

SUB - Subdivision

Introduction

Well-designed subdivisions and neighbourhoods are an integral part of providing for high quality growth to support sustainable outcomes for Napier city. Subdivision is the process of dividing land or a building into one or more additional allotments or titles. It includes changing the underlying ownership structure or changing the location of an existing boundary. Good subdivision design includes consideration of:

- a diversity of allotment sizes to enable variations in mixed housing typologies;
- An efficient pattern of subdivision that will achieve the appropriate yield for the zone;
- Creating good connectivity to surrounding neighbourhoods;
- existing characteristics, amenity, and intrinsic values of the area;
- ~~use of low impact design principles for managing stormwater;~~
- Provides adequate land to enable the use of low impact design techniques for stormwater;
- the orientation of streets and lots buildings to maximise access to sunlight/solar benefits, and
- Creating connections to access to reserves, public open spaces, and community facilities.
- Provides good circulation and caters for the expected traffic volumes the subdivision will generate once developed.

Subdivision applications will need to demonstrate consistency with the Napier Subdivision Design Guide, the objectives, policies, rules, and standards of this chapter and relevant zone, any structure plans, and all relevant district-wide matters. Guidance on 'low impact' stormwater design is provided in Council's Code of Practice for Land Development and Subdivision Infrastructure and minimum expectations mandated through the Stormwater chapter.

The Strategic Direction chapter outlines the Council's long-term strategy for urban growth in accordance with national direction under the National Policy Statement on Urban Development 2020.

Issues

SUB-I1: Subdivision design should reflect the characteristics and amenity values of the locality in which it is located

Subdivision of land should be designed in a manner that is appropriate to the scale, density, and type of development anticipated by the objectives and policies of the relevant zone or precinct, including any identified characteristics of the neighbourhood, while achieving an efficient use of land and increased densities in identified locations.

SUB-I2: The impacts of subdivision on natural resources (landscapes, water quality, biodiversity, and highly productive land)

While the process of subdivision itself does not directly affect the environment, it establishes the legal framework within which land use occurs and generally intensifies development and, therefore, has a causal link with the ~~adverse~~ effects of land use and development. It is, therefore, vital that these effects are addressed early at subdivision stage through the provision of adequate infrastructure services and a subdivision design that achieves quality and sustainable development can contribute to avoiding or mitigating the effects of land use development after subdivision.

Part 2 of the RMA requires that Council manages the use, development, and protection of natural and physical resources to promote sustainable development. Natural resources including water, soil, landscapes, significant indigenous vegetation, and highly productive land need to be protected from inappropriate subdivision. In accordance with RMA requirements, Council has identified landscapes within the district and created a policy framework to manage subdivision and development within them. Council also promotes low-impact solutions for managing stormwater in order to meet the RMA's requirements for safeguarding the life-supporting capacity of water into which the stormwater is discharged. The design of subdivisions needs to consider these important matters and respond accordingly.

SUB-I3: Land uses enabled by subdivision require appropriate infrastructure to support development and ~~avoid, remedy or mitigate the confirmation that the site will not be subject to inappropriate~~ levels of risk from natural hazards

Subdivision needs to ~~be configured to accommodate~~ consider the demands of the particular land uses that will follow and make provision for the infrastructure required to service the intended development. ~~Subdivision typically involves the creation of smaller more intensively used sites, which places additional demand on infrastructure servicing. If infrastructure servicing is not managed appropriately, development may contribute towards degradation of the environment, adversely impact amenity values, and potentially threaten the health and safety of communities.~~

Subdivision needs to align with required infrastructure capacity, which means, within urban areas, development must connect to council-provided reticulated services where available in a manner that does not adversely affect the services themselves or the environment. Subdivisions within rural areas need to provide ~~consider and plan for~~ onsite solutions to all servicing needs, and these are best planned for ~~considered~~ at the time of subdivision. ~~to ensure they are provided in an effective and efficient manner.~~

The location and design of subdivision and the intended resulting development also need to avoid or mitigate the potential for building damage to structures and dangers to the health and safety of people from the effects of natural hazards.

