

25 APPENDIX 5 - SUBDIVISION RULES

Note: The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is, has been, or is more likely than not to have been undertaken. Refer to the “Grey District Council NES Contaminants in Soil Process Guide” to determine if these regulations are applicable to the activity proposed.

25.1 PERMITTED ACTIVITIES

Subdivision is not a permitted activity.

25.2 CONTROLLED ACTIVITIES

Any Subdivision is a controlled activity if it complies with the following standards:

25.2.1 ALLOTMENT SIZE

No allotment created by subdivision consent, including balance titles shall be less than the minimum specified for each Environmental Area in Table 25.1 below except as provided for in 1 and 2 below.

TABLE 25.1 ALLOTMENT SIZE

Environmental Area	Area of Minimum Net Site (excluding the Accessway)
Rural	1 hectare, and The minimum net site area is a physically contiguous parcel of land
Rural-Residential	4,000m ²
Township	
<ul style="list-style-type: none"> where public sewage is available where public sewage reticulation is not available 	500 m ² 1,000 m ²
Residential (excluding Kaiata Park, Moana & Iveagh Bay)	
<ul style="list-style-type: none"> where public sewage reticulation is available where public sewage reticulation is not available 	350m ² 1,000m ²
Residential (Moana and Iveagh Bay)	350 m ² with an average area of 500 m ²
Residential (Kaiata Park)	1500m ²

1. Rural Environmental Area Boundary Adjustments

Where there are two or more separately saleable existing allotments within a Rural Environmental Area, which have separate Certificates of Title, any adjustment of the

boundaries shall be a controlled activity provided that the resultant allotments are not less than the smallest that existed before subdivision.

2. **Access, Utilities, Roads, and Reserves**

There shall be no specified minimum allotment sizes in any Environmental Area for allotments created for access, utilities, reserves or roads.

25.2.2 WATER SUPPLY

1. All new allotments shall be provided with the ability for the respective potential land uses to connect to a safe potable water supply.
2. Each allotment shall be provided with the ability to connect to the Council's reticulated system where such a system is available and a connection shall be laid to the boundary of each lot created by a subdivision.
3. Where such a system is not available the applicant shall demonstrate that a water supply suitable for the proposed use of the allotment is available.
4. That any subdivision within Kaiata Park development shall connect into a reticulated potable water supply.

25.2.3 STORMWATER

1. All allotments shall be provided with a means of disposing of collected stormwater from the roof of all buildings and impermeable surfaces to an approved system.
2. Where a reticulated stormwater disposal system is available each lot of subdivision shall be provided with a connection from the boundary of that lot to the system.
3. Where no system is available stormwater shall be disposed of in an approved manner.
4. That any subdivision within the Kaiata Park development area shall connect into an approved stormwater management system (where such system shall include provision for ongoing maintenance).
5. That Kaiata Park development shall be in general accordance with the Kaiata Outline Development Plan (attached as Appendix 12). Note that where reference is made to reserves these include stormwater management areas.

25.2.4 SANITARY SEWAGE DISPOSAL

1. All allotments shall be provided with a means of disposing of sanitary sewage for the potential land uses that could be established on the respective allotments.
2. Where a reticulated system is available for connection with the capacity to serve the potential land uses that could be established on the allotment, each lot of subdivision shall be provided with a piped sewage system outfall laid to the boundary of that lot.
3. Where a reticulated system is not available the applicant shall provide evidence that effluent can be satisfactorily disposed of on-site.
4. That any subdivision within the Kaiata Park development area shall connect into an approved sewerage reticulation system.

25.2.5 ENERGY SUPPLY AND TELECOMMUNICATIONS

1. All allotments shall be provided with the ability to connect an electric supply system and telecommunications to the boundary of each of the lots.

25.2.6 ROADING AND ACCESS STANDARDS

1. All roads shall be constructed in accordance with the Code of Practice (refer Section 25.7 - Schedule 1).
2. All vehicular access to fee simple title allotments, cross lease, unit title, or leased premises, shall be in accordance with the standards set out below and shall be constructed, where applicable, in accordance with the Code of Practice (refer Section 25.7 - Schedule 1).

