

13 SUBDIVISION

13.1 INTRODUCTION

The control of subdivision is a specific function of **Council** under the **Act**. Subdivision results in the creation of new parcels of **land** for which separate certificate of title can be obtained and freely sold. It can therefore facilitate the sustainable management of resources, assisting development, activities and conservation. Subdivision provides for a range of different opportunities to all sectors of the community.

Subdivision also provides the main means for ensuring the adequate provision of services to **land** including roading, water supply, sewage disposal, energy and telecommunications. Subdivision is also the main mechanism for the provision of esplanade **reserves**, and strips and access strips and is therefore significant in the context of ensuring public access to waterways; contributing to the protection of esplanade values; and enabling public recreational use.

13.2 ISSUES

1. Subdivision should not give rise to adverse effects in terms of subsequent uses.

New **allotments** created by subdivision should be suitable for subsequent **land** uses in terms of such matters as: (i) an adequate **allotment** size or shape, (ii) adequate services, (iii) **access** and egress onto **roads**, (iv) natural hazards, (v) protection of natural values (vi) protection of public health, and (vii) avoidance of reverse sensitivity conflicts.

2. The requirement generated by new development to expand or upgrade existing infrastructure and services.

Development facilitated by subdivision adds incrementally to demands on the infrastructure of the District. Each new subdivision should contribute a fair and reasonable sum towards the cost of meeting that demand.

3. Subdivision occurring along the margins of the coast, rivers and lakes can compromise conservation values, public access and recreational uses.

Subdivision has the potential to adversely affect the margins of waterbodies by the nature of its development. Subdivision mechanisms do provide the opportunity to protect such values by the creation of esplanade **reserves**.

13.3 OBJECTIVE

1. To ensure that **sites** that are created by subdivision do not subsequently result in adverse effects on the environment which cannot be avoided, remedied or mitigated.

13.4 POLICIES

1. That **sites** created should be able to accommodate any subsequent land use having regard to the characteristics of that use and the rules of the Management Area.

2. Any subdivision should avoid, remedy or mitigate the likely adverse effects on significant indigenous vegetation and habitats, outstanding landscape features, and the natural character of waterbodies and the coastal environment.
3. To restrict subdivision in areas of known natural hazard unless the effects of those natural hazards can be adequately avoided or mitigated.
4. Sites that include or are close to [National Grid Infrastructure](#) shall be designed and positioned to accommodate any subsequent land use while maintaining an adequate setback or buffer from [National Grid Infrastructure](#). This shall include the avoidance of [sensitive activities](#) within the [National Grid Buffer Area](#).

13.4.1 EXPLANATION AND REASONS

Subdivision is a legal method for defining cadastral [boundaries](#) and therefore does not have a direct effect on the environment. Nevertheless given the expectations that are raised by subdivision, [allotments](#) should be able to accommodate subsequent uses without creating an adverse effect.

Any adverse effect in terms of natural values and natural hazards should also be identified at the initial subdivision stage given that it is the first step in development.

Subdivision design needs to be managed to avoid the incompatibility between activities and [National Grid Infrastructure](#) including the avoidance of reverse sensitivity effects, ensuring activities do not interfere with the operation and maintenance of [National Grid Infrastructure](#) and/or endanger people and property. In addition, subdivision shall not enable [sensitive activities](#) to be located close to [National Grid Infrastructure](#).

13.5 OBJECTIVE

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| <ol style="list-style-type: none">1. The adequate provision of services, infrastructure and access for sites created by the subdivision in a manner that avoids, remedies or mitigates adverse effects. |
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13.6 POLICIES

1. Subdivision should provide for:
 - a) Safe and effective vehicular and pedestrian access, including reasonable access to infrastructure.
 - b) Adequate water supplies for drinking and firefighting.
 - c) Potable water for drinking.
 - d) Disposal of sewage in a manner that maintains public health and avoids, remedies and mitigates effects such as soil and water contamination.
 - e) Disposal of stormwater in a manner that does not affect water quality and avoids inundation.
 - f) Supply of electricity, street lighting and telecommunications using a method that is appropriate to the subdivision/development and the amenity value of the area.
 - g) Connections into reticulated systems where they are available.
 - h) Adequate provision for open space and [reserves](#), including pedestrian linkages.

- i) The design and layout of a subdivision shall provide for any potential building or structure to be erected on the site while maintaining an appropriate separation distance from the [National Grid Infrastructure](#). This shall include the avoidance of [sensitive activities](#) within the [National Grid Buffer Area](#).
- j) In the Residential, Rural-residential, Township and Commercial Environmental Areas, the following:
 - i) [Roads](#) to a sealed standard
 - ii) Underground reticulation of services
 - iii) Kerb and channelling and sealed footpaths.