SUB-I4: Avoiding Poorly designed subdivision layouts

~~Quality urban design is concerned not just with appearances and built form but with the environmental, economic, and social consequences of design. It is a multi-faceted approach that includes both the process of decision-making as well as the outcomes of good subdivision design.~~

Poorly designed layouts can result in subdivisions that:

1. lack amenity, variety and character;
2. may result in significant modification to have poor relationships with the underlying topography and physical characteristics of the site;
- ~~3. are uniform in appearance;~~
- ~~4.3.~~ do not provide for connectivity;
- ~~5. do not consider adjacent land uses in adjoining zones;~~
- ~~6.4.~~ do not address long-term resilience in relation to natural hazard risks, and
- ~~7.5.~~ do not result in the creation or enhancement of ~~consider developing and enhancing~~ community and benefits, public spaces and neighbourhoods, ~~and social cohesion.~~

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SUB-I5: ~~Providing The need to for ensure~~ public access to the coast, estuary, and rivers

~~People expect to have reasonable access to the city's coastal environment, estuary, and waterbodies.~~ The RMA requires that Council recognises and provides for the maintenance and enhancement of public access to the coastal marine area (including estuaries), lakes, and rivers as a matter of national importance. The New Zealand Coastal Policy Statement 2010 also identifies a specific requirement to provide access to and along the coastal environment. ~~The Council, therefore, has a legal responsibility in protecting access to the coast and other waterbodies.~~ The Council also has an important role in ensuring that the district's shared pathway networks connect neighbourhoods, open spaces and other public areas with these important features.

The RMA allows Council to require an esplanade reserve when land is subdivided into allotments of less than 4 hectares. Esplanade reserves provide important public access along the coast and other waterbodies within Napier and the Council has, therefore, identified where it will exercise the right to acquire esplanade reserves in the Public Access chapter.

Esplanade reserves are classified as reserves under the Reserves Act 1977, and land ownership is transferred to Council at the time of subdivision for the benefit of the whole community, with Council maintaining and managing the reserve in perpetuity.

SUB-I6: The need to recognise and provide for the relationship of Māori and their cultural lands, water, sites, and wāhi taonga

Land use activities that follow from subdivision provide an opportunity to recognise Māori cultural values associated with areas of significance. Recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga are matters of national importance in section 6 of the Resource Management Act. Where appropriate in areas of significance to Māori, the design of subdivisions and development should incorporate mana whenua values through such things as place names, public art, native plantings, and signage.

SUB-I7: Issues of reverse sensitivity on adjacent land uses

~~There is a potential for conflict when different land uses are located adjacent to each other. Subdivision typically intensifies land use activities in specific locations, which has the potential to create reverse sensitivity effects on established land uses or the productive potential of highly productive land. A different level of amenity can be experienced when subdivision creates the ability for new sensitive activities (particularly residential and lifestyle activities) to establish adjacent to existing rural, commercial, or industrial zones and/or activities. The expectation of the new activities is for a level of amenity that is not necessarily compatible with the amenity of the existing environment and can impact on the ability of existing activities to continue their daily operations.~~ Mitigation measures such as planting buffers and site layout should be considered and incorporated at the time of subdivision where the potential for reverse sensitivity exists.

SUB-I8: The need to ~~manage the ensure~~ heritage values of historic heritage overlays and precincts ~~are protected~~

Sites within historic heritage overlays and precincts typically have a distinctive subdivision pattern that contributes to their overall heritage values. If not managed, subdivision of sites within these areas may adversely affect their identified heritage values.

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Objectives

Note: The objectives and policies contained in other chapters, including (but not necessarily limited to) zone chapters and district-wide chapters, including the Transport chapter, Public Access chapter, the Natural Hazards chapter, and the Hazardous Substances and Contaminated Land chapter, are relevant in addition to those below.

SUB-O1: Compatible land use

Subdivision delivers ~~quality community environments and~~ patterns of development that ~~achieve ensure~~ the ~~stated~~ objectives, policies, and rules of the relevant zone of the District Plan. ~~are able to be met and potential reverse sensitivity effects are avoided or mitigated.~~

Relates to SUB-11, SUB-13, SUB-14, SUB-15, SUB-16, SUB-17

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SUB-O2: Impact of the built environment on landscapes, biodiversity, water quality, and other key environmental matters

Land is subdivided in a way to create development that:

- a. responds positively to the site’s physical characteristics and context;
- b. protects, maintains, or enhances natural features, landscapes, indigenous biodiversity, waterbodies, significant trees, productive soils, reserves, public open space, and historic heritage, and
- c. achieves the maintenance and enhancement of water quality by incorporating low impact design principles.