TABLE 25.2 PRIVATE WAY, VEHICULAR ACCESS AND MISCELLANEOUS PROVISIONS (NOT INCLUDING LEGAL ROADS)

Environmental Area	Potential No of Units	Length	Legal Width	Carriage -way Width	Turning Area	Passing Bay	Footpaths
Residential Township	0-4	All Lengths	4	3.0	Required if over 50m in length	Optional	Optional
Residential Township	5-10	0-50	4	3.5	Required	Required	Optional
Residential Township	5-10	Over 50	4.5	4.0	Required	Required	Required
All Other Environmental Areas	0-10	All Lengths	6.0	4.0	Required	Optional	Optional
All Environmental Areas	Service Lanes	All Lengths	6.0	4.0	Required if blind end.	Optional	Optional
All Environmental Areas	Pedestrian Access	All Lengths	2.1	2.1	N/A	N/A	N/A
All Environmental Areas	Access Ways and Cycle Ways	All Lengths	2.1	2.1	N/A	N/A	N/A
Minimum Height Clearances Vehicular Access and Service Lanes							3.5m

3. The maximum number of lots that may be served by a private way or access lots is 10.
4. Every lot shall be of sufficient size and frontage to be capable of providing a complying access (Refer to Rule 24.3).
5. That any subdivision within the Kaiata Park development area shall be in general accordance with the Kaiata Outline Development Plan (attached as Appendix 12).

6. Any subdivision and/or development in the [Kaiata Park](#) area will require the Fairhall Road intersection with State Highway 7 to be upgraded in accordance with the design specifications published in the Austroads document 'Guide to Traffic Engineering Practice Part 5: Intersection at Grade' to provide a full T-Junction Intersection with left turn and right turn lanes from both state highway approaches to the intersection.
7. Any subdivision and/or development in [Paroa Developments](#) will require the Clough Road and State Highway 6 intersection to be upgraded in accordance with the intersection standard attached as Diagram F in Appendix 4.

25.2.7 ROADING AGREEMENTS

Where during the course of the subdivision it is necessary to make provision for future [roads](#) that cannot be formed or vested immediately, until other [land](#) becomes available or are separated from the frontage [road](#) by intervening properties, a caveat will be registered on the subject [land](#), supported by roading agreement, stipulating that when the other [land](#) becomes available, the [Council](#) may call upon the restrictive owners to form and vest and pay the cost to form and vest the required [land](#) for [road](#). The cost of construction will be the current prices at the time that the [Council](#) calls upon the respective owner to form and vest the [land](#).

25.2.8 POINT STRIPS – [SITE STANDARDS](#)

Where in the course of subdivision a new [road](#) is constructed and vested that will or could provide frontage to other [land](#), that other [land](#) will be separated from the new [road](#) by a point strip, and an agreement will be entered into by the first subdivider with the [Council](#), to ensure the benefiting owner pays a fair share towards the cost of providing the frontage [road](#). The point strip agreement sets the amount to be paid, which will be updated from the date of signature of the agreement by the Consumers Price Index. Such agreements will be held by the [Council](#) and can be identified by the point strip separating the subsequent property from frontage to the [road](#).

Point Strips may also be required where [access](#) to any [road](#) would be unsafe.

A point strip of no less than 100mm in width shall be created along the State Highway 7 [frontage](#) of any new [allotment](#), or balance [allotment](#) created within the [Kaiata Park](#) development area and fronting State Highway 7 including any [allotment](#) created to contain the wetland area. Such point strip shall vest in Her Majesty the Queen for Use in Connection with a [road](#) (point strip).

25.2.9 NATURAL HAZARDS

That the [site](#) is not subject to any actual or potential natural hazards.

25.2.10 ELECTRICITY TRANSMISSION NETWORK

The subdivision of a site containing or within 14m of [National Grid Infrastructure](#) shall meet all of the following standards:

1. It is demonstrated that any allotment created can contain a 15m x 15m area of land which:
 - a) Is located entirely outside of the [National Grid Buffer Area](#); and
 - b) Has reasonable physical and legal access; and
 - c) Could accommodate a building which can comply with all District Plan activity standards for the Environmental area it is located in.

2. The subdivision maintains any existing access to [National Grid Infrastructure](#).
3. Written documentation is provided which demonstrates consultation has occurred with the National Grid Operator. This shall include any response received from the Operator.
4. The minimum lot size for any allotment which contains any part of the [National Grid Buffer Area](#) shall be 1 ha.

25.3 MATTERS WHICH COUNCIL RESERVES CONTROL OVER

1. Financial contributions (refer to section 15).
2. Effects of natural hazards.
3. Design and layout of subdivisions.
4. Protection of natural features – vegetation, heritage items, landscapes.
5. [Access](#) and roading.
6. [Earthworks](#).
7. Siting of [buildings](#).
8. Provision of services.
9. Esplanade [reserves](#).
10. Effects of and on Public Infrastructure.

25.4 DISCRETIONARY ACTIVITIES

Any subdivision that contravenes a controlled standard, and is not otherwise specified as a non-complying activity under rule 25.4A is a discretionary activity.

