *To ensure that **subdivision** within the Rural Production and General Rural Zones minimise adverse **effects** on rural character, areas of significant indigenous flora or fauna, and **amenity values**.*

The Rural Production Zone is characterised by a range of **land** uses which generally retain the open farmland characteristics. The Valley Floor areas have a low level of **building** development. While there are some areas in which there are a number of **structures**, there is generally a high degree of separation between clusters of **buildings**.

The General Rural Zone comprises significant areas of both indigenous and exotic forest which will remain a dynamic **environment** as varying ages of forest are harvested and planted. It also contains small areas of pastoral farming and areas in various states of reversion to **indigenous vegetation**.

Maintaining larger **site** sizes in the Rural Production and General Rural -Zones will generally ensure that the rural character is not compromised by numerous clusters of **buildings** spread across the landscape. It also provides greater opportunities for significant natural features and areas of indigenous flora and fauna to be retained. Larger **sites** also assist in avoiding the creation of nuisances resulting from inadequate separation between new **residential units** and existing **activities**. Retaining openness maintains a rural character which distinguishes the areas from the more densely settled urban **environment**. Further consideration is given to these matters in Chapters NFL and ECO.

SUB-RUR-P3 *To provide for rural lifestyle **subdivision** which maintains the rural character and **amenity values** and avoids, remedies or mitigates the **effects** of natural hazards.*

The presence of smaller **sites** in the Rural Lifestyle Zone provides the opportunity for a variety of residential and rural **land** uses in areas where change to the rural character may not be so marked. The pattern of development within the areas is much closer than in the other rural areas, with **structures** occurring at more regular intervals. Use of **land** in the Zone is more varied.

Proposed **sites** within the Rural Lifestyle Zone shall be of a sufficient size to ensure that subsequent development provides for **maintenance** of rural character and amenities and is visually unobtrusive. The existence of potential **natural hazards** such as flooding and landslip need to be recognised and taken into account in any development proposals.

SUB-RUR-P4 *To ensure that **subdivision** within the General Rural Zone minimise adverse **effects** on significant natural, ecological, scenic, visual, landscape, recreational and cultural values.*

The General Rural Zone contains some of the most scenic areas in the Wellington Region and provides significant recreational opportunities. The proximity to large urban areas increases the importance of preserving the landscape and natural values for the enjoyment of residents and visitors to these areas. Consequently, there are provisions for landscape and visual amenity in the District Plan. When assessing development proposals, particular regard will be given to avoiding adverse **effects** on areas with high visual amenity and features with special cultural significance.

It is intended to protect the Blue Mountains Precinct Area by restricting further **subdivision** and development in order to retain its rural character and amenity, and avoid potential environmental impacts. Within this area and nearby settlements, development is restricted due to environmental and infrastructural constraints, as **properties** are not connected to a common drainage disposal system or **water** supply. Roading access provides further development constraints. However, development can be contemplated when the **effects** on the **environment** and infrastructural resources can be adequately addressed. The specific controls which apply in the Blue Mountains Area are in addition to those applying in the General Rural Zone.

SUB-RUR-P5 *To avoid, remedy or mitigate the adverse **effects** of **activities** on soil, **water**, **land** and other natural resources.*

The soils, **water** and **land** of the rural **environment** are finite in nature. Without them, life could not be supported. Food and fibre products could not be produced and indigenous flora and fauna would not be sustained. **Council** seeks to ensure that subdivision does not significantly impair the life-supporting capacity of the rural **environment's** natural resources.

SUB-RUR-P6 *To avoid or mitigate run-off, contamination and erosion of soil from **subdivision** so as to sustain the life-supporting capacity of the soil.*

It is important to ensure that **activities** are managed in such a way as to avoid the depletion of resources. **Subdivision** and **land** development in areas prone to soil erosion can have an adverse **effect** on soil retention. The acceleration of erosion in such circumstances depletes the soil resource and can have adverse impacts on **water** quality and on vegetation in the margins of **waterbodies**. The rural area can be used for a variety of **activities** as long as the potential **effects** of erosion and contamination are considered and addressed.

SUB-RUR-P7 To encourage new development of an urban nature to locate within the urban areas of the City.

The edge of the urban area is defined by the interface with rural areas. **Council** generally intends to contain new urban development within the existing urban area. Intensive urban development generally has a detrimental impact on the life-supporting capacity of soils, **water**, **land** and other natural resources in the rural **environment** through removal, compaction, coverage and contamination associated with **buildings**, **roads** and **discharges** of waste to **land** and **water**. Urban expansion also leads to a radical transformation in the appearance of former rural areas and nullifies any open, vegetation dominated aspects of rural character. New residential development needs to be provided for in a sustainable manner. Accordingly, the Plan provides for new urban development in appropriate locations.

SUB-RUR-P8 To provide for limited development within the Blue Mountains Precinct which takes into account its environmentally sensitive nature.

Blue Mountains Road requires major **upgrading** to be able to accommodate significant further development and this could result in significant adverse environmental **effects**.

Subdivision in the Blue Mountains Precinct is a non-complying activity in order to deal with the infrastructural and servicing constraints, and the desire to maintain the natural character and **amenity values**. **Subdivision** proposals will be assessed on a case-by-case basis. While there will be circumstances where such **effects** are avoidable or readily able to be mitigated, development within the area is not encouraged due to environmental constraints. In addition, an integrated management approach is required with respect to the **natural and physical resources** within this area.

Rules

Activities Tables

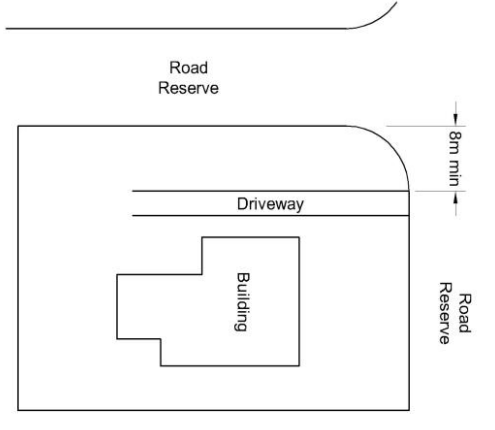
| Controlled Activities | | | Zones |
|---|---|------------|---|
| SUB-RUR-R1 <i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, | Subdivision which complies with the standards in SUB-RUR-S1 and SUB-RUR-S2 unless specified below Council may impose conditions over the following matters: (1) Design, appearance and layout of the subdivision . (2) Landscaping . (3) Provision of and effects on utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks . (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. | CON | <i>General Rural Rural Production Rural Lifestyle Development Area 2</i> |

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| <p>SUB-GEN-P10, NH-P69 GRUZ-P11, RPROZ-P9, RLZ-P8 DC-P1,</p> | <p>(8) Financial contributions. (9) In addition to the above, within the Mount Marua Structure Plan Development Area – consistency with the Mount Marua Structure Plan.</p> | | |
| <p>SUB-RUR-R2</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P69 GRUZ-P11, RPROZ-P9, RLZ-P8, DC-P1</p> | <p>Subdivision around any existing lawfully established residential unit which does not result in the creation of any new undeveloped site that contains no residential unit</p> <p>Note: this form of subdivision does not need to comply with the minimum net site area requirements of SUB-RUR-S1, but does need to meet the access standards of SUB-RUR-S2</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) In addition to the above, within the Mount Marua Structure Plan Development Area – consistency with the Mount Marua Structure Plan. | CON | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |
| <p>SUB-RUR-R3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P69 GRUZ-P11, RPROZ-P9,</p> | <p>Subdivision of land for utilities, reserves or conservation purposes.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) In addition to the above, within the Mount Marua Structure Plan Development Area – consistency with the Mount Marua Structure Plan. | CON | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |

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| RLZ-P8, DC-P1 | | | |
| SUB-RUR-R4 <i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P69 GRUZ-P11, RPROZ-P9, RLZ-P8, DC-P1 | <p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units. (10) Allocation of areas. | CON | <i>General Rural Rural Production Rural Lifestyle Development Area 2</i> |
| <p>Controlled activities – restrictions on notification</p> <p>Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.</p> | | | |

| Standards for Controlled Activities | | | Zone | |
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| SUB-RUR-S1 <i>Policies</i> SUB-RUR-P1, SUB-RUR-P7, | Minimum requirements for subdivision | | <i>General Rural Rural Production Rural Lifestyle Development Area 2</i> | |
| | Rural Zones | Minimum net site area | | Shape factor |
| | Rural Lifestyle | 1ha | | 50m |
| | Rural Production | 4ha | | N/A |
| | General Rural-### | 20ha | | N/A |
| | Exemptions | | | |

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| | <p>These standards shall not apply to any allotment for utility, reserve or conservation purposes.</p> | |
| <p>SUB-RUR-S2</p> <p><i>Policies</i> SUB-GEN-P1, TP-P4, GRUZ-P5, RPROZ-P4, RLZ-P3</p> | <p>Access standards for subdivision</p> <ol style="list-style-type: none"> (1) Access to any allotment, including rear allotments, shall be sited at least 20m, measured along the road carriageway, from any access on an adjoining allotment, unless the two access provisions join the road carriageway at a common point. (2) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. (3) Sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road. (4) Vehicular access to a corner allotment shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner allotment) join, or in accordance with the diagram below. | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |

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| |  <p>(5) Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</p> <p>(6) At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1 in the Transport and Parking (TP)-Chapter.</p> <p>(7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p> | |
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| Restricted Discretionary Activities | | | Zones |
|---|--|--------------------|--|
| <p>SUB-RUR-R5</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3,</p> | <p>Subdivision which complies with the standards of SUB-RUR-S1 but not with the access standards in SUB-RUR-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. | <p>RDIS</p> | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |

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| <p>SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P8 SUB-GEN-10P8 NH-P69</p> | <p>Council's discretion is also restricted to the matters listed in SUB-RUR-R1.</p> | | |
| <p>SUB-RUR-R6</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, SUB-GEN-P1210, NH-P69</p> | <p>Subdivision around any existing lawfully established Residential Unit that does not result in the creation of any new undeveloped site that contains no Residential Unit that does not comply with the access standards of SUB-RUR-S2.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's restriction is also restricted to the matters listed in SUB-RUR-R1</p> | <p>RDIS</p> | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |
| <p>SUB-RUR-R7</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P69 NU-P1</p> | <p>Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p> <p>In addition to the matters listed in SUB-RUR-R1, Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line. (2) The extent to which maintenance and inspections of transmission lines are affected including access. (3) The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping. (4) The outcome of any consultation with the affected utility operator. (5) Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines. (6) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). | <p>RDIS</p> | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |

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| | <p>(7) Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.</p> <p>Restriction of notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p> | | |
| <p>SUB-RUR-R8</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3 SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8v SUB-GEN-P108, NH-P69</p> | <p>Subdivision of a site within the Pinehaven Catchment Overlay that complies with the requirements of SUB-RUR-S3</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters listed in SUB-RUR-R1 (2) Ability for the subdivision and proposed design to ensure peak flow of stormwater discharge will be no greater than pre-subdivision levels and thus achieve hydraulic neutrality. (3) The effect of the subdivision on the Pinehaven Flood Hazard Extent. (4) Recommendations and mitigation measures of the hydraulic report. (5) Consent notice restricting the future development of the allotment to the design and recommendations of the hydraulic neutrality report. (6) Matters addressing the standards for access under SUB-RUR-S2 where any standards are not met. | <p>RDIS</p> | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |
| <p>SUB-RUR-R9</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P613</p> | <p>Subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped allotment that contain no residential unit or non-residential building and complies with the requirements of SUB-RUR-S4.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters contained in Rule SUB-RUR-R1. (2) The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard and/or erosion risk. (3) Ability for a future residential unit to be constructed above the 1 in 100 year flood level. (4) The effect of the future development of the building platform on the function of the floodplain. (5) Consent notice restricting the future development to the identified platform. | <p>RDIS</p> | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |

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| | (6) The suitability of the proposed access to the future building platform to facilitate access during a 1 in 100-year flood event and does not obstruct or divert floodwater flows within the Flood Hazard Extent . | | |
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| Standards for Restricted Discretionary Activities | | Zones |
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| SUB-RUR-S3 <i>Policy</i> SUB-GEN-P4 | Standards for subdivision within the Pinehaven Catchment Overlay (1) Achieves hydraulic neutrality . (2) Provision of a report by a suitably qualified and experienced person providing an assessment of the ability for the site to achieve hydraulic neutrality in accordance with the requirements of Section 2.4.11 of Part 1 of this Plan. (3) Compliance with the standards of SUB-RUR-S1. | <i>General Rural Rural Production Rural Lifestyle</i> |
| SUB-RUR-S4 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, NH-P613 | Standards for subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent (1) Where the proposed building platform is located within the Erosion Hazard Area , provision of a report by a suitably qualified and experienced person to determine the erosion risk is required in accordance with Section 2.4.10 of Part 1 of this Plan. (2) Suitable future building platform area for the residential unit must be identified and must not be located within an Overflow Path or River Corridor . (3) Access serving the building platform is above the 1 in 100-year flood level and does not cross an Overflow Path or River Corridor . (4) Complies with the standards of SUB-RUR-S1. | <i>General Rural Rural Production Rural Lifestyle</i> |

| Discretionary Activities | | Zone |
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| SUB-RUR-R10 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-RUR-P1, SUB-RUR-P2, | Subdivision of a site identified in Schedules HH-SCHED1 or TREE-SCHED1 | DIS <i>General Rural Rural Production Rural Lifestyle Development Area 2</i> |

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| <p>SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69</p> | | | |
| <p>SUB-RUR-R11</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH- NH-P69</p> | <p>Subdivision which does not comply with the standards specified in SUB-RUR-S1</p> | <p>DIS</p> | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |
| <p>SUB-RUR-R12</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P613</p> | <p>Subdivision within the Ponding Area and Erosion Hazard Area of the Mangaroo Flood Hazard Extent which results in any undeveloped allotments that contain no residential unit or non-residential building, where one or more of the following occurs;</p> <ol style="list-style-type: none"> (1) The proposed access is below the 1 in 100-year flood level; (2) Proposed access is located within an Overflow Path; (3) Proposed allotments do not comply with SUB-RUR-S1 | <p>DIS</p> | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |

Advice Note:

For any **activity** within the Stream/River Corridor, Overflow Path, Ponding Area or Erosion Hazard Area, applicants are advised to consult the Wellington Regional Council to determine if regional consent is also required.

| Non-Complying Activities | | | Zone |
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| <p>SUB-RUR-R13</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69</p> | <p>Creation of an allotment that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works</p> | NC | <p><i>General Rural Rural Production Rural Lifestyle Development Area 2</i></p> |
| <p>SUB-RUR-R14</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P612</p> | <p>Subdivision of a site within the Pinehaven Catchment Overlay that does not meet the standard of SUB-RUR-S3</p> | NC | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |
| <p>SUB-RUR-R15</p> <p><i>Policies</i></p> | <p>Subdivision within the Mangaroa Flood Hazard Extent which results in any new undeveloped allotments that contain no residential unit, where one or more of the following occurs:</p> | NC | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |

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| <p>SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P8 NH- NH-P613</p> | <p>(1) The proposed building platform is located within an Overflow Path or River Corridor; (2) Access to the building platform is within a River Corridor</p> | | |
| <p>SUB-RUR-R16</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RUR-P1, SUB-RUR-P2, SUB-RUR-P3, SUB-RUR-P7, SUB-RUR-P8, SUB-GEN-P108, NH-P613</p> | <p>Subdivision in the Blue Mountains Area</p> | <p>NC</p> | <p><i>General Rural – Blue Mountains Precinct</i></p> |

| Matters for Consideration | | Zone |
|--|---|--|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| <p>SUB-RUR-MC1</p> | <p>Subdivision</p> <p>(1) Where located within the Mangaroa Flood Hazard Extent:</p> <p>(a) An assessment of the proposed access to the building platform to achieve suitable access during a 1 in 100-year flood event, and its effect on obstructing or diverting Overflow Paths or floodwater flows within the Flood Hazard Extent.</p> <p>(b) Ability for the building platform to accommodate a future building with a finished floor level above the 1 in 100-year level.</p> <p>(c) Suitability of the proposed allotment areas to accommodate future activities.</p> <p>(d) Consent notice restricting the future development to the identified building platform area.</p> | <p><i>General Rural Rural Production Rural Lifestyle</i></p> |
| <p>SUB-RUR-MC2</p> | <p>Access</p> | <p><i>General Rural</i></p> |

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| | <ol style="list-style-type: none"> (1) Accessibility for public transport, cyclists and pedestrians. (2) Compliance with the Code of Practice for Civil Engineering Works. (3) Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable. (4) Whether the activities proposed will not generate a demand for servicing facilities. (5) Whether suitable alternative provision for servicing can be made. (6) Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely. (7) The extent to which any subdivision within the Mount Marua Structure Plan Development Area is consistent with the Mount Marua Structure Plan. | <i>Rural Production Rural Lifestyle Development Area 2</i> |
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SUB-COM – Subdivision in Commercial Zones

Rules

Activities Tables

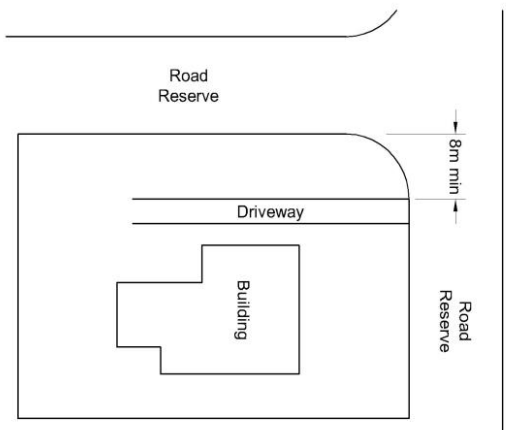
| Controlled Activities | | | Zones |
|--|--|------------|--|
| SUB-COM-R1 <i>Policies</i> <i>SUB-GEN-P1,</i> <i>SUB-GEN-P2,</i> <i>SUB-GEN-P3,</i> <i>SUB-GEN-P97,</i> <i>SUB-GEN-P108,</i> <i>CCZ-P1,</i> <i>GIZ-P1,</i> <i>CCZ-P3,</i> <i>COMZ-P2,</i> | Subdivision which complies with the standards in SUB-COM-S1 and SUB-COM-S2 unless specified below Council may impose conditions over the following matters: <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. | CON | <i>Commercial City Centre General Industrial</i> |

