

SECTION 8: SUBDIVISION

This part of the Plan contains rules and performance standards relating to the subdivision of land.

All subdivision that is proposed will require a resource consent from the Council either as a Controlled Activity, a Limited Discretionary Activity, a Discretionary Activity or a Non-Complying Activity. The set of performance standards relates to every Activity category.

8.01 Categories of Activities	8.02 Performance Standards
<p>8.01.1 Permitted Activities</p> <p>None.</p> <p>8.01.2 Controlled Activities</p> <p>(a) Subdivision necessary to accommodate network utility operations.</p> <p>(b) Subdivision for the purpose of creating a lot to be used solely for the protection of a Significant Natural Area listed in Schedule II of this Plan.</p> <p>(c) Subdivision that fully complies with the performance standards set out or referred to in Section 8.02 and is not listed in Sections 8.01.3, 8.01.4 and/or 8.01.5.</p> <p>8.01.3 Limited Discretionary Activities</p> <p>The following are Limited Discretionary Activities if they comply with the performance standards set out or referred to in Section 8.02:</p> <p>(a) Subdivision of land abutting a stream or river listed in Schedule V of the Plan.</p> <p>Matters over which the Council retains discretion:</p> <p>(i) The setting aside of esplanade strips or reserves of 20 metres in width for the purposes of conservation, recreation and/or public access.</p>	<p>8.02.1 Utilities and Services</p> <ol style="list-style-type: none"> Where public water, sewerage and/or drainage services are available within 200 metres of any boundary of any lot of a proposed subdivision, all lots shall be connected to such available services at the time of subdivision, unless it can be demonstrated that there is a more sustainable option. Where public water, sewerage and/or drainage services are not available within 200 metres of a proposed subdivision, all lots shall be self-sufficient in terms of water supply, drainage and effluent disposal. Sufficient regard to suitability in respect of topography, soils, water tables and proximity to water bodies must be demonstrated. In residential, commercial and industrial zones, and in other zones where power lines, gas distribution pipes and communication lines are available within 200 metres of any boundary of any lot of a proposed subdivision, the services, where installed, shall be provided underground to the subdivided land. At the time of subdivision sufficient land for transformers and associated ancillary services shall be set aside. All necessary easements for the protection of utilities and services to the lot(s) shall be provided by the subdivider, and duly granted and reserved.

8.01 Categories of Activities	8.02 Performance Standards
<p>(ii) The management of riparian areas of natural habitat and vegetation.</p> <p>(b) Subdivision of land that includes a Significant Natural Area (in whole or part) listed in Schedule II of this Plan and not protected by a legal covenant or other legal protection mechanism.</p> <p>Matters over which the Council retains discretion:</p> <p>(i) The location of lot boundaries. (ii) The management and protection of the Significant Natural Area, including the requirement for legal covenant or other legal protection mechanism.</p> <p>(c) Subdivision of land that contains an identified archaeological site as indicated in the Maps Section of this Plan.</p> <p>Matters over which the Council retains discretion:</p> <p>(i) The location of lot boundaries. (ii) The management of archaeological sites, including the requirement for legal protection.</p> <p>(d) Subdivision of land that contains a heritage item listed in Schedule 1a of the Plan.</p> <p>Matters over which the Council retains discretion:</p> <p>(i) The location of lot boundaries. (ii) The protection and conservation of the surroundings or curtilage associated with the heritage item.</p>	<p>6. NZS 4404:2004 Land Development and Subdivision Engineering shall be complied with where necessary.</p> <p>8.02.2 Vehicle Access</p> <p>1. All lots shall provide vehicle access, in accordance with the Council's vehicle crossing standards (set out in Appendix VI), to a formed legal road.</p> <p>2. NZS 4404:2004 Land Development and Subdivision Engineering shall be complied with, including (where necessary) the requirements for upgrading and/or forming vehicle crossings, roads and rights-of-way in all zones.</p> <p>3. All subdivisions with access or frontage to a State Highway shall, as required by Section 1.04.1(d) of the Plan, be referred to Transit New Zealand for approval.</p> <p>8.02.3 General</p> <p>1. Where the subdivision may adversely impact on water bodies, Significant Natural Areas, the coastal environment, listed heritage items and/or archaeological sites, measures to avoid, remedy or mitigate adverse environmental impacts must be demonstrated.</p> <p>2. Where natural hazards may adversely impact on future land use, measures to avoid, remedy or mitigate adverse environmental impacts must be demonstrated.</p> <p>3. Where land abuts the coast, a 20 metre wide esplanade strip or reserve shall be set aside for the purposes of conservation, recreation and/or public access. Management of riparian areas of natural habitat and vegetation shall be demonstrated.</p>