25.4A NON-COMPLYING ACTIVITIES

From 1 July 2018, any subdivision which contravenes Rules 25.2.10(1) or (2) is a non-complying activity.

25.5 ASSESSMENT MATTERS FOR CONTROLLED AND DISCRETIONARY MATTERS

In considering whether or not to grant consent or impose conditions, the [Council](#) shall have regard to, but not be limited by, the following assessment matters for the respective standards:

25.5.1 ALLOTMENT SIZE

1. Whether the [allotment](#) is of sufficient area to effectively fulfil the intended purpose or activity, having regard to the relevant Environmental Area standards and general standards for activities.
2. Whether the proposed lot sizes are sufficient for operational and maintenance requirements.
3. The relationship of the proposed [allotments](#) and their compatibility with the pattern of the adjoining subdivision and [land](#) use activities, and access arrangements.
4. Where a parcel is less than 1 hectare and is part of a non-contiguous title, the following:

- a) The number and scale of non-contiguous parcels of land.
- b) Whether it is intended or likely that the site will contain a dwelling.
- c) The effects, both positive and adverse, of non-contiguous parcels of land, particularly if they are grouped or clustered, on
 - The natural character of waterbodies and wetlands including their margins and the coastal environment
 - Areas of outstanding natural features and landscapes and significant natural areas
 - Provision of services, including roading and the disposal of effluent and stormwater
 - Spaciousness and openness of the rural area, including the potential effect of structures
 - Natural and coastal hazards
 - The function of the state highway network, including the appropriateness of the access with respect to, but not limited by, location and standard of access.
- d) The reasons for the non-contiguous nature of the site.

25.5.2 PROPERTY ACCESS AND ROADING

1. Whether the frontage road is of sufficient width to cater for the expected traffic generated by the possible activities that will be established on the allotments being created, and whether there is any need to upgrade the frontage road.
2. Any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties.
3. The application of the requirements of Section 106(1)(c), Resource Management Act 1991, to any subdivided allotment.
4. The provisions of the Code of Practice for Subdivisions (Section 25.7 - Schedule 1).
5. The practicality of providing access elsewhere for vehicles, particularly where alternative access to the State highway is available.
6. The provisions of the roading hierarchy, the account taken of pedestrian movement, provision of space for cyclists, amenity values of the street, opportunities for tree planting in the open space of the road way to enhance the character and identity of the neighbourhood.
7. The need to provide cycleways in circumstances where the roading network does not supply sufficient or direct cycle routes through the locality.
8. The degree to which proposed new roads make adequate provision for vehicle movements, car parking and property access.
9. The need to provide pedestrian accessway facilities in circumstances where the roading network does not provide sufficient or direct access or easy walking access to facilities in the vicinity.
10. The need to provide alternative access for car parking and vehicle loading in commercial or industrial Environmental Areas by way of vested service lanes at the

rear of properties having regard to alternative means of access and performance standards for activities within such Environmental Areas.

11. Any need to require provision be made in a subdivision for the vesting of **road** reserves for the purpose of facilitating connections to future roading extensions to serve surrounding **land**, or planned **road** links that may need to pass through the subdivision and the practicality of creating such easements during the time of subdivision application in order to facilitate later development.
12. The need to provide for appropriate standards of street lighting having regard to the classification of the **road** or the right of way, and the **Council's** Code of Practice for Subdivision (Section 25.7 - Schedule 1).
13. Roading layout and **access** to the State Highway for the **Kaiata Park** development area are to be undertaken in accordance with Appendix 12. The provision of the Outline Development Plan for **Kaiata Park** will provide assurance that **access** is provided to an adequate standard and that the internal roading layout and bridges are positioned in general accordance with that plan.
14. The need for and extent of any financial contribution to achieve the above matters.
15. Whether the vehicle **access** to the **allotment** will provide adequate visibility to adjoining **roads**.

25.5.3 NATURAL HAZARDS

1. Any information held on the Grey District Council's and the West Coast Regional Council's Hazard registers.
2. Information obtained by suitably qualified experts, whose investigations are required to be supplied for all subdivision applications, unless the **site** or property has previously been certified as suitable for the proposed land use.
3. Potential adverse effects on other **land** that may be caused by the subdivision or anticipated land use activities.
4. Any report from a suitably qualified and experienced expert, detailing the measures that have been or will be taken to avoid, remedy or mitigated any hazard that may occur on the property.
5. In relation to potential for inundation from any source, **Council** shall have regard to the following factors:
 - a) The effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and **adjoining land**.
 - b) The erection of sea walls and their environmental effects.
 - c) Any proposed **boundary** drainage to protect surrounding properties.
 - d) The adequacy of existing outfalls and any need for upgrading.
 - e) Any need for retention basins to regulate the rate and volume of surface runoff.
6. In relation to potential for erosion, falling debris or slippage the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the **allotment's** Certificate of Title.
7. In relation to potential for subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title.