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|---|---|-------------------|---|
| <p>CCZ-P4, GIZ-P3, DEV1-P7</p> | <p>(9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.</p> <p>(10) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-COM-R7 covers subdivision within the Electricity Transmission Corridor.</p> | | |
| <p>SUB-COM-R2</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P97, SUB-GEN-P108, CCZ-P1, GIZ-P1, CCZ-P3, COMZ-P2, CCZ-P4, GIZ-P3, DEV1-P7</p> | <p>Subdivision around any existing lawfully established residential unit or commercial activity building which does not result in the creation of any new undeveloped site that contains no Residential Unit or commercial activity building.</p> <p>Note: this form of subdivision does not need to comply with the minimum net site area requirements of SUB-COM-S1, but does need to meet the access standards of SUB-COM-S2</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (10) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-COM-R7 covers subdivision within the Electricity Transmission Corridor. | <p>CON</p> | <p><i>Commercial City Centre General Industrial</i></p> |
| <p>SUB-COM-R3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P97, SUB-GEN-P108, CCZ-P1, GIZ-P1, CCZ-P3,</p> | <p>Subdivision of land for utilities, reserves or conservation purposes.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. | <p>CON</p> | <p><i>Commercial City Centre General Industrial</i></p> |

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| <p>COMZ-P2, CCZ-P4, GIZ-P3, DEV1-P7</p> | <p>(6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (10) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-COM-R7 covers subdivision within the Electricity Transmission Corridor.</p> | | |
| <p>SUB-COM-R4</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P97, SUB-GEN-P108, CCZ-P1, GIZ-P1, CCZ-P3, COMZ-P2, CCZ-P4, GIZ-P3, DEV1-P7</p> | <p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004.</p> <p>Council may impose conditions over the following matters:</p> <p>(1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (10) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-COM-R7 covers subdivision within the Electricity Transmission Corridor. (11) Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units. (12) Allocation of areas.</p> | <p>CON</p> | <p><i>Commercial City Centre General Industrial</i></p> |
| <p>Controlled activities – restrictions on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.</p> | | | |

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| <p>Standards for Controlled Activities</p> | <p>Zone</p> |
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| <p>SUB-COM-S1</p> <p><i>Policy CCZ-P1, GIZ-P1</i></p> | <p>Minimum requirements for subdivision</p> <table border="1" data-bbox="450 288 1771 587"> <thead> <tr> <th data-bbox="450 288 990 341">Commercial and Industrial-Zones</th> <th data-bbox="990 288 1350 341">Minimum net site area</th> <th data-bbox="1350 288 1771 341">Shape factor</th> </tr> </thead> <tbody> <tr> <td data-bbox="450 341 990 389">Commercial</td> <td data-bbox="990 341 1350 389">300m²</td> <td data-bbox="1350 341 1771 389">7.5m</td> </tr> <tr> <td data-bbox="450 389 990 437">City Centre</td> <td data-bbox="990 389 1350 437">300m²</td> <td data-bbox="1350 389 1771 437">7.5m</td> </tr> <tr> <td data-bbox="450 437 990 485">General Industrial</td> <td data-bbox="990 437 1350 485">500m²</td> <td data-bbox="1350 437 1771 485">20m</td> </tr> <tr> <td colspan="3" data-bbox="450 485 1771 533">Exemptions</td> </tr> <tr> <td colspan="3" data-bbox="450 533 1771 587">These standards shall not apply to any allotments for utility, reserve or conservation purposes.</td> </tr> </tbody> </table> | Commercial and Industrial-Zones | Minimum net site area | Shape factor | Commercial | 300m ² | 7.5m | City Centre | 300m ² | 7.5m | General Industrial | 500m ² | 20m | Exemptions | | | These standards shall not apply to any allotments for utility, reserve or conservation purposes. | | | <p><i>Commercial City Centre General Industrial</i></p> |
|--|---|---|-----------------------|--------------|------------|-------------------|------|-------------|-------------------|------|--------------------|-------------------|-----|-------------------|--|--|--|--|--|---|
| Commercial and Industrial-Zones | Minimum net site area | Shape factor | | | | | | | | | | | | | | | | | | |
| Commercial | 300m ² | 7.5m | | | | | | | | | | | | | | | | | | |
| City Centre | 300m ² | 7.5m | | | | | | | | | | | | | | | | | | |
| General Industrial | 500m ² | 20m | | | | | | | | | | | | | | | | | | |
| Exemptions | | | | | | | | | | | | | | | | | | | | |
| These standards shall not apply to any allotments for utility, reserve or conservation purposes. | | | | | | | | | | | | | | | | | | | | |
| <p>SUB-COM-S2</p> <p><i>Policies SUB-GEN-P1, TP-P4, CCZ-P1, GIZ-P1, CCZ-P2</i></p> | <p>Access standards for subdivision</p> <ol style="list-style-type: none"> <li data-bbox="495 671 1771 799">(1) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. <li data-bbox="495 799 1771 927">(2) Sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road. <li data-bbox="495 927 1771 991">(3) Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works. <li data-bbox="495 991 1771 1150">(4) Vehicular access to a corner allotment shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner allotment) join, or in accordance with the diagram below. | <p><i>Commercial City Centre General Industrial Development Area1</i></p> | | | | | | | | | | | | | | | | | | |

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| |  <p>(5) Where a corner allotment lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</p> <p>(6) At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1A in the Transport and Parking (TP)-Chapter.</p> <p>(7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p> | |
| <p>SUB-COM-S3</p> <p><i>Policies SUB-GEN-P1, NATC-P1</i></p> | <p>Water supply, stormwater and wastewater</p> <p>(1) All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</p> | <p><i>Commercial, City Centre General Industrial</i></p> |

| Restricted Discretionary Activities | | | Zones |
|--|---|--------------------|---|
| <p>SUB-COM-R5</p> | <p>Subdivision which complies with the standards of SUB-COM-S1 but not SUB-COM-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> | <p>RDIS</p> | <p><i>Commercial City Centre General Industrial</i></p> |

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| <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, SUB-GEN-P1210, CCZ-P1, GIZ-P1</p> | <p>(1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network.</p> <p>Council's discretion is also restricted to the matters listed in rule SUB-COM-R1.</p> | | |
| <p>SUB-COM-R6</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, SUB-GEN-P1210, CCZ-P1, GIZ-P1</p> | <p>Subdivision around any existing lawfully established residential unit or commercial activity building which does not result in the creation of any new undeveloped site that contains no residential unit or commercial activity, that does not comply with the access standards of SUB-COM-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <p>(1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network.</p> <p>Council's discretion is also restricted to the matters listed in rule SUB-COM-R1.</p> | <p>RDIS</p> | <p><i>Commercial City Centre General Industrial</i></p> |
| <p>SUB-COM-R7</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1, NU-P1</p> | <p>Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p> <p>In addition to the matters listed in SUB-COM-R1, Council will restrict its discretion to, and may impose conditions on:</p> <p>(1) The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line. (2) The extent to which maintenance and inspections of transmission lines are affected including access. (3) The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping. (4) The outcome of any consultation with the affected utility operator. (5) Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines. (6) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). (7) Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation</p> | <p>RDIS</p> | <p><i>Commercial City Centre General Industrial</i></p> |

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| | <p>distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.</p> <p>Restriction on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p> | | |
| <p>SUB-COM-R8</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1</p> | <p>Subdivision within the Ponding Area of the Pinehaven Flood Hazard Extent, which results in any undeveloped site that contains no building, and complies with the requirements of SUB-COM-S1</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters contained in Rule SUB-COM-R1. (2) The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard. (3) Ability for a future building to be constructed above the 1 in 25- year flood level. (4) The effect of the future development of the building platform on the function of the floodplain. (5) Consent notice restricting the future development to the identified platform. (6) Matters addressing the standards for access under SUB-COM-S2 where any standards are not met. | RDIS | <p><i>Commercial City Centre General Industrial</i></p> |
| <p>SUB-COM-R9</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1</p> | <p>Subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped allotments that contain no building, and complies with the requirements of SUB-COM-S1 and SUB-COM-S4.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The matters contained in SUB-COM-R1. (2) The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard. (3) Ability for a future building to be constructed above the 1 in 100- year flood level. (4) The effect of the future development of the building platform on the function of the floodplain. (5) Consent notice restricting the future development to the identified platform. (6) The suitability of the proposed access to the future building platform to facilitate access during a 1 in 100-year flood event and does not obstruct or divert floodwater flows within the Flood Hazard Extent. | RDIS | <p><i>Commercial City Centre General Industrial</i></p> |

| Standards for Restricted Discretionary Activities | | Zones |
|--|---|--|
| SUB-COM-S4 <i>Policies</i> SUB-GEN-P2 SUB-GEN-P3 | Standards for Subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent (1) Suitable future building platform area must be identified and must not be located within the River Corridor . (2) Where the proposed building platform is located within the Erosion Hazard Area , provision of a report by a suitability qualified and experienced person to determine the erosion risk to the proposed building platform is required in accordance with Section 2.4.10 of Part 1 of this Plan. | <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> |

| Discretionary Activities | | | Zone |
|---|--|------------|--|
| SUB-COM-R10 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69, CCZ-P1, GIZ-P1 | Subdivision of a site identified in Schedules HH-SCHED1 or TREE-SCHED1 | DIS | <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Development Area1</i> |
| SUB-COM-R11 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1 | Subdivision which does not comply with the standards specified in rule 20.5 SUB-COM-S1 | DIS | <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> |
| SUB-COM-R12 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, | Subdivision that is not listed as a permitted, controlled, restricted discretionary or non-complying activity. | DIS | <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Development Area1</i> |