Relates to SUB-11, SUB-12, SUB-13, SUB-14, SUB-15, SUB-16

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SUB-O3: Infrastructure, transport, and connectivity

- a. subdivision has a layout that is:
 - i. safe, efficient, convenient, accessible, enhances connectivity and encourages active transport modes, and
 - ii. resilient and integrates with existing communities and provides for the long-term needs of its residents.
- b. infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner at the time of subdivision.
- c. land is vested at the time of subdivision to provide for high-quality reserves, esplanade reserves, roads, stormwater, access and other purposes for the benefit of the wider community.
- d. subdivision protects the operation and access to established network utilities and regionally significant infrastructure while mitigating reserve sensitivity effects.

Relates to SUB-11, SUB-13, SUB-14, SUB-17

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SUB-O4: Cultural values

Subdivision design recognises ~~and~~ incorporates ~~or protects~~ mana whenua cultural values associated with specific sites, places, and areas of significance where appropriate.

Relates to SUB-16

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SUB-O5: Natural hazards

New subdivision ~~avoids or mitigates, reduces, or does not increase,~~ the risks from natural hazards to people, property, and infrastructure.

Relates to SUB-12, SUB-13

SUB-O6: Subdivision in rural zones

Subdivision of rural land:

- a. protects highly productive land;
- b. ensures rural lifestyle subdivision is contained within the Rural Lifestyle Zone and avoided within the highly productive land in the Rural Production~~ive~~ Zone, and
- c. avoids ~~or mitigates~~ reverse sensitivity effects between rural activities and sensitive activities.

Relates to SUB-11, SUB-12, SUB-17

SUB-O7: Rural subdivision amenity

Subdivision ~~manages maintains or enhances~~ the natural features and landscapes that contribute to the character and amenity values of rural areas.

Relates to SUB-11, SUB-12

SUB-O8: Historic heritage overlays and precincts

Subdivision occurs in a manner that recognises and provides for the protection of historic heritage.

Relates to SUB-18

Policies

SUB-P1: Managing Compatible land uses

Ensure subdivision supports the objectives, policies, and rules of the District Plan through ~~subdivision that:~~

- a. ~~Enabling a reflects~~ patterns of development that ~~is are~~ compatible with ~~and reinforce~~ the role ~~and~~ function, ~~and predominant character~~ of the zone;
- b. ~~Providing adheres to~~ allotment sizes and ~~a layout in each zone to sufficiently~~ accommodate intended land uses while retaining reasonable amenity;
- c. ~~Enabling provides for~~ intensification of the urban area where it can be supported by existing infrastructure and contributes to the viability and vibrancy of urban centres;
- d. ~~Incorporating~~ setbacks, ~~and provision for~~ landscaping, ~~or layout design~~ to avoid or mitigate the effects of reverse sensitivity on existing, lawfully-established activities on adjoining properties, and
- e. ~~providing~~ for minor boundary adjustments which ~~result in enable~~ a more efficient ~~and effective~~ use of land.

Relates to SUB-01

SUB-P2: Create Quality living environments

Subdivisions are designed to create quality living environments through:

- a. ~~Providing the provision of~~ adequate ~~and amounts of~~ easily accessible, quality ~~public and private~~ open space and reserves;
- b. creating sites of varying sizes to provide for a range of housing typologies;
- c. aligning roads and sites for maximum sunlight access where topography and parent site shape allows. ~~Roads should have a north-south axis where possible;~~

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- d. ~~recognizing implementing~~ CPTED (Crime Prevention Through Environmental Design) principles;
- e. ~~aligning sites to the road to~~ maximise opportunities for buildings fronting the road and ~~minimizing the creation of reducing the reliance on~~ rear lots;
- f. providing publicly accessible connections between blocks, where practicable, ~~and~~
- g. ~~integrating into existing communities by avoiding gated developments.~~

Relates to SUB-01, SUB-03, SUB-04

SUB-P3: Subdivision design integrates with the environment

~~Manage Ensure~~ subdivision design ~~so that it:~~

- a. protects, maintains, ~~or and~~ enhances natural ecosystems, waterbodies, and indigenous vegetation, including the retention of mature trees and vegetation where possible;
- b. incorporates sufficient space for onsite stormwater attenuation and disposal including the use of water-sensitive design solutions, constructed in a way that mitigates the adverse effects of the quantity and quality of stormwater being discharged from sites;
- c. assists in achieving the objectives of a ~~relevant~~ stormwater catchment management plan ~~and/or any applicable network discharge consent that exists for a catchment,~~ and
- d. includes indigenous landscaping to enhance biodiversity, reduce rate of stormwater run-off, assist with the removal of contaminants, and to soften the built form.