8. In relation to a contaminated [site](#), any soil tests, establishing suitability, and methods to avoid mitigate or remedy the effects, including removal to approved disposal points.
9. In relation to proposed [land](#) filling and excavation operations, the following factors:
 - a) The effects on surrounding properties.
 - b) The natural pattern of surface drainage.
 - c) The type of and placement of fill material.
 - d) Mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties.
 - e) Remedies necessary during emergencies.

25.5.4 WATER SUPPLY

1. Where there is no urban water supply or a [Council](#) restricted flow rural type water supply available for connection, whether it would be appropriate to allow a private restricted flow rural type water supply system.
2. The suitability of the proposed water supply for fire fighting purposes. A Fire Fighting Water Supplies Code of Practice is included in 25.7 Schedule 1 and the [Council](#) may obtain a report from the Fire Service.
3. The provisions of the Code of Practice (Schedule 1) in respect to installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, submains, service links and fire hydrants.
4. Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision and if not, that the subdivider contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
5. Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increasing pipe sizes leading to the subdivision in existing streets, and the level of contribution a subdivider should contribute toward this.
6. Whether because of increased demand that the potential land users may impose upon the system, an upgrading contribution should be made for a programmed plan for installation of new wells, reservoirs and pumping units.
7. The extent of the water supply headworks upgrading contributions taking account of the likely use of water by the subdivision and the potential land use activities that could be permitted on the [land](#).
8. The extent of any financial contribution toward the provision and upgrading of any public water supply system.
9. The need for a local purpose [reserve](#) to be set aside and vested in the [Council](#) as a [site](#) for a public [utility](#).
10. Where it is necessary to upgrade the reticulated water supply system in order to cater for the subdivision, any costs to be borne by the subdivider, calculated on the cost of supplying the increase in demand as a result of the additional [allotments](#).
11. The provisions of the [Council's](#) Code of Practice (Section 25.7 - schedule 1).

12. The suitability of any proposed water supply that is supplied by a developer for drinking.

25.5.5 STORMWATER

1. The provisions of the Code of Practice for Subdivisions (Schedule 1).
2. The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas and of siltation.
3. The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways.
4. Demonstration that there is sufficient capacity available in the Council's outfall stormwater system to cater for increased runoff from the proposed allotments.
5. The availability of an approved outfall where stormwater can be directed to, where such an outfall is capable of absorbing increased runoff.
6. Where an existing outfall is not capable of accepting increased runoff, proposals and solutions for disposing of runoff; the necessity to provide an on-site retention basin to contain surface runoff where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same runoff coefficient that existed on the land before subdivision takes place.
7. Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse affects.
8. For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.
9. Where stormwater disposal cannot be obtained by gravity outfall, the need to ensure the land is not filled against the fall of the country, solely to obtain such outfall, and whether it is practical to provide easements through adjoining owners' land to other frontage outfall systems.
10. As part of the Kaiata Park development a stormwater management system, including provision for its ongoing maintenance, is required to be established that will mitigate any adverse effects on the surrounding environment.
11. The need for and extent of any financial contribution to achieve the above matters.
12. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes.

25.5.6 SEWAGE DISPOSAL

1. The capacity, availability, and accessibility of the reticulated system to serve the proposed subdivision.
2. The installation of all new reticulation.
3. The provisions of the Code of Practice (Schedule 1).

4. The relevance of any existing cost sharing scheme and whether the proposed reticulation will benefit other property owners.
5. Where a reticulated system is not available, or a connection is impractical, provision of septic tank or other disposal systems in accordance with either a general authorisation or a discharge permit issued by the Regional Council.
6. Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
7. Provision made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from septic tank or other disposal systems, together with any consent notices to ensure compliance.
8. The [Kaiata Park](#) Outline Development Plan indicates the location of the sewage treatment plant and stand of trees (approximately 4.5 hectares) which will provide a buffer between the treatment plant and the Rural Residential Environmental Area. At the time of any subdivision application with the potential to enable a dwelling to be constructed within 150m of the [Kaiata Park](#) sewage treatment area, confirmation will be required that a [building](#) platform can be located at a distance of greater than 150m from the edge of the sewage treatment area. Should land use consent be required for the establishment of the treatment plant consideration of future ownership shall be undertaken and the potential need for designation reviewed.
9. The extent of any financial contribution toward the provision and upgrading of sewage reticulation and services.