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| SUB-GEN-P9, SUB-GEN-P10, NATC-P1, CCZ-P1, GIZ-P1 | | | |
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| Non-Complying Activities | | | Zone |
|--|---|-----------|--|
| SUB-COM-13 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69, CCZ-P1, GIZ-P1 | Creation of an allotment that does not have formed legal access to a formed legal road , unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works | NC | <i>Commercial City Centre General Industrial Development Area1</i> |
| SUB-COM-R14 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1 | Subdivision within the Pinehaven Flood Hazard Extent which results in any undeveloped allotments that contain no building , and does not comply with the requirements of SUB-COM-S1 | NC | <i>Commercial City Centre General Industrial</i> |
| SUB-COM-R15 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P10, CCZ-P1, GIZ-P1 | Subdivision within the Mangaroo Flood Hazard Extent which results in any undeveloped allotments that contain no building, where one or more of the following occurs: <ol style="list-style-type: none"> (1) Does not comply with the requirements of SUB-COM-S1; (2) The proposed building platform is located within a River Corridor. | NC | <i>Commercial City Centre General Industrial</i> |

| Matters for Consideration | Zone | |
|--|--|--|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| SUB-COM-MC1 | <p>Subdivision</p> <ul style="list-style-type: none"> (1) The design and layout of the subdivision where any allotments may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid), located on or in proximity to the site. (2) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-COM-R7 covers subdivision within the Electricity Transmission Corridor. (3) The design and layout of the subdivision where any allotment may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site. (4) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (5) Account must be taken of the future development potential of adjoining or adjacent land. (6) Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid). (7) Where located within an identified flood hazard extent, any relevant matters of discretion identified under SUB-COM-R8 or SUB-COM-R9. | <p><i>Commercial City Centre General Industrial</i></p> |
| SUB-COM-MC2 | <p>Access</p> <ul style="list-style-type: none"> (8) Accessibility for public transport, cyclists and pedestrians. (9) Compliance with the Code of Practice for Civil Engineering Works. (10) Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable. (11) Whether the activities proposed will not generate a demand for servicing facilities. (12) Whether suitable alternative provision for servicing can be made. (13) Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely. (14) The extent to which any subdivision and/or development within the Mount Marua Structure Plan Development Area is consistent with the Mount Marua Structure Plan. | <p><i>Commercial, City Centre General Industrial</i></p> |

SUB-OSZ – Subdivision in the Open Space Zone

Policies

SUB-OSZ-P1 To acquire and protect **land** for open spaces in those parts of the City where a deficiency in the range or distribution of open spaces has been identified, or where there is a particular recreational need, or where an area has significant landscape, ecological values or character.

The range and distribution of open spaces within the City is important for visual amenity and meeting the recreation needs of residents. **Council** may acquire **land** upon subdivision for open space.

Rules

Activities Tables

| Controlled Activities | | | Zones |
|---|--|------------|-------------------|
| SUB-OSZ-R1 <i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5, | Subdivision provided for as a Controlled Activity which complies with the standards in SUB-OSZ-S2 Council may impose conditions over the following matters: (1) Design, appearance and layout of the subdivision . (2) Landscaping . (3) Provision of and effects on network utilities and/or services. (4) Earthworks . (5) Provision of esplanade reserves and strips. (6) Protection of any special amenity feature. (7) Financial contributions. (8) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site . (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site . | CON | <i>Open Space</i> |

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|---|--|-------------------|--------------------------|
| <p>SUB-OSZ-R2</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5</p> | <p>Subdivision around any existing lawfully established Residential Unit or commercial activity building which does not result in the creation of any new undeveloped site that contains no residential unit or commercial activity building which complies with the access-standards in SUB-OSZ-S2.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Earthworks. (5) Provision of esplanade reserves and strips. (6) Protection of any special amenity feature. (7) Financial contributions. (8) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | <p>CON</p> | <p><i>Open Space</i></p> |
| <p>SUB-OSZ-R3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5</p> | <p>Subdivision of land for utilities, reserves or conservation purposes</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Earthworks. (5) Provision of esplanade reserves and strips. (6) Protection of any special amenity feature. (7) Financial contributions. (8) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | <p>CON</p> | <p><i>Open Space</i></p> |
| <p>SUB-OSZ-R4</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97,</p> | <p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004</p> | <p>CON</p> | <p><i>Open Space</i></p> |

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|--|--|------------|--|
| <p>SUB-GEN-P108 NATC-P1. OSZ-P2, OSZ-P3, OSZ-P5</p> | <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Earthworks. (5) Provision of esplanade reserves and strips. (6) Protection of any special amenity feature. (7) Financial contributions. (8) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (9) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | | |
| <p>SUB-OSZ-R5</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5</p> | <p>Subdivision in the Speedway Area which complies with the standards in SUB-OSZ-S2 and SUB-OSZ-S1</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | CON | <i>Open Space - Speedway Area only</i> |
| <p>SUB-OSZ-R6</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3,</p> | <p>Subdivision in the Speedway Area which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. | CON | <i>Open Space - Speedway Area only</i> |

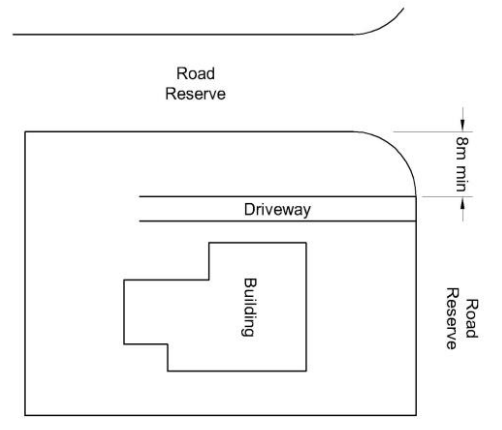
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|--------|--|--|--|
| OSZ-P5 | <ul style="list-style-type: none"> (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (11) Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units. (12) Allocation of areas. | | |
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Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of **the Act**, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of **the Act**.

| Standards for Controlled Activities | | | Zone | |
|--|--|--------------------------|--|---------------------|
| SUB-OSZ-S1 | Minimum requirements for subdivision | | <i>Open Space - Speedway Area only</i> | |
| | Open Space Zone | Minimum site area | | Shape factor |
| | Speedway Area only | 5000m ² | | 50m |
| | Exemptions | | | |
| | These standards shall not apply to any allotment for utility, reserve or conservation purposes. | | | |
| SUB-OSZ-S2 <i>Policies SUB-GEN, TP-P4</i> | Access standards for subdivision (8) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works . Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. | | <i>Open Space</i> | |

- (9) **Sites** shall have practical vehicle access to car parking and **loading** spaces, in accordance with the **Code of Practice for Civil Engineering Works**. This requirement does not apply to **sites** solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the **road**.
- (10) Vehicular access to a **corner allotment** shall be located no closer than 8m from the street corner. Where a **site** is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre **setback** shall be measured from where the two front **boundaries** of the **site** (refer to the definition of a **corner allotment**) join, or in accordance with the diagram below.