13.6.1 EXPLANATION AND REASONS

As subdivision is often the basis for land development it is logical, in relation to the provision of services, that this provision be co-ordinated at the time of subdivision to avoid piecemeal provision of services upon individual properties being developed. Co-ordinated and standardised servicing of subdivisions ensures that the purchasers of sections and the community can expect to achieve an acceptance level of services and amenity and protection of the natural and physical resources.

The provision of services should not result in an adverse effect on the environment. Services such as roading, water supply, sewage disposal, electricity and telecommunications are generally important for the well being of people and communities and their health and safety. The way in which these services are provided will vary because of differences within the District including such factors as amenities, availability of services, sparseness of population etc. as indicated below.

Notwithstanding, the type of methods for providing services should be provided without creating an adverse effect as indicated below.

• ROADING

Roading and [access](#) standards within subdivisions, particularly in rural areas, will reflect the anticipated traffic volume and type. Applying standards for roading and [access](#) provides the opportunity to create a variety of vehicle and [access](#) standards for the safe and efficient management of the transport network. Subdivision of [land](#) adjoining SH6 from South Beach overbridge to Taramakau River is also controlled by New Zealand Transport Agency by way of a Limited Access [Road](#). Any proposed subdivision of [land](#) requires formal approvals from New Zealand Transport Agency.

• WATER SUPPLY

Water supply must be potable and reliable. In addition, where life and property needs to be protected, ready access to sufficient water supplies must be available for fire fighting purposes.

• EFFLUENT DISPOSAL

Proper treatment and disposal of sanitary sewage is significant in terms of the protection of the quality of surface water and groundwater, and that of receiving waters. A reticulated sewage system is provided in part of Greymouth, Runanga and Moana. In other areas where connection is impractical, care must be taken to protect surface and ground water quality from on-[site](#) disposal of effluent and wastewater, including cumulative effects of development.

- **STORMWATER**

Disposal of stormwater is an important issue for subdivision in the Grey District given rainfall and the importance of disposal without causing associated flooding problems. The options for stormwater disposal need to be resolved at the time of application for a subdivision.

The standards of stormwater disposal must ensure that any possible adverse effects on neighbouring [land](#) are prevented by remedial works installed by the subdivider. Recognition and enhancement of the values of natural waterways and receiving waters is a necessary part of subdivision and subsequent land use developments. Open waterways can be visually attractive and generally provide an opportunity for enhancement through suitable landscape treatment. Preservation of natural waterway systems is ecologically and environmentally desirable.

- **ENERGY & TELECOMMUNICATIONS**

The supply of energy and communications facilities, in particular electricity and telephone are regarded as essential services particularly for residential, commercial and industrial subdivision. The supply of these services to individual [sites](#) will require reticulation systems which are either located above or below ground. While underground reticulation is more desirable, particularly in residential and commercial areas, with appropriate planning the adverse effects of overhead lines may be able to be mitigated to a certain degree. The cost of underground reticulation is recognised, and therefore underground reticulation is not required in rural and industrial areas where environmental and economic considerations make it unjustified. In some instances it will not be possible to provide either of these services, mainly in rural situations, although it is expected that it will be shown by the applicant that such services can be obtained if required.

If there is existing [National Grid Infrastructure](#) on or adjacent to the land being subdivided then the applicant must ensure that provision is made for buildings and structures to be setback an appropriate distance, based on the type of activity, from the [National Grid Infrastructure](#).

- **CONNECTION INTO RETICULATED SYSTEMS**

Reticulated systems are generally preferred because of reliability, they provide a better quality of service and have less environmental effect.

- **RESERVES**

Ensuring that adequate [reserve](#) areas are provided is a responsibility of the [Council](#) in order that the quality of the environment is maintained. [Reserve](#) contributions will be required on subdivisions so as the [Council](#) can purchase suitable [land](#), or more importantly that existing [reserves](#) can be maintained and enhanced. Other [reserves](#) such as esplanade [reserves](#) also play important roles and will be dealt with at the subdivision stage (See Table 13.1 below).

13.7 OBJECTIVE

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| <ol style="list-style-type: none">1. To contribute to the protection of conservation values and enable public access and recreational use of rivers, lakes and the coastal environment by the creation of esplanade reserves and strips in locations where the above matters require addressing. |
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13.8 POLICIES

1. To generally require esplanade reserves or strips to be set aside for allotments of less than four hectares in accordance with the criteria set out in Table 13.1 below.

13.8.1 EXPLANATION AND REASONS

Under the Act, conditions of subdivision consent include the provision of an esplanade reserve or strip along the edges of rivers or margins of lakes or the Mean High Water Springs of the coastal environment. The purpose of the esplanade reserve as set out in Section 229 of the Act is to contribute to the protection of conservation values and to enable public access and recreational use. All of these elements are present in the Grey District in varying degrees but the creation of esplanade reserves and strips may not be appropriate in all cases.