25.5.7 ENERGY SUPPLY AND TELECOMMUNICATIONS

1. Where the subdivision involves construction of new [roads](#) or formed rights of way, the installation of an extended reticulation system (at the subdivider's responsibility) with regard to the Subdivision Code of Practice and the network operator's requirements.
2. The adequacy of the proposed reticulated system to be installed by the subdivider.
3. Where the proposed system will serve other [land](#) that is not part of the subdivision, whether the network operator is providing sufficient capacity, and the cost of such provision.
4. The practical ability to connect to available systems.
5. Appropriate separation distances are required for buildings and structures from [National Grid infrastructure](#); refer to the Environmental Area and the subdivision rule sections of this District Plan.

Where [National Grid Infrastructure](#) passes through, or close to, a property proposed to be subdivided, consideration shall include:

- Whether the subdivision design has incorporated measures, including suitable setbacks, to ensure an allotment is of sufficient dimensions to effectively fulfil the intended purpose or activity, having regard to the relevant Environmental Area standards and general standards for activities.
- The relationship of the proposed allotments and their compatibility with the [National Grid Infrastructure](#) including any necessary access arrangements for the maintenance of the network.

- Whether the proposal includes reference to other regulatory requirements including safe separation distances in the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001)
- Technical comment provided by the Network Utility Operator.

Note: The presence of other 66kV transmission lines shown on Planning Maps 2, 3, 4, 7, 8, 10, 12, 13, 16, 31, 33, 34, 35, 37, 40, 41, 43, 46 and 47 is drawn to the attention of persons proposing to subdivide. If any subdivision is proposed within 20m of these transmission lines, Transpower New Zealand Ltd should be contacted to obtain details on the necessary safe clearances between transmission lines and [building](#), structures, vegetation and activities such as the operation of mobile plant. [Council](#) shall be advised on the outcome of any discussion.

25.5.8 ESPLANADE RESERVES AND STRIPS

TABLE 25.3

<p>1.</p> <p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p> <p>e)</p> <p>f)</p> <p>2.</p> <p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p> <p>e)</p> <p>f)</p> <p>g)</p> <p>h)</p> <p>i)</p> <p>j)</p>	<p>Esplanade reserves and strips may be set aside if:</p> <p>Ecological or natural values would be protected or enhanced.</p> <p>Public access would be enhanced having regard to the existing level of access available.</p> <p>Recreational use would be protected or enhanced.</p> <p>Water quality or aquatic habitat value would be protected or enhanced.</p> <p>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).</p> <p>The creation of an esplanade reserve would complete or promote the marginal protection of a river, lake or coastline.</p> <p>The width of an esplanade reserve and strip may be varied from 20 metres or waived if:</p> <p>The natural values warrant a wider or narrower esplanade strip or esplanade reserve; or</p> <p>Topography, or the siting of any building or other feature, renders the 20-metre width inadequate or excessive; or</p> <p>The protection of waahi tapu, mahinga kai and other taonga requires an esplanade reserve or esplanade strip of greater or lesser width than 20 metres; or</p> <p>The protection or enhancement of water quality requires an esplanade reserve or esplanade strip of greater or lesser than 20 metres; or</p> <p>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</p> <p>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</p> <p>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</p> <p>There is adequate alternative public access; or</p> <p>There is adequate means of protecting water quality and conservation values; or</p> <p>There is adequate provision for public recreational use of the area of coast, river or lake in question.</p>
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25.5.9 RESERVE CONTRIBUTIONS

NB: As indicated in Section 15.6.7 Financial Contributions Council will generally take 2% as a maximum amount of the value of each new allotment in a subdivision.

1. Where, within the preceding 5 years, the subdivision creating the allotment made provision for reserves in excess of the previous subdivision assessment, or where a development levies, as the case may be, shall be taken into consideration when the new assessment is made.
2. Where the contribution towards the provision of land or open space and recreation is not to be paid to the Council before a Conditions certificate is issued pursuant to Section 224 of the Act, a requirement for the applicants to enter into a bond.

Note: documentation will be registered against the Certificates of Title issued for the allotment(s), preventing their sale until contribution is paid, and subject to the following:

- a) payment of the prescribed fee, including all legal costs.
- b) the assessment amount for payment being adjusted in accordance with the valuation NZ index if not paid within two years of the assessment.
- c) payment shall be either:
 - i) the total assessment being paid on the sale of half the number of allotments in the subdivision less one; or
 - ii) an instalment system based on the assessment being divided by the total number of allotments less one, with payment commencing at the first transfer.
- d) whether the undertaking of works, including the planting of trees or the regrading or levelling of reserve land that will vest in the Council, or the setting aside of a reserve to protect any natural features, should be taken into account when assessing the value of the contribution towards land for open space and recreation.