Relates to SUB-02, SUB-03

SUB-P4: Subdivision design is sympathetic to the landscape

~~Manage Ensure that~~ subdivision design, in both rural and urban areas, ~~responds to the natural landscape~~ by:

- a. locating building platforms and associated infrastructure away from visually prominent areas, and
- b. locating and designing roads, access, building platforms, and infrastructure so that earthworks are minimised and the visual effects associated with them are mitigated.

Relates to SUB-01, SUB-02

SUB-P5: Open space and reserves

To provide ~~sufficient~~ accessible, functional, and connected open space to meet the present and likely future recreational ~~and~~ conservation, ~~and visual amenity needs of the city,~~ including by requiring at subdivision the opportunity for Council to:

- a. ensure reserves are vested, where appropriate, to serve the needs of residents in the area;
- b. acquire land for reserves to be vested in Council in land or the equivalent through financial contributions at the time of subdivision;
- c. enable Council to exercise its discretion in the decision to accept land to be vested as reserve or pay an equivalent financial contribution;
- d. ensure the land to be vested in Council for reserves is an appropriate size, shape, and design to ensure quality community outcomes, and
- e. for subdivision adjoining existing public open space, for Council to consider expanding that space with the vesting of additional reserve area, and to require open-style permeable fencing in accordance with the rules of the underlying zone.

Relates to SUB-01, SUB-03

SUB-P6: Protection and maintenance of landscapes in identified landscape overlay areas

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Within identified outstanding natural features and special character features and landscapes, land is subdivided in a way that avoids the ~~need to place~~ ment of visually prominent buildings, and minimizes earthworks, ~~and features~~ in visually prominent locations.

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Relates to SUB-01, SUB-02, SUB-07

SUB-P7: Providing for connectivity

Manage the design ~~and location~~ of subdivision to optimise connectivity, including through:

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- a. providing a connected roading network, including minimising the use of cul-de-sacs in urban areas where practicable;
- b. establishing safe cycleways and walkways ~~and enhancing the safety of existing cycle and pedestrian routes;~~
- c. Recognising and implementing CPTED principles;
- d. supporting initiatives to increase accessibility to, and use of, public transport;
- e. ensuring that infrastructure associated with active transport and public transport modes is safe, convenient, and accessible to all sectors of the community;
- ~~f. designing intersections to facilitate safe and efficient crossing for all vehicles, cyclists, and pedestrians, and~~
- ~~g.f. Design for provide for~~ the efficient evacuation of people inland or to higher ground from sites located in tsunami inundation areas where this is reasonably practicable.-

Relates to SUB-03

SUB-P8: Access and egress

Manage the number, location, and design of access and egress points to support all of the following:

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- a. safety and amenity for pedestrians and cyclists to and from the site and along the street frontage;
- b. visibility of vehicles, pedestrians, and cyclists when exiting the site;
- c. efficient access to the site to minimise queuing ~~within the integrated transportation network;~~
- d. safe and efficient operation of intersections, and
- e. where appropriate, encourage ~~shared vehicle access by way of~~ rear lanes in urban areas, ~~where appropriate, to reduce the use of individual~~ avoid the proliferation of vehicle crossings.

Relates to SUB-03

SUB-P9: Integrated provision of infrastructure

Require subdivision to ~~provide servicing that~~ meets the requirements of the Code of Practice for Land Development and Subdivision Infrastructure and that:

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- a. It is coordinated, integrated, and compatible with the existing infrastructure network.
- b. It enables the existing network to be expanded or extended to adjacent land in the future where that land is zoned or identified through a future urban development strategy for urban development, and especially through the avoidance of allotments created primarily for the purpose of preventing connectivity to adjacent sites (spite strips).
- c. enables electricity and telecommunications services to be reticulated to each site, and undergrounded in residential and commercial zones where practicable.