8.01 Categories of Activities	8.02 Performance Standards
<p>(e) Subdivision of land prone to erosion, subsidence and/or slippage shown as Land Use Class VI, VII or VIII in the Land Resource Inventory Worksheets.</p> <p>Matters over which the Council retains discretion:</p> <ul style="list-style-type: none"> (i) The location of lot boundaries. (ii) The management of areas of land, including the requirement for mitigation works such as planting, landscaping, drainage works and other excavation controls. (iii) The protection of the land from the adverse effects of future development. <p>(f) Subdivision that creates more than five lots of less than 2000 square metres in area in a non-reticulated environment.</p> <p>Matters over which the Council retains discretion:</p> <ul style="list-style-type: none"> (i) The soakage capacity of the land to cope with sewage and stormwater disposal. (ii) The system for onsite effluent disposal. (iii) The consideration of schemes in common. <p>(g) Subdivision that creates more than five lots in the Rural Zone, accessed directly off a Council road.</p> <p>Matters over which the Council retains discretion:</p> <ul style="list-style-type: none"> (i) The capacity of the existing road network to cope with the additional vehicle movements. (ii) The consideration of road upgrade requirements. <p>(h) Subdivision of land where a new lot boundary is created within 20</p>	<p>8.02.4 Additional Performance Standards Relating to Lot 1 and Lot 2 DP 308724 and Subsequent Titles (all Land affected by Plan Change 7)</p> <ol style="list-style-type: none"> 1. Prior to an application for subdivision of any part of the land, an indicative structure plan for the whole of the area shall be provided, to the satisfaction of the Council, showing the proposed road layout for the land and any areas for utilities and amenity open space. The structure plan shall indicate potential vehicular connections to adjacent areas, and pedestrian and cycle connections into the wider road network beyond the land itself. 2. Adequate areas of land on the eastern and western boundaries of Lot 1 DP 308724 must be provided (as a cost on the development of the land) for connection to the State Highway and adjacent land, to be used for general recreational purposes and pedestrian and cycleway connectivity, until such time and upon approval by the South Taranaki District Council and Transit New Zealand, it is required for future vehicular connections. 3. All residential dwellings constructed on Lot 1 DP 308724 (and any subsequent lots), within 40 metres of the boundary of that Lot and State Highway 3, must be designed and constructed to be compliant with AS/NZ2107:2000: "Acoustics – Recommended design sound levels and reverberation times for building interiors". 4. Prior to an application for subdivision, a plan and description of traffic mitigation measures for County Drive and Glover Road shall be provided to the satisfaction of the Council and shall demonstrate consultation with Turuturu School's Board of Trustees. These traffic mitigation measures must be paid for as a financial contribution under rule 16.03.3 (a) and (d) and must be undertaken prior to any development commencing on site.

8.01 Categories of Activities

metres of a power corridor, as indicated in the Maps Section of this Plan.

Matters over which the Council retains discretion:

- (i) The location of lot boundaries.
- (ii) The location of roads and reserves.
- (iii) The continued ease of access to existing transmission lines for inspections, maintenance and upgrading.
- (iv) The extent to which the location of the building platform will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001).

8.01.4 Discretionary Activities

- (a) Subdivision in the Rural Zone that results in lots of under 2 hectares in area within 500 metres of a Residential, Commercial, Industrial, or Rural Industrial Zone in or adjacent to Hawera or Opunake.
- (b) Subdivision in the Coastal Protection Area.
- (c) Subdivision of land within the buffer distances of pig or poultry farming enclosures existing at 15 August 2006, as set out in the Regional Air Quality Plan for Taranaki (1997), or within 75 metres of any other intensive farming operation existing at 15 August 2006.
- (d) Any activity, other than an activity listed in Section 8.01.5, which cannot meet the performance standards set out or referred to in Section 8.02.

8.02 Performance Standards**Advice Notes:**

- *In relation to Controlled Activity Subdivision, applications for resource consent need not be publicly notified, the written approval of affected persons is not necessary and notice of the application need not be served on any person.*
- *For Limited Discretionary, Discretionary and Non-Complying Activities, notification and affected parties' written approvals may be required and advice is available from the Council.*
- *Subdivision must also comply with all other relevant rules of the Plan. Check:
Sections 3-7: Zone Rules
Section 16: Financial Contributions
Section 9: Parking and Transportation
Section 12: Natural Hazards*
- *Information Requirements for making an Application for Resource Consent are listed in Section 1.04.1 of the Plan.*
- *When granting a resource consent, including subdivision consent, the Council can impose conditions. Unless stated, these conditions will need to be satisfied before Certificates of Title can be applied for.*
- *Subdivision that results in an adverse impact on the design capacity of existing road(s) shall be assessed for road upgrading requirements.*
- *Where an esplanade strip or reserve is set aside for the purpose of public access along the coast, and this strip or reserve is inaccessible to the public, the Council may negotiate with the landowner for an Access Strip.*
- *Subdivision that results in additional pressure on reserve land shall include land for reserve area or a financial contribution will be payable in accordance with Section 16 of the District Plan.*

8.01 Categories of Activities	8.02 Performance Standards
<p>8.01.5 Non-Complying Activities</p> <p>(a) Subdivision in the Coastal Protection Area that results in any lot of less than 2000 square metres in area.</p> <p>8.01.6 Prohibited Activities</p> <p>None.</p>	<ul style="list-style-type: none"> • <i>All archaeological sites are protected under the Historic Places Act 1993 and an authority is required from the New Zealand Historic Places Trust to destroy, damage or modify archaeological sites. Applicants are advised to check with the New Zealand Historic Places Trust when preparing subdivision proposals.</i> • <i>The New Zealand Electrical Code of Practice for Electrical Safe Distances sets mandatory separation distances for activities near high voltage transmission lines. In addition, the Electricity Regulations identify “Growth Limit Zones” in relation to trees growing near transmission lines. Applicants are advised to contact Transpower for further information.</i>