Under the Resource Management Act, all subdivisions which create allotments under 4 ha are required to have esplanade reserves of 20 metres in width created along the edges of rivers and lakes or the coast which the allotment includes or adjoins, except as provided by any rule in a District Plan or a resource consent.

While Council will generally set aside reserves, particularly as it relates to the coast, it does not believe that all of the circumstances set out in Section 229 will necessarily apply to all areas. It therefore wishes to retain discretion as to whether the reserve should be set aside in accordance with the specified criteria in Table 13.1. Esplanade strips provide an option to esplanade reserves by enabling the subdivider to retain ownership with Council having an easement over the land.

Council does not believe there is a general need to require esplanade reserves to be set aside on allotments greater than four hectares given the density of subdivision and the availability of such reserves in terms of existing Crown land.

TABLE 13.1

<ol style="list-style-type: none"> 1. Esplanade reserves and strips may be set aside if: <ol style="list-style-type: none"> a) Ecological or natural values would be protected or enhanced. b) Public access would be enhanced having regard to the existing level of access available. c) Recreational use would be protected or enhanced. d) Water quality or aquatic habitat value would be protected or enhanced. e) The land is within a natural hazard area or where there is an identified risk from one or more natural hazards (such as coastal erosion). f) The creation of an esplanade reserve would complete or promote the marginal protection of a river, lake or coastline. 2. The width of an esplanade reserve and strip may be varied from 20 metres or waived if: <ol style="list-style-type: none"> a) The natural values warrant a wider or narrower esplanade strip or esplanade reserve; or b) Topography, or the siting of any building or other feature, renders the 20-metre width inadequate or excessive; or c) The protection of waahi tapu, mahinga kai and other taonga requires an
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- esplanade **reserve** or esplanade strip of greater or lesser width than 20 metres; or
- d) The protection or enhancement of water quality requires an esplanade **reserve** or esplanade strip of greater or lesser than 20 metres; or
 - e) The **land** is within a natural hazard area of where there is an identified risk from one or more natural hazards (such as coastal erosion); or
 - f) The costs of the provision and maintenance of a 20 metre wide esplanade **reserve** or esplanade strip are more than the potential public benefits of the purposes of esplanade **reserves** or strips; or
 - g) Where the creation of a 20 metre wide esplanade **reserve** or esplanade strip would create result in risks to public safety or the security of property; or
 - h) There is adequate alternative public access; or
 - i) There is adequate means of protecting water quality and conservation values; or
 - j) There is adequate provision for public recreational use of the area of coast, river or lake in question.

13.9 IMPLEMENTATION METHODS

1. Rules in the Plan stating development and servicing standards for subdivision.
2. Financial contributions to ensure the sustainable management of public infrastructure.
3. Innovative designs of subdivisions.
4. Creation of esplanade **reserves** and strips as a condition of resource consents.

13.9.1 REASONS

Rules are included in the Plan to avoid, remedy or mitigate adverse effects and to provide subdividers and developers with certainty. Financial contributions will be imposed to ensure specified standards are met. Subdividers also have a part to play by innovative design which can overcome potential adverse effects. Esplanade **reserves** and strips can be taken as a condition of resource consents.

13.10 ENVIRONMENTAL RESULTS ANTICIPATED AND MONITORING

Anticipated Environmental Results	Monitoring and Review Data
<p>The environmental results expected upon subdivision are:</p> <ul style="list-style-type: none"> • Safe, convenient access to and from subdivided allotments. • Subdivisions that are provided with adequate levels of service having regard to their location. • Maintenance of amenity standards and the quality of the environment. • Cost effective provision and sustainable management of services and infrastructure for redevelopment and growth of the District without additional financial burdens on District rate payers. • Continued provision of esplanade reserves or strips in appropriate locations where enhancement of habitats and/or access can be achieved. • A pattern of subdivision complementary and appropriate to the character of the land uses in the area concerned. • A pattern of subdivision consistent with planned density, roading patterns and open space requirements appropriate in residential environments. • Innovation in subdivision design. • Avoidance of potential risk from natural hazards. 	<ul style="list-style-type: none"> • Monitoring of the implementation of conditions placed on subdivision consents to determine whether these are effective in achieving creation of lots appropriate to the environmental area in which they are situated, and their proposed use. • Monitoring of the demands for any extension of reticulated services or any servicing improvements to determine whether existing service infrastructure is being efficiently utilised, and that suitable contributions to the cost of these services are being made upon subdivision. • Monitoring occurrence of natural hazards and effects on land use.