- (11) Where a **corner allotment** lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no **building**, fence or other **structure** is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- (12) At the intersection of a **road** or rail level crossing, no **building**, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1 in the Transport and Parking (TP) Chapter.
- (13) **Subdivision** with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.

| Restricted Discretionary Activities | | | Zones |
|---|---|-------------|-------------------|
| SUB-OSZ-R7 <i>Policies</i> SUB-GEN-P108, SUB-GEN-P1210, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5 | <p>Subdivision which does not comply with the access standards in SUB-OSZ-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's discretion is also restricted to the matters listed in SUB-OSZ-R1.</p> <p>For subdivision in the Speedway area, Council's discretion is also restricted to the matters listed in SUB-OSZ-R5.</p> | RDIS | <i>Open Space</i> |

| Discretionary Activities | | | Zone |
|---|--|------------|--|
| SUB-OSZ-R8 <i>Policies</i> SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5 | <p>Subdivision which does not comply with the standards in SUB-OSZ-S1</p> | DIS | <i>Open Space - Speedway Area only</i> |

Advice Note:

For any **activity** within the Stream/River Corridor, Overflow Path, Ponding Area or Erosion Hazard Area, applicants are advised to consult the Wellington Regional Council to determine if regional consent is also required.

| Non-Complying Activities | | | Zone |
|---|---|-----------|-------------------|
| SUB-OSZ-R9 <i>Policies</i> SUB-GEN-P108, NATC-P1, OSZ-P2, OSZ-P3, OSZ-P5 | Subdivision within the Open Space Zone that is not listed as a permitted, controlled, restricted discretionary or discretionary activity. | NC | <i>Open Space</i> |

| Matters for Consideration | | | Zone |
|--|--|--|--------------------|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | | |
| SUB-OSZ-MC1 | Subdivision <ol style="list-style-type: none"> (1) The design and layout of the subdivision where any allotment may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities located on or in proximity to the site. (2) The outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site. (3) The design and layout of the subdivision where any allotment lot may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site. (4) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. (5) Account must be taken of the future development potential of adjoining or adjacent land. (6) Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid). | | <i>Open Spaces</i> |
| SUB-OSZ-MC2 | Site layout <ol style="list-style-type: none"> (1) Impact on the recreation potential of the open space. (2) Conflict between different users. (3) On-site safety. (4) Natural character and landscape. | | <i>Open Spaces</i> |
| SUB-OSZ-MC3 | Access <ol style="list-style-type: none"> (15) Accessibility for public transport, cyclists and pedestrians. (16) Compliance with the Code of Practice for Civil Engineering Works. | | <i>Open Space</i> |

| | | |
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| | <p>(17) Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.</p> <p>(18) Whether the activities proposed will not generate a demand for servicing facilities.</p> <p>(19) Whether suitable alternative provision for servicing can be made.</p> <p>(20) Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely.</p> <p>(21) The extent to which any subdivision within the Mount Marua Structure Plan Development Area is consistent with the Mount Marua Structure Plan.</p> | |
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SUB-SAZ – Subdivision in the Special Activity Zone

Rules

Activities Tables

| Controlled Activities | | | Zones |
|---|---|-------------------|--------------------------------|
| <p>SUB-SAZ-R1</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P9Z, NATC-P1, SAZ-P1, SAZ-P3, SAZ-P4</p> | <p>Subdivision which complies with the standards in SUB-SAZ-S1 and SUB-SAZ-S2 unless specified below</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-SAZ-R7 covers subdivision within the Electricity (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | <p>CON</p> | <p><i>Special Activity</i></p> |
| <p>SUB-SAZ-R2</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P9Z, NATC-P1, SAZ-P1, SAZ-P3, SAZ-P4,</p> | <p>Subdivision around any existing lawfully established residential unit or commercial activity building which does not result in the creation of any new undeveloped site that contains no residential unit or commercial unit activity building</p> <p>Note: this form of subdivision does not need to comply with the minimum net site area requirements of SUB-SAZ-S1, but does need to meet the access standards of SUB-SAZ-S2.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. | <p>CON</p> | <p><i>Special Activity</i></p> |

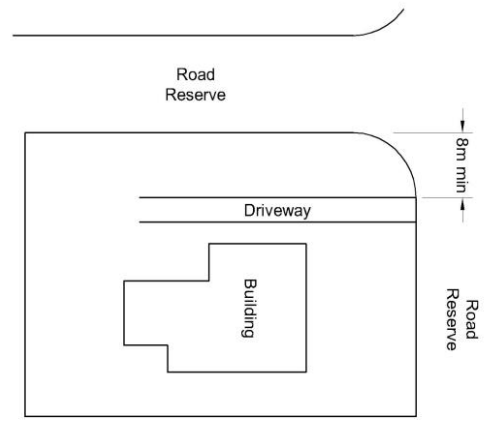
| | | | |
|--|--|------------|-------------------------|
| | <ul style="list-style-type: none"> (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule 22-18 22-15 SUB-SAZ-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | | |
| <p>SUB-SAZ-R3</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, NATC-P1, SAZ-P1, SAZ-P3, SAZ-P4</p> | <p>Subdivision of land for utilities, reserves or conservation purposes</p> <p>Council may impose conditions over the following matters:</p> <ul style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-SAZ-R7 covers subdivision within the Electricity Transmission Corridor. (10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. | CON | <i>Special Activity</i> |
| <p>SUB-SAZ-R4</p> <p><i>Policies</i> SUB-GEN-P1, SUB-GEN-P97, NATC-P1, SAZ-P1, SAZ-P3,</p> | <p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established in terms of the Building Act 2004</p> <p>Council may impose conditions over the following matters:</p> <ul style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. | CON | <i>Special Activity</i> |

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| SAZ-P4, | <p>(4) Standard, construction and layout of vehicular access.</p> <p>(5) Earthworks.</p> <p>(6) Provision of esplanade reserves and strips.</p> <p>(7) Protection of any special amenity feature.</p> <p>(8) Financial contributions.</p> <p>(9) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-SAZ-R7 covers subdivision within the Electricity Transmission Corridor.</p> <p>(10) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.</p> <p>(11) Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.</p> <p>(12) Allocation of areas.</p> | | |
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Controlled activities – restrictions on notification
Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of **the Act**, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of **the Act**.

| Standards for Controlled Activities | | | Zone | | | | | | | | | | | |
|---|---|------------------------------|------------------------------|---------------------|-----------|--------------------|-----|-------------------|--|--|---|--|--|-------------------------|
| SUB-SAZ-S1 <i>Policies</i> NATC-P1 SAZ-P3 | <p>Minimum requirements for subdivision</p> <table border="1" data-bbox="448 941 1769 1141"> <thead> <tr> <th data-bbox="448 941 981 989">Special Activity Zone</th> <th data-bbox="981 941 1518 989">Minimum net site area</th> <th data-bbox="1518 941 1769 989">Shape factor</th> </tr> </thead> <tbody> <tr> <td data-bbox="448 989 981 1037">All areas</td> <td data-bbox="981 989 1518 1037">1000m²</td> <td data-bbox="1518 989 1769 1037">25m</td> </tr> <tr> <td colspan="3" data-bbox="448 1037 1769 1093">Exemptions</td> </tr> <tr> <td colspan="3" data-bbox="448 1093 1769 1141">These standards shall not apply to any allotment for utility, reserve or conservation purposes.</td> </tr> </tbody> </table> | Special Activity Zone | Minimum net site area | Shape factor | All areas | 1000m ² | 25m | Exemptions | | | These standards shall not apply to any allotment for utility, reserve or conservation purposes. | | | <i>Special Activity</i> |
| Special Activity Zone | Minimum net site area | Shape factor | | | | | | | | | | | | |
| All areas | 1000m ² | 25m | | | | | | | | | | | | |
| Exemptions | | | | | | | | | | | | | | |
| These standards shall not apply to any allotment for utility, reserve or conservation purposes. | | | | | | | | | | | | | | |
| SUB-SAZ-S2 <i>Policies</i> SUB-GEN-P1, TP-P4 | <p>Access standards for subdivision</p> <p>(1) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.</p> | <i>Special Activity</i> | | | | | | | | | | | | |

- (2) **Sites** shall have practical vehicle access to car parking and **loading** spaces, in accordance with the **Code of Practice for Civil Engineering Works**. This requirement does not apply to **sites** solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the **road**.
- (3) Adequate vehicular access shall be made available to the rear of every new **building** in accordance with the **Code of Practice for Civil Engineering Works**.
- (4) Vehicular access to a **corner allotment** shall be located no closer than 8m from the street corner. Where a **site** is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre **setback** shall be measured from where the two front **boundaries** of the **site** (refer to the definition of a **corner allotment**) join, or in accordance with the diagram below.



- (5) Where a **corner allotment** is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter 37, no **building**, fence or other **structure** is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- (6) At the intersection of a **road** or rail level crossing, no **building**, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1A in the Transport and Parking (TP)-Chapter.