~~d. connects sites capable of containing a building, in areas where service connections to the public network are available and capacity exists, to the following networks:~~

- ~~i. wastewater;~~
- ~~ii. stormwater, and~~
- ~~iii. potable water.~~

~~unless it is demonstrated that an alternative means of servicing can be provided meeting legislative and acceptable environmental outcomes.~~

Relates to SUB-03

SUB-P10: Road reserves

Require subdivision to provide sufficient ~~areas to road reserves~~ to accommodate the needs of:

- a. different types of transport modes;
- b. network utilities including provision ~~for incorporating around~~ low-impact design for road-generated stormwater, and
- c. lighting, street furniture, domestic rubbish disposal and landscaping ~~in a way that will not create future safety, amenity, and/or maintenance issues.~~

Relates to SUB-03

SUB-P11: Esplanade reserves and public access

Unless otherwise specified, require esplanade reserves and easement access when subdividing land adjoining the coast, waterbodies, and identified public access corridors.

Relates to SUB-02, SUB-03

SUB-P12: Provision of infrastructure in rural areas

- a. Require sites capable of containing a building, in areas where no reticulated water supply, stormwater, or wastewater network is available, to be of a size and shape that provides for:
 - i. the treatment and disposal of stormwater in a way that does not lead to significant adverse offsite effects including degraded water quality, erosion, land instability, and/or creation or exacerbation of flooding.
 - ii. the management of wastewater via:
 - 1. an appropriate on-site wastewater treatment system, or
 - 2. approval to connect to a private wastewater network.
 - iii. the storage of potable water.
- b. Manage the design and location of subdivision to avoid the close proximity of multiple access points on rural roads.

Relates to SUB-03, SUB-07

SUB-P13: Network utilities

~~Enable Provide for~~ the creation of allotments of various sizes and dimensions for the purposes of a network utility, network utility structure, public work, reserve, or access.

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Relates to SUB-03

SUB-P14: Incorporating cultural values

On land identified as significant to mana whenua, ensure ~~the~~ kaitiaki status is recognised and provided for through subdivision design that takes into account and reflects identified mana whenua values.

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Relates to SUB-04

SUB-P15: Natural hazards

Subdivisions ~~either avoid natural hazards~~ or are designed to mitigate actual and potential risks arising from natural hazards by:

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- a. ~~Providing demonstrating appropriate~~ mitigation measures proportionate to the identified risks associated with the hazards;
- b. providing for subdivision on land where liquefaction risk has been identified and can be appropriately ~~mitigated~~managed;
- c. maintaining ~~the function of~~ overland flow paths to continue to safely convey flood waters while taking into account the likely long-term effects of climate change;
- d. improving movement and circulation patterns accessibility for residents in an emergency event by minimising cul-de-sacs, terminating rights of way, and connectivity to surrounding transport networks, avoiding gated communities, and
- e. ensuring that ~~any mitigation~~ measures adopted in respect used to manage the risks of natural hazards avoid ~~any further~~ adverse environmental effects on the surrounding environment.

Relates to SUB-05

SUB-P16: Protecting significant natural areas

The provisions relating to Ecosystems and Indigenous Biodiversity have not been included in the Proposed District Plan and will be released at a later date as a variation.

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Relates to SUB-01, SUB-02, SUB-04

SUB-P17: Conservation sites

Provide for ~~the~~ subdivision of land to create conservation sites which ~~for the protection of~~ heritage and/or cultural features.

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Relates to SUB-01, SUB-02, SUB-04

SUB-P18: Historic heritage overlays and precincts

~~Manage Require~~ subdivision in historic heritage overlays and precincts so that it reflects to be consistent with the existing establishment pattern of development in the area as described in the SCHED4 - Historic Heritage Overlay and Precinct Schedule.

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Relates to SUB-03

SUB-P19: Highly productive land

Ensure subdivision avoids, if possible, or otherwise mitigates any actual loss or potential cumulative loss of the availability or productive of highly productive land by:

- a. providing for the amalgamation of smaller holdings on highly productive land.
- b. avoiding subdivision for the purpose of rural lifestyle on land not appropriately zoned.

- c. ~~Enabling allowing~~ subdivision in accordance with Section 3.8 of the National Policy Statement for Highly Productive Land 2022.
- d. providing for subdivision where:
 - i. highly productive land is subject to permanent or long-term constraints in accordance with Section 3.10 of the National Policy Statement for Highly Productive Land 2022;
 - ii. it avoids any significant loss of productive capacity;
 - iii. it avoids the fragmentation of large or geographically cohesive area of highly productive land, and
 - iv. the environmental, social, cultural, and economic benefits outweigh the long-term environmental, social, cultural, and economic costs associated with the loss of highly productive land, taking into account both tangible and intangible values.

Relates to SUB-O6

SUB-P20: Small lots in rural production zone

Land fragmentation and/or the creation of allotments for residential and rural lifestyle activities are to be avoided.

Relates to SUB-O6

SUB - Subdivision - Rules Table

SUB-R1: Subdivision	
<p>SUB-R1A</p> <p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance with standards SUB-S1 - SUB-S18. <p>Matters of control are:</p> <ol style="list-style-type: none"> Purpose and objectives and policies of the relevant zone, precinct, and development area; Adherence to any relevant structure plan; Safe, connected, and efficient transport network; Infrastructure and stormwater; Natural hazards, including liquefaction, land stability and coastal hazards; Heritage values; Cultural values; Landscape and topographical features; Indigenous trees and vegetation; Management of construction effects; Management of potential reverse sensitivity effects on existing land uses; Financial contributions, and Subdivision chapter assessment criteria. 	<p>SUB-R1B</p> <p>Activity Status where activity conditions are not met:</p> <p>Non-compliance with SUB-S6 - SUB-S17: Restricted Discretionary</p> <p>Non-compliance with SUB-S1 - SUB-S5 and SUB-S18: Refer to Subdivision Standards Table.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters identified in the standards not complied with (SUB-S6 - SUB-S17), and The matters of control listed in SUB-R1A apply in addition to the above.
SUB-R2: Boundary adjustment	
SUB-R2A	SUB-R2B

<p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Subdivision involves two or more adjacent sites (which are not separated by any road, rail, river, stream, or watercourse); 2. No new site is created, and no existing site area is changed by more than 10% of its original area; 3. No existing complying lot is rendered non-complying, and no dwelling is severed from its existing site; 4. The adjustment does not result in non-compliance or increase any existing non-compliance with any other rules or standards, and 5. Boundary alterations do not prevent any existing allotment's legal and physical access to a road or limit or interfere with any servicing requirements of any of the sites. <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. Purpose and objectives and policies of the relevant zone, precinct, and development area; 2. Safe, connected, and efficient transport network; 3. Infrastructure and stormwater; 4. Natural hazards and land stability; 5. Heritage values; 6. Cultural values; 7. Landscape and topographical features; 8. Natural features and indigenous trees and vegetation; 9. Management of construction effects; 10. Management of potential reverse sensitivity effects on existing land uses, and 11. Subdivision chapter assessment criteria. 	<p>Activity Status where activity conditions are not met: <u>Restricted</u> Discretionary</p>
<p>SUB-R3: Subdivision of land for the purpose of public works, network utilities, reserves, or access</p>	
<p>SUB-R3A</p> <p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S6 - SUB-S18, and 2. Compliance with SUB-S1 - SUB-S5 (minimum allotment sizes) does not apply. <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. The size, design, and layout of allotments for the purpose of public works, network utilities, or reserves; 	<p>SUB-R3B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters of control listed for SUB-R3A, and 2. The matters identified in the standards not complied with (SUB-S6 - SUB-S18).

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<ol style="list-style-type: none"> 2. Safe, legal, and physical access to and from the allotments; 3. Infrastructure and stormwater in accordance with the Code of Practice for Land Development and Subdivision Infrastructure; 4. Natural hazards, including liquefaction, land stability, and coastal hazards; 5. Protection, maintenance, and enhancement of natural features and landforms, indigenous trees and vegetation, heritage values, and cultural values; 6. Financial contributions, and 7. Subdivision chapter assessment criteria. 	<p>Notification: Any application under this rule is precluded from public and limited notification.</p>
<p>SUB-R4: Subdivision to create conservation lots for the protection of scheduled heritage items, archaeological sites, and/or sites of significance to Māori</p>	
<p>SUB-R4A</p> <p>Activity Status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The subdivision creates a separate record of title exclusively for protection of scheduled heritage items, archaeological sites, and/or sites of significance to Māori; 2. The item or area is protected in perpetuity by way of a legal mechanism registered on the record of title; 3. Compliance with SUB-S1 - SUB-S17 does not apply for the record of title created; 4. The subdivision does not prevent any existing allotment's legal and physical access to a road or limit or interfere with any servicing requirements of the parent record of title, and 5. The record of title created includes a legal and physical means of access for ongoing maintenance of the item and, where appropriate, includes enabling public access. <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. Heritage values; 2. Cultural values; 3. Safe, connected, and efficient transport network; 4. Infrastructure servicing and access, and 5. Vesting of the reserve. 	<p>SUB-R4B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary Non-complying</p>
<p>SUB-R5: Cross lease title to freehold subdivision</p>	
<p>SUB-R5A</p> <p>Activity Status: Controlled</p> <p>Where:</p>	<p>SUB-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are:</p>