25.6 REASONS FOR RULES

25.6.1 STATUS OF SUBDIVISION ACTIVITIES

Because of the location and great variety of site characteristics of subdivision, both modified and natural, it is not considered possible to predetermine what conditions may need to be applied to any subdivision. All subdivisions therefore are at least controlled activities. Failure to meet specific site or Environmental Area standards will require a controlled or discretionary resource consent.

25.6.2 GENERAL PURPOSE OF SUBDIVISION CONTROL

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 and achieve an acceptance level of services and amenity and protection of the natural and physical resources. Rules for subdivision have as far as possible been written to address effects, not the type of tenure chosen.

25.6.3 **SUBDIVISION DESIGN**

The purpose of controls on subdivision design are to ensure that **allotments** are appropriately located in relation to each other and to available sunshine for energy conservation purposes, that walkways provide logical links with adjacent areas, that **buildings** are located where there is the minimum risk of damage from natural hazards, and that natural stormwater channels and wetland areas are used for the benefit of both residents and the natural values of the area.

25.6.4 **ALLOTMENT SIZE AND DIMENSIONS**

The Rural Areas Objectives and Policies address the reasons for the minimum lot sizes required in the Rural Environmental Area.

There is a requirement for rural sections to be a minimum size of 1 hectare. A site or title can be made of separate parcels of land (a non-contiguous layout) but each parcel must meet the minimum 1 hectare requirement. If a smaller site or parcel of land is proposed then discretionary resource consent is required.

The 1 hectare minimum size requirement has been set in order to retain the openness and spaciousness of the rural environment and to protect the natural character of the coastline and waterbodies and their margins, and to address the provision of services. The creation of small parcels and sites in the rural environment and the subsequent erection of dwellings can result in a clustering effect. While there may be benefits in the clustering of parcels or sites – including the efficient provision of services, the avoidance of natural hazard areas and retention of areas without built intrusions – it is considered appropriate that Council maintain discretion over this type of development. While many of the effects will arise from the erection of dwellings, it is considered appropriate that subdivisions are assessed given the expectations raised by subdivision and the likely subsequent land use. Sites and non-contiguous parcels of land that are smaller than 1 hectare will potentially have a more significant effect if it is proposed or intended that a dwelling be erected on them.

A small number of non-contiguous 1 hectare subdivisions were being process at the time of a change to the plan being introduced. It is reasonable to allow these proposals to proceed as per the provisions in place when they were lodged. Therefore these sites have been given an exemption in regard to Rule 19.7.2.

The minimum area requirements for Residential, Rural-Residential and Township Environmental Areas are also addressed in the objectives and policies for these areas, and reflect a balance between a need for urban consolidation and the protection of character and amenity on the other hand. In general, the lot sizes aim to maintain the character of previous development and enable a variety of complying development. However, in recognition that many **sites** are subdivided and built on simultaneously, and that therefore the siting of the **buildings** is finalised at the subdivision stage, the rules permit a reduction in minimum area where there is a **building** commitment and that **building** will comply with all relevant standards for the Environmental Area. In Moana and Iveagh Bay a larger average area is required to recognise the special amenity of these areas. In **Kaiata Park**, a larger minimum **net site area** is required to remain in keeping with residential properties in the Kaiata and Dobson area and to retain the overall character of the area.

The larger minimum area for unserviced lots is required to enable sewage to be adequately collected and disposed on-**site**.

The [boundary](#) adjustment provisions recognise that the effects of such alterations are minor provided no additional [allotments](#) are vested.

[Allotment](#) dimensions are specified to ensure that, in residential areas in particular, [allotments](#) are of a shape that permits some flexibility in placing a complying [building on-site](#) at a later stage.

The subdivision of a site containing or in close proximity to [National Grid Infrastructure](#) shall include in its design, provision for existing and future buildings or structures to be erected in compliance with national Grid setback requirements as applied for the relevant Environmental Area.

25.6.5 TRADE WASTE DISPOSAL

Trade Waste Disposal bylaws are currently being drafted. [Council](#) also has the power to place conditions on subdivisions that set standards for such disposal to avoid contamination of ground or surface water and to maintain the efficiency and capacity of general sewage treatment and disposal systems of the District.

25.6.6 WATER SUPPLY

To ensure that a safe and adequate supply of potable water is available, all [allotments](#) in or adjoining areas with [Council](#) reticulated water supplies will be required to connect to such supplies. Financial contributions towards water supply upgrading or the provision of new water supply infrastructure ensure that the costs of maintaining or extending water supplies of an acceptable standard are apportioned according to the demands placed on water supplies by new subdivisions. The assessment matters enable the consideration of the adequacy of water supply provision on any subdivision for reasons of public health, convenience and efficient use of supply infrastructure.