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| | (7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B 2 to E 9 in the Transport and Parking (TP) Chapter. | |
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| Restricted Discretionary Activities | | | Zones |
|--|---|-------------|-------------------------|
| <p>SUB-SAZ-R5</p> <p><i>Policies</i> SUB-GEN-P97, SUB-GEN-P1210, NATC-P1, SAZ-P1, SAZ-P4</p> | <p>Subdivision which complies with the standards in SUB-SAZ-S1 but not SUB-SAZ-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's discretion is also restricted to the matters listed in SUB-SAZ-R1.</p> | RDIS | <i>Special Activity</i> |
| <p>SUB-SAZ-R6</p> <p><i>Policies</i> SUB-GEN-P97, SUB-GEN-P1210, NATC-P1, SAZ-P1, SAZ-P4,</p> | <p>Subdivision around any existing lawfully established residential unit or commercial activity building which does not result in the creation of any new undeveloped site that contains no-residential unit or commercial activity, that does not comply with the access standards of SUB-SAZ-S2</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the activity will adversely affect traffic and pedestrian safety. (2) The extent to which the activity will adversely affect the efficient functioning of the roading network. <p>Council's discretion is also restricted to the matters listed in SUB-SAZ-R1.</p> | RDIS | <i>Special Activity</i> |
| <p>SUB-SAZ-R7</p> <p><i>Policies</i> SUB-GEN-P97, SUB-GEN-P1210, NATC-P1, SAZ-P1, SAZ-P4, NU-P1</p> | <p>Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps</p> <p>In addition to the matters listed in SUB-SAZ-R1, Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line. (2) The extent to which maintenance and inspections of transmission lines are affected including access. (3) The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping. | RDIS | <i>Special Activity</i> |

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| | <p>(4) The outcome of any consultation with the affected utility operator.</p> <p>(5) Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.</p> <p>(6) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).</p> <p>(7) Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.</p> <p>Restriction on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p> <p>Advice Note: For any activity within the Stream/River Corridor, Overflow Path, Ponding Area or Erosion Hazard Area, applicants are advised to consult the Wellington Regional Council to determine if regional consent is also required.</p> | | |
|--|---|--|--|

| Discretionary Activities | | | Zone |
|--|---|-------------------|--------------------------------|
| <p>SUB-SAZ-R8</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69, SAZ-P1, SAZ-P4</p> | <p>Subdivision of a site identified in Schedules HH-SCHED1 or TREE-SCHED1</p> | <p>DIS</p> | <p><i>Special Activity</i></p> |
| <p>SUB-SAZ-R9</p> | <p>Subdivision which does not comply with the standards specified in-SUB-SAZ-S1</p> | <p>DIS</p> | <p><i>Special Activity</i></p> |

| | | | |
|---|--|------------|-------------------------|
| <p><i>Policies</i> SUB-GEN-P97, SAZ-P1, SAZ-P4, NATC-P1</p> | | | |
| <p>SUB-SAZ-R10</p> <p><i>Policies</i> SUB-GEN-P97, SAZ-P1, SAZ-P4, NATC-P1</p> | Updates of existing company lease and cross lease, and all unit title subdivision | DIS | <i>Special Activity</i> |
| <p>SUB-RES-R11</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, SAZ-P1, SAZ-P4</p> | Subdivision that is not listed as a permitted, controlled, restricted discretionary or non-complying activity. | DIS | <i>Special Activity</i> |

| Non-Complying Activities | | Zone | |
|--|---|-------------|-------------------------|
| <p>SUB-SAZ-R12</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-GEN-P97, SUB-GEN-P108, NATC-P1, NH-P69, SAZ-P1,</p> | Creation of an allotment that does not have formed legal access to a formed legal road , unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works | NC | <i>Special Activity</i> |

| | | | |
|--------|--|--|--|
| SAZ-P4 | | | |
|--------|--|--|--|

| Matters for Consideration | | Zone |
|--|---|-------------------------|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| SUB-SAZ-MC1 | <p>Subdivision The requirements of section 106 of the Act.</p> <ol style="list-style-type: none"> (1) Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. (2) Whether the subdivision compromises future subdivision potential of the land. (3) The cumulative effect on existing infrastructure as a result of the proposed subdivision. (4) The extent of compliance with the Council’s Code of Practice for Civil Engineering Works. (5) The design and layout of the subdivision where any allotment may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. (6) Note: Rule SUB-SAZ-R7 covers subdivision within the Electricity Transmission Corridor. (7) The design and layout of the subdivision where any allotment may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site. (8) The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities on or in proximity to the site. (9) Account must be taken of the future development potential of adjoining or adjacent land. (10) Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid). | <i>Special Activity</i> |
| SUB-SAZ-MC2 | <p>Traffic generation</p> <ol style="list-style-type: none"> (1) Whether activities which generate significant traffic flows have satisfactory access arrangements. (2) Impacts on public safety | <i>Special Activity</i> |
| SUB-SAZ-MC3 | <p>Site layout</p> <ol style="list-style-type: none"> (1) The arrangement of buildings, car parks and vehicle movements on site. (2) The extent of landscaping and screening particularly where sites adjoin General Residential or Open Space Zones. (3) Whether the topography of the site has been taken into account. (4) Whether a better standard of development can be achieved by varying the design. | <i>Special Activity</i> |

| | | |
|-------------|---|--|
| SUB-SAZ-MC4 | Infrastructure (1) The capacity of the infrastructure. | <i>Special Activity</i> |
| SUB-SAZ-MC5 | Cumulative effects (1) Whether cumulative effects such as pollution, any risk to public safety and nuisances have been assessed to avoid, remedy or mitigate adverse effects . | <i>Special Activity</i> |
| SUB-SAZ-MC6 | Additional matters for the St Patrick's Estate Area (1) Whether flooding effects have been adequately addressed. (2) Whether the proposal maintains a landscaped gateway to the City, a low density, open development and contains screening from residential areas and Fergusson Drive. (3) Whether the landscaping will maintain and enhance the amenity of the area. (4) Whether pedestrian linkages to the Hutt River walkway and Silverstream Railway Station are provided. | <i>Special Activity</i> |
| SUB-SAZ-MC7 | Access (22) Accessibility for public transport, cyclists and pedestrians. (23) Compliance with the Code of Practice for Civil Engineering Works . (24) Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable. (25) Whether the activities proposed will not generate a demand for servicing facilities. (26) Whether suitable alternative provision for servicing can be made. (27) Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely. (28) The extent to which any subdivision within the Mount Marua Structure Plan Development Area is consistent with the Mount Marua Structure Plan. | <i>General Rural Rural Production Rural Lifestyle Commercial, City Centre General Industrial Open Space Special Activity Development Area 2</i> |

SUB-DEV1 – Subdivision in Development Area 1

This chapter contains the subdivision provisions which relate to the Wallaceville Structure Plan Development Area. These rules apply in addition to the underlying subdivision rules of the General Residential Zone (SUB-RES) and the Commercial Zone (SUB-COM). Where there is any conflict between the provisions the Wallaceville Structure Plan Development Area provisions shall prevail.

Policies

SUB-DEV1-P1 *Provide for **subdivision** within the Wallaceville Living Precinct Area A, Wallaceville Living Precinct Area B, Urban Precinct and Grants Bush Precinct of the **Wallaceville Structure Plan Development Area** that is consistent with the Wallaceville Structure Plan.*

The Wallaceville Structure Plan in DEV1 Wallaceville Structure Plan Development Area includes the following:

- (1) the Wallaceville Structure Plan Map
- (2) Wallaceville Precinct descriptions, intentions and outcomes
- (3) Wallaceville Indicative Road Typologies
- (4) Wallaceville Stormwater Management Principles

The Wallaceville Structure Plan has been based on detailed assessment of **site** constraints and opportunities and sets out an appropriate response to these. It includes detailed consideration of servicing requirements to ensure that adverse **effects** of urban development within the **Wallaceville Structure Plan Development Area** is appropriately managed while incorporating an element of design flexibility to ensure a suitable level of amenity while responding to housing demand.

SUB-DEV1-P2 ***Subdivision** in the Wallaceville Living Precinct Area A, Wallaceville Living Precinct Area B, Urban Precinct and Grants Bush Precinct of the **Wallaceville Structure Plan Development Area**, will only be appropriate if it:*

- (1) *Is integrated with the development generally anticipated in the Wallaceville Structure Plan*
- (2) *Provides a high level of residential amenity;*
- (3) *Ensures adequate infrastructure and transport provision;*
- (4) *Facilitates the safety of road users;*
- (5) *Provides adequate on-site stormwater management; and*
- (6) *Does not detract from the vitality and vibrancy of the Upper Hutt CBD*

The Wallaceville Structure Plan provides for the development of the Wallaceville Structure Plan Development Area in a logical and coherent manner that takes into account the historical, cultural, environmental and landscape characteristics of the area. It also establishes outcome expectations based on an analysis of site values, constraints and opportunities. Requiring development to be consistent with this plan will ensure that future development represents

sustainable management of the land resource. Subdivision within the Wallaceville Structure Plan Development Area is a restricted discretionary activity to enable consideration of consistency with the Structure Plan. Subdivision and/or development that is consistent with the Wallaceville Structure Plan will satisfy Policy SUB-DEV1-P1, and provide for sustainable management of the land resource.

The development of the **site** will occur over an extended period. During this time opportunities to integrate alternative **land** uses within the **site** may arise. This policy provides a framework for the consideration of such alternative land uses and layouts. The policy emphasises the importance of ensuring development ensures adequate infrastructure provisions, minimises potential effects on the Upper Hutt CBD, is integrated with the remainder of the site's development, and that it avoids, remedies or mitigates adverse environmental effects.

SUB-DEV1-P3 *Provide for **subdivision** within the Gateway Precinct of the **Wallaceville Structure Plan Development Area** that is consistent with the Wallaceville Structure Plan*

The Wallaceville Structure Plan identifies the Gateway Precinct as the location of a local centre incorporating **retail**, commercial and above **ground level** residential uses. It also establishes intention and outcome expectations based on an analysis of **site** values, constraints and opportunities. Requiring development to be consistent with the Structure Plan will ensure that future development of the local centre represents sustainable management of the **land** resource.

SUB-DEV1-P4 ***Subdivision** in the Gateway Precinct of the **Wallaceville Structure Plan Development Area** will only be appropriate if it:*

- (1) *Provides a high level of amenity;*
- (2) *Ensures adequate infrastructure and transport provision;*
- (3) *Facilitates the safety of **road** users;*
- (4) *Does not detract from the vitality and vibrancy of the Upper Hutt CBD; and*
- (5) *Is integrated with the development generally anticipated in the Wallaceville Structure Plan*

The Wallaceville Structure Plan provides for the development of the **Wallaceville Structure Plan Development Area** in a logical and coherent manner that takes into account the historical, cultural, environmental and landscape characteristics of the area. It also establishes outcome expectations based on an analysis of **site** values, constraints and opportunities. Requiring development to be consistent with this plan will ensure that future development represents sustainable management of the **land** resource. **Subdivision**, new **buildings** and **significant exterior alterations** to existing **buildings** within the Gateway Precinct of the **Wallaceville Structure Plan Development Area** is a restricted discretionary activity to enable consideration of consistency with the Structure Plan. **Subdivision** and/or development that is consistent with the Wallaceville Structure Plan will satisfy Policy SUB-DEV1-P3 and provide for sustainable management of the **land** resource.

The development of the **site** will occur over an extended period. During this time opportunities to integrate alternative **land** uses within the **site** may arise. This policy provides a framework for the consideration of such alternative **land** uses and layouts. The policy emphasises the importance of ensuring development is integrated with the remainder of the **site's** development, and that it avoids, remedies or mitigates adverse environmental **effects**.

Rules

Activities Tables

| Standards for Controlled Activities | | Zone |
|---|---|---|
| <p>SUB-DEV1-S1</p> <p><i>Policies</i> SUB-P1 SUB-P5 SUB-P6 SUB-P108 TP-P4</p> | <p>Additional access standards</p> <ol style="list-style-type: none"> (1) Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works. (2) There shall be no private vehicle access to or egress from Alexander Road for any site contained within Area B of the Wallaceville Structure Plan Development Area. (3) There shall be no new private vehicle access to or egress from Alexander Road to land identified as Lot 2 DP 471766, Pt Section 102B Hutt District Wellington or Pt Section 618 Hutt District. | <p><i>Development Area 1 – Wallaceville Structure Plan Development Area</i></p> |

| Restricted Discretionary Activities | | Zones |
|--|--|--|
| <p>SUB-DEV1-R1</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-DEV1-P1, SUB-GEN-P97, SUB-GEN-P108, NATC-P1</p> | <p>Subdivision in the Wallaceville Living Precinct Area A, the Wallaceville Living Precinct Area B, the Urban Precinct and the Grants Bush Precinct of the Wallaceville Structure Plan Development Area (DEV1 – Wallaceville Structure Plan Development Area) which complies with the standards in SUB-RES-S1, SUB-RES-S3, SUB-DEV1-S1 and SUB-DEV1-S2 unless specified below</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the subdivision is consistent with the Wallaceville Structure Plan (DEV1 – Wallaceville Structure Plan Development Area) (2) The extent to which the subdivision is consistent with the spatial layout plan for Area B required under Section-2.4.9 of Part 1 of this Plan (3) Design, appearance and layout of the subdivision (4) Landscaping that complements existing species (5) Standard, construction and layout of roads (including intersections) and vehicular access. (6) Provision of and effects on utilities and/or services. (7) Earthworks and land stability (8) Provision of reserves (9) Protection of any special amenity feature | <p>RDIS</p> <p><i>Development Area 1 – Wallaceville Structure Plan Development Area</i></p> |

| | | | |
|---|--|--------------------|--|
| | <p>(10) Provision of pedestrian and cycleway connections</p> <p>(11) The alignment of proposed subdivision boundaries with Precinct boundaries as identified in the Wallaceville Structure Plan</p> <p>(12) Financial contributions</p> <p>Restriction on notification</p> <p>In respect of this rule, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the relevant standards and terms will be decided without the need for public notification under section 95A and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.</p> <p>Notes:</p> <ul style="list-style-type: none"> • Failure to comply with this rule will require resource consent as a Discretionary Activity • A resource consent application for subdivision consent under this rule shall contain the information listed in Section 2.4.9 of Part 1 of this Plan in addition to the requirements of the Fourth Schedule of the Resource Management Act 1991. Where relevant, applications may rely upon any spatial layout plan submitted as part of a prior subdivision application that has received consent | | |
| <p>SUB-DEV1-R2</p> <p><i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1</p> | <p>Subdivision in the Gateway Precinct of the Wallaceville Structure Plan Development Area that does not comply with the standards in SUB-COM-S1, SUB-COM-S2, SUB-DEV1-S1 and SUB-DEV1-S3.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The extent to which the subdivision is consistent with the Wallaceville Structure Plan (DEV1 – Wallaceville Structure Plan Development Area) (2) Design, appearance and layout of the subdivision (3) Landscaping that complements existing species. (4) Standard, construction and layout of roads (including intersections) and vehicular access. (5) Provision of and effects on utilities and/or services (6) Earthworks and land stability. (7) Provision of reserves (8) Protection of any special amenity feature. (9) Provision of pedestrian and cycleway connections (10) The alignment of proposed subdivision boundaries with Precinct boundaries as identified in the Wallaceville Structure Plan (11) Financial contributions. | <p>RDIS</p> | <p><i>Development Area 1 – Wallaceville Structure Plan Development Area</i></p> |

| | | | |
|--|---|--|--|
| | <p>Restriction on notification In respect of this rule, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the relevant standards and terms will be decided without the need for public notification under section 95A and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.</p> <p>Note:</p> <ul style="list-style-type: none"> • Failure to comply with this rule will require resource consent as a Discretionary Activity | | |
|--|---|--|--|

| Standards for Restricted Discretionary Activities | | Zone |
|--|--|--|
| SUB-DEV1-S2 | Standards for Subdivision in the Wallaceville Living Precinct Area A, the Wallaceville Living Precinct Area B, the Urban Precinct and the Grants Bush Precinct of the Wallaceville Structure Plan Development Area <ol style="list-style-type: none"> (1) Compliance with the access standards of SUB-RES-S3 (2) Compliance with the minimum requirements for subdivision of SUB-RES-S1 | Development Area 1 – Wallaceville Structure Plan Development Area |
| SUB-DEV1-S3 | Standards for Subdivision in the Gateway Precinct of the Wallaceville Structure Plan Development Area <ol style="list-style-type: none"> (1) Compliance with the minimum requirements for subdivision of rule SUB-COM-S1 (2) Compliance with the access standards of rule SUB-COM-S2 | Development Area 1 – Wallaceville Structure Plan Development Area |

| Discretionary Activities | | Zone | |
|---|--|-------------|--|
| SUB-DEV1-R3 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P4, SUB-RES-P5, SUB-DEV1-P1, SUB-GEN-P97, SUB-GEN-P108 | Subdivision in the Wallaceville Structure Plan Development Area that does not comply with the standards of SUB-RES-S1 and SUB-RES-S3 | DIS | Development Area 1 – Wallaceville Structure Plan Development Area |

| | | | |
|---|--|------------|---|
| NATC-P1 | | | |
| SUB-DEV1-R4 <i>Policies</i> SUB-GEN-P2, SUB-GEN-P3, SUB-GEN-P108, CCZ-P1, GIZ-P1 | Subdivision in the Wallaceville Structure Plan Development Area that does not comply with the standards of SUB-COM-S1 and SUB-COM-S2 | DIS | Development Area1 – Wallaceville Structure Plan Development Area |

| Matters for Consideration | | Zone |
|--|--|--|
| Matters that may be relevant in the consideration of any resource consent may include the following: | | |
| SUB-DEV1-MC1 | Subdivision in the Wallaceville Structure Plan Development Area <ol style="list-style-type: none"> (1) Relevant matters in the sections above (2) The extent to which the subdivision is consistent with the Wallaceville Structure Plan (3) The extent to which any subdivision that is not consistent with the Wallaceville Structure Plan will avoid, remedy or mitigate adverse effects on other areas of Upper Hutt City, does not detract from the vitality and vibrancy of the Upper Hutt CBD, will adequately provide for stormwater management, will contribute to the safe functioning of the road network and will integrate with adjoining development anticipated through the Structure Plan | Development Area 1 – Wallaceville Structure Plan Development Area |
| SUB-DEV1-MC2 | Subdivision in the Gateway Precinct of the Wallaceville Structure Plan Development Area <ol style="list-style-type: none"> (1) The extent to which the subdivision is consistent with the Wallaceville Structure Plan (2) The nature of the activity to be carried out within the building and its likely generated effects. (3) The extent to which the area of the site and the proposed activities thereon are in keeping with the scale and form of the existing built environment and activities in the surrounding area (4) The extent to which the protection and/or sustainable use of existing listed heritage buildings will be achieved (5) The extent to which adjacent properties will be adversely affected in terms of visual obtrusiveness, overshadowing, and loss of access to sunlight and daylight. (6) The extent of the building area and the scale of the building and the extent to which they are compatible with both the built and natural environments in the vicinity. | Development Area 1 – Wallaceville Structure Plan Development Area |

DC –Development Contributions

Background

The Act empowers **Council** to impose financial contributions. The types of possible financial contributions are described in **the Act** as money, **land** or a combination of money and **land**.

This part of the Plan sets out the objective, policy, methods and rules relating to the imposition of financial contributions for reserves and leisure facilities.

Purpose of Financial Contributions

Financial contributions received for reserves and leisure facilities may be used anywhere in the City. The allocation of such contributions is made through the Annual Plan process.

The purposes for which reserves and leisure facilities contributions may be used are as follows:

- The provision for **community facilities**, reserves, amenities and open space.
- The protection and **conservation of amenity values**, and the life supporting capacity of ecosystems and **waterbodies**.
- The provision of access to identified **rivers**, streams or **lakes**.
- The protection of historical, scientific, cultural or aesthetic values of landscape features, landforms, places or **buildings**.

Development Impact Fees

Provisions relating to development impact fees including:

- the **effects** of specific **activities**,
- defining areas affected,
- methods of calculation, and,
- methods of application;

The development contributions policy is included in the Long Term Council Community Plan (LTCCP) under Section 102(4)(d) of the Local Government Act 2002. Provisions relating to **esplanade reserves** and strips and financial contributions in lieu of car parks are found in the Transport and Parking Chapter (TP) and the Public Access Chapter (PA) respectively.

Resource Management Issue

DC-I1 When **subdivision** or development takes place within the City, a contribution towards the provision of acceptable standards of utilities, services, roading, **community facilities**, reserves and amenities should be made by the subdivider or developer.

Development within the City, including that arising from **subdivision**, may generate a demand for the provision of services such as **water** supply, **sewage** disposal and access to roading. These services and utilities are required to ensure an acceptable standard of development, to protect and promote community health and safety, and to avoid, remedy or mitigate any adverse **effects** on the **environment**. Development may also create a demand for **community facilities** (such as the library), amenities, reserves and **esplanade reserves** and strips.

Objectives

DC-O1 Contribution by developers and subdividers towards the costs of providing acceptable standards of utilities, services, roading, **community facilities** and amenities.

This objective aims to promote an appropriate allocation of the costs incurred in the provision of utilities, services, roading, **community facilities** and amenities.

Policies

DC-P1 To require subdividers or developers to contribute to the provision of utilities, **community facilities**, services, roading and amenities.

The most effective means of ensuring that these financial contributions are made is to require them at the time **land** is either subdivided or developed.

Rules

| Reserve and Leisure Facilities Contribution | |
|---|---|
| DC-R1 <i>Policy</i> <i>DC-P1</i> | A Reserve and Leisure Facilities Contribution is required where: <ol style="list-style-type: none"> (1) Any additional site is created as part of a subdivision; (2) Two or more residential units are erected on a vacant site; (3) One or more additional residential units are erected on a site. |

| | | | | | | | | |
|---|--|---|--------------|--|--|--|---|---|
| | <p>A Reserves and Leisure Facilities Contribution will be required in the form of money, land or a combination of money and land in accordance with the following table:</p> <table border="1" data-bbox="405 323 2033 868"> <tr> <td data-bbox="405 323 2033 371">Reserves and Leisure Facilities Contribution (All Zones)</td> </tr> <tr> <td data-bbox="405 371 2033 419">Money</td> </tr> <tr> <td data-bbox="405 419 2033 467">4% of market value of each additional allotment created</td> </tr> <tr> <td data-bbox="405 467 2033 515">4% of market value of the net site area identified for each additional residential unit on a site</td> </tr> <tr> <td data-bbox="405 515 2033 563">Land in lieu of money (if applicable)</td> </tr> <tr> <td data-bbox="405 563 2033 611">Council will only accept land in lieu of money in accordance with the matters identified in DC-R3</td> </tr> <tr> <td data-bbox="405 611 2033 868"> <p>Notes:</p> <ul style="list-style-type: none"> • For clarity, the amount of Reserves and Leisure Facilities Contribution will always be based on 4% of the market value of each additional allotment or where a residential unit is created without subdivision, 4% of the market value of the net site area identified for the residential unit, regardless of whether money, land, or a combination of money and land is accepted. • Where the market value of the land to be accepted is less than the money contribution due, then the balance shall be paid to Council. Conversely, if the land accepted is of greater market value than the money contribution due, Council will compensate the developer/subdivider the balance. </td> </tr> </table> | Reserves and Leisure Facilities Contribution (All Zones) | Money | 4% of market value of each additional allotment created | 4% of market value of the net site area identified for each additional residential unit on a site | Land in lieu of money (if applicable) | Council will only accept land in lieu of money in accordance with the matters identified in DC-R3 | <p>Notes:</p> <ul style="list-style-type: none"> • For clarity, the amount of Reserves and Leisure Facilities Contribution will always be based on 4% of the market value of each additional allotment or where a residential unit is created without subdivision, 4% of the market value of the net site area identified for the residential unit, regardless of whether money, land, or a combination of money and land is accepted. • Where the market value of the land to be accepted is less than the money contribution due, then the balance shall be paid to Council. Conversely, if the land accepted is of greater market value than the money contribution due, Council will compensate the developer/subdivider the balance. |
| Reserves and Leisure Facilities Contribution (All Zones) | | | | | | | | |
| Money | | | | | | | | |
| 4% of market value of each additional allotment created | | | | | | | | |
| 4% of market value of the net site area identified for each additional residential unit on a site | | | | | | | | |
| Land in lieu of money (if applicable) | | | | | | | | |
| Council will only accept land in lieu of money in accordance with the matters identified in DC-R3 | | | | | | | | |
| <p>Notes:</p> <ul style="list-style-type: none"> • For clarity, the amount of Reserves and Leisure Facilities Contribution will always be based on 4% of the market value of each additional allotment or where a residential unit is created without subdivision, 4% of the market value of the net site area identified for the residential unit, regardless of whether money, land, or a combination of money and land is accepted. • Where the market value of the land to be accepted is less than the money contribution due, then the balance shall be paid to Council. Conversely, if the land accepted is of greater market value than the money contribution due, Council will compensate the developer/subdivider the balance. | | | | | | | | |
| Financial Contributions | | | | | | | | |
| <p>DC-R2</p> <p><i>Policy DC-P1</i></p> | <p>Requirements for financial contributions</p> <ol style="list-style-type: none"> (1) All financial contributions on subdivisions are payable prior to the release of the completion certificate for the subdivision. (2) All financial contributions for any additional residential unit or multiple residential unit/unit development, where a subdivision has not taken place, are payable prior to the issuing of the Building Consent(s) for the second or more residential unit /unit. (3) The valuation shall apply to the land only. For the purposes of the valuation, where the size of the site is larger than 1000m² the valuation will be based on a hypothetical 1000m² building site. (4) Where staged and further development takes place within 10 years, then a credit will apply against the reserves and leisure facilities contribution for the earlier payment, but no refunds will be given. (5) Contributions in accordance with the above are exclusive of GST. <p>Exemptions:</p> | | | | | | | |

| | |
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| | <p>The following forms of subdivision will not be required to provide financial contributions:</p> <ul style="list-style-type: none"> (6) Subdivision around any existing principal buildings lawfully established prior to 4 August 2006 that do not create any vacant sites. (7) Allotments set aside as reserves or for conservation purposes. (8) Access lots. (9) Rural allotments where there is a legal instrument preventing use of the allotment for residential purposes (e.g. – a forestry allotment). (10) Allotments created for unstaffed utility services up to 200m² in area. (11) Boundary adjustments or amalgamation of allotments with no resulting increase in titles. |
| Guidelines for accepting land | |
| <p>DC-R3</p> <p><i>Policy DC-P1</i></p> | <p>Generally, the contribution will be required in the form of money, however Council, at its complete discretion, may consider accepting a contribution of land instead of money, or a combination of land and money. Land may be accepted if it is designated for a reserve or if the land furthers Council's objectives relating to the City's open space network. Council may also accept land for the protection of ecological, scenic, historical or scientific values or to provide for the active or passive recreational needs of the community.</p> <p>In determining whether land will be accepted by Council, a number of matters may be taken into account, including but not limited to the following:</p> <ul style="list-style-type: none"> (1) The size and nature of the land. (2) The topography of the land. (3) Whether the land contributes to Council's objectives for the City's open space network. (4) Whether the land is designated for proposed reserve purposes. (5) Whether the land has been identified as a Council reserve in a structure plan. (6) The accessibility of the land for users. (7) The ecological, recreational, historic, scenic or scientific values associated with the land. (8) The cost of acquiring and maintaining the land. |

Methods

- DC-M1** District Plan provisions that set out the purposes and the level of financial contributions. Reserves and leisure facilities contributions will usually be in the form of money, land, or a combination of both.
Generally however, **Council** will require the contribution to be made in the form of money.
- DC-M2** Policy on Development Contributions in the Long Term Council Community Plan (LTCCP).