<p>1. Subdivision is to create freehold titles from existing cross lease titles; 2. Compliance with SUB-S1 - SUB-S5 (minimum allotment sizes) does not apply, and 3. Compliance with SUB-S6 - SUB-S18 does apply.</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. Purpose and objectives and policies of the relevant zone, precinct, and development area; 2. Safe, connected, and efficient transport network; 3. Infrastructure and stormwater; 4. Natural hazards and land stability; 5. Heritage values; 6. Cultural values; 7. Landscape and topographical features; 8. Natural features and indigenous trees and vegetation; 9. Management of construction effects; 10. Management of potential reverse sensitivity effects on existing land uses, and 11. Subdivision chapter assessment criteria. 	<ol style="list-style-type: none"> 1. The matters of control listed for SUB-R5A, and 2. The matters identified in the standards not complied with (SUB-S6 - SUB-S18).
<p>SUB-R6: Subdivision on land within or containing a significant natural area</p>	
<p>The provisions relating to Ecosystems and Indigenous Biodiversity have not been included in the Proposed District Plan and will be released at a later date as a variation.</p>	
<p>SUB-R7: Subdivision of land within or containing a special character landscape</p>	
<p>SUB-R7A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S1 - SUB-S18. <p>Note: This rule does not apply when the subdivision is for the purpose of conservation allotments in accordance with SUB-R4.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Visual impacts; 2. Landscape values and topographical features; 3. Cultural values; 4. Purpose of the relevant zone, precinct, and development area and associated objectives and policies; 5. Safe, connected, and efficient transport network; 6. Infrastructure and stormwater; 7. Natural hazards, including liquefaction, land stability, and coastal hazards; 	<p>SUB-R7B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

8. Protection, maintenance, and/or enhancement of natural features, indigenous trees, and vegetation; 9. Management of potential reverse sensitivity effects on existing land uses; 10. Financial contributions, and 11. Subdivision chapter assessment criteria.	
SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation	
SUB-R8A Activity Status: Restricted Discretionary Where: 1. Subdivision is not on highly productive land; 2. Compliance with standards SUB-S6 - SUB-S18; 3. Allotment size of the lifestyle site is within the range of 2,500 m ² - 5,000 m ² and contains an existing dwelling; 4. Subdivision results in the amalgamation of the balance area with an adjoining site, so that no additional records of title are created by the subdivision; 5. The amalgamated balance of new sites created exceeds 4 ha, and 6. A consent notice is registered on the record of title confirming there will be no further subdivision of the lifestyle allotment created.	SUB-R8B Activity Status where activity conditions are not met: Non-complying
SUB-R9: Subdivision of land containing site of significance to Māori	
The provisions relating to Sites of Significance to Māori have not been included in the Proposed District Plan and will be released at a later date as a variation.	
SUB-R10: Subdivision of land within an outstanding natural feature and/or special character features	
Activity Status: Non-complying Note: This rule does not apply when the subdivision is for the purpose of conservation lots in accordance with SUB-R4 or for a boundary adjustment under SUB-R2.	NA
SUB-R11: Activities infringing standard SUB-S18: Esplanade reserves	
Activity Status: Non-complying Note: The activity status for the relevant activity and the associated matters of control/discretion (where applicable) apply in addition to this rule.	NA
SUB-R12: Subdivision on highly productive land	
Activity Status: Non-complying	NA
SUB-R13: Any subdivision not captured by rules R1-R14	

Activity Status: Non-complying	NA
SUB-R14: Subdivision to create allotments for residential development within a Coastal Hazard Zone	
The provisions relating to Natural Hazards have not been included in the Proposed District Plan and will be released at a later date as a variation.	

SUB - Subdivision - Standards Table

SUB-S1: Minimum allotment sizes - residential		
General Residential Zone, Medium Density Residential Zone, High Density Residential Zone, precincts or overlays not otherwise provided for elsewhere.	<p>1. There is no minimum allotment size for the following:</p> <ul style="list-style-type: none"> a. any allotment with an existing residential unit, if: <ul style