25.6.7 STORMWATER

The controls on the disposal of stormwater have the primary purpose of avoiding adverse effects of stormwater on adjacent [land](#). Stormwater can also impact on the quality of surface water. In general these concerns are most relevant within settlement areas where the density of development can result in stormwater flowing onto adjacent [land](#), or more rapid or contaminated runoff into natural watercourses. Financial contributions towards stormwater disposal system upgrading or the provision of new stormwater infrastructure ensure that the costs of maintaining or upgrading stormwater systems to an acceptable standard are apportioned according to the demands place on stormwater disposal by new subdivisions.

25.6.8 SEWAGE DISPOSAL

The subdivision rules on sanitary sewage disposal complement the West Coast Regional Council controls which have the purpose of protecting the quality of ground and surface water. In the settlement areas where [Council](#) reticulated disposal systems are available the subdivision rules require that all lots be provided with a means of disposal, being a minimum diameter piped outfall connected onto the [Council](#) system. Because subdivisions in rural areas do not necessarily involve residential use and because there are few reticulated disposal systems, requirements for sanitary sewage disposal in other areas would be implemented through building consents. Financial contributions towards sewage disposal system upgrading or the provision of new sewage disposal infrastructure, ensure that the costs of maintaining or upgrading sewage systems to an acceptable standard are apportioned according to the demands place on sewage disposal by new subdivisions.

The stand of trees in [Kaiata Park](#) has been specifically cited because this provides a buffer and helps to ensure that the 150 metres separation of residential [buildings](#) from any sewage treatment plant is maintained, and that the effects on the environment are minimal. It is vital when allowing development to occur around the treatment site that new development is not located in a position where it will be sensitive to the operation. Where [land](#) use consent is required and ownership is proposed to be transferred to the [Council](#) the alternative of designation of the [site](#) may be appropriate for review at the time of subdivision and development.

25.6.9 ELECTRIC AND TELEPHONE SUPPLY

The rules require that as a minimum all lots, other than in Rural Environmental Areas (but including lots principally for residential or other non rural purposes), have the ability to connect to an electric supply and telephone system at the [boundary](#) of the [site](#). This requirement ensures that services expected by subsequent owners will be available. In addition, the adequacy of the standard of energy and telecommunications installations and their co-ordination can be ensured by conditions on the subdivision.

25.6.10 PROPERTY ACCESS

The rules specifying widths for [roads](#) and the assessment matters regarding [roads](#) are to ensure that all new [roads](#) and property [access](#) are created with the capacity to provide access for residents of the area and link up with the adjoining [road](#) network safely and efficiently, avoiding congestion, and providing for on street parking and pedestrian/cycle movement.

The rules for private vehicular [access](#) are to ensure the [accesses](#) can adequately cater for likely anticipated volumes of traffic. Provision for turning areas and passing bays also relate to the likely number of users and have the purpose of avoiding hazardous and inconvenient reverse manoeuvres. Footpaths are required to promote pedestrian safety. Where more than ten [residential units](#) are likely to be served a [road](#) is considered necessary to ensure safe and efficient vehicle movement.

Corner roundings are required to facilitate pedestrian movement and safety. Naming of streets is provided for to enable ready identification and efficient delivery of services to all properties including emergency services.

[Road](#) upgrading costs have the purpose of ensuring that costs of providing [roads](#) of an acceptable standard is apportioned in accordance with the demands placed on those [roads](#) by development of subdivisions. Point strips can ensure that contributions to roading will be made in the future as required.

For the purposes of rule 25.2.6.7 any subdivision within [Paroa Developments](#) will need to pay the full cost of upgrading the Clough [Road](#) and State Highway 6 intersection and the financial contribution policy section 15.6.1 of the Plan does not apply.

25.6.11 NATURAL HAZARDS

The controlled activity provision enables the [Council](#) to place conditions on the need for works, the location of services, [earthworks](#) and the location of [buildings](#), with the purpose of limiting likely damage from natural hazards such as erosion, flooding, landslip and unconsolidated fill. This provision is needed to enable the extent of natural hazards to be fully ascertained for each [site](#) at the time of subdivision as this information is not always available at the time the District Plan is prepared. Within areas of high flood risk or high risk of coastal erosion, the discretionary activity

provision enables the [Council](#) to assess the effect of the subdivision in increasing the amount of property at risk from natural hazards or in increasing the severity of the hazard.

25.7 SCHEDULE 1 - CODE OF PRACTICE FOR SUBDIVISION

The Code of Practice for subdivision is comprised of the following documents.

Document	Status	Application	Implementation Date
Land Development and Subdivision Engineering NZS 4404:2004 (and any NZ Standard that supersedes this document and is adopted by the Council)	New Zealand Standard	Land Development, Subdivision Engineering Activities	2004
Bridge Manual	Guideline Guideline (M)	Local Roads State Highways	May 1994
Waterways Design Austroads 1994	Guideline	All Roads	June 1994
Highway Surface Drainage - Design guide for Highways with a Positive Collection System NRB 1997	Guideline	All Roads	November 1977
Guide to Cycle Facilities NRB/UTC 1985	Guideline	All Roads	1985 Approx
Rural Roads: Guide to Geometric standards for Rural Roads NRB 1985	Guideline	New or Upgrade Projects on Local Roads Included in NLTP	1985 Approx
State Highways: Rural Road Design Guide to the Geometric Design of Rural Roads Austroads 1989	Guideline (M) Guideline	State Highways Recommended for Local Authority Roads	1989
Guidelines for Two Lane Rural State Highways: Changes to Widths Section 7.1.2(1) and App VII.1 of SHPPM and General Circular 93/8 Cross for State Highways	Guideline (M) Guideline	State Highway New or Upgrading Works	2 July 1993
Safety Barriers and Median Barriers 3.4.0.7 State Highway Control Manual	Guideline	State Highways	1994
Guide to Traffic Engineering Practice Pt 5 Intersections at Grade NAASRA 1988 with Roding Design Guidelines RD-1 Intersections at Grade Transit 1991	Guideline (M) Guideline	State Highways All New or Upgrading Works	1991

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Document	Status	Application	Implementation Date
Guide to Traffic Engineering Practice Pt 6 Roundabouts Austroads 1993 with Roading Design Guidelines RD-2 I 1991	Guideline (M) Guideline	State Highways All New or Upgrading Works	1991
Bituminous Sealing Manual Transit 1993	Guideline (M) Guideline	State Highways All New Seals and Reseals	1993
Austroads Guide to Structural Design of Road pavements in NZ (1992) plus NZ Supplement (Nov 1995	Guideline (M)	State Highways	July 1995
Design Guide for Assessing Freeze Thaw Effects on Pavements	Guideline Guideline	Local Roads State Highways	July 1995
Land Transport Programme Development and Management Manual	Standard	All Road Controlling Authorities and Regional Councils	1 July 1994
TR 11 Recommended Practice for Pedestrian Crossings	Guideline	All Roads	1988
Guidelines for Planting for Road Safety	Guideline (M) Guideline	State Highways Local Roads	1991
Manual of Traffic Signs and Markings Pt1 Traffic Signs Transit/MOT 1992 for RG, RP, RH, TW and PW Series Signs Manual of Traffic Signs and Markings NRB 1975 (for Information Signs Not yet Republished)	Guideline (M) Guideline	State Highways Local Roads	Ongoing
Manual of Traffic Signs and Markings Pt2 Markings, Transit/LTSA 1994	Guideline (M) Guideline	State Highways Local Roads	New and refurbished installations after June 1994
General Circular No 95/10 Guidelines for the Implementation of an Urban Route System	Guideline	Local Authority Roads	24 February 1992

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Document	Status	Application	Implementation Date
RTS 1 Guidelines for the Implementation of Traffic Control at Crossroads MOT	Guideline (M) Guideline	State Highways Local Roads	Progressive from November 1990
RTS 2 Guidelines for Street name Signs MOT	Guideline (M) Guideline	State Highways Local Roads	Progressive from November 1990
RTS 5 Guidelines for Rural Road Marking and Delineation MOT/Transit 1992	Guideline	Local Authority Roads	Progressive from October 1990
RTS 2 Guidelines for Visibility at Driveways MOT	Guideline		August 1994
RTS 7 Advertising Signs and Road Safety	Guideline	State Highways	August 1994
RTS 8 Guidelines for Safe Kerbline Protection	Guideline	State Highways	August 1994
RTS 9 Guidelines for the Signing and Layout of Slip Lanes	Guideline	State Highways	August 1994
Standards Criteria and guidelines Manual	Guideline (M) Guideline	State Highways New Zealand Transport Agency and Local Authorities	December 1993
NZS 6701: 1983 Code of Practice for Road Lighting	Guideline (M) Guideline	State Highways Local Roads	Progressive from 1983
Traffic Signals - A Guide to the Design of Traffic Signal Installations NAASRA 1987 with Road and Traffic Standards No 11 MOT 1990	Guideline (M) Guideline	State Highways Local Roads	From June 1990
New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003	New Zealand Standard	Suitability of water supplies for fire fighting purposes	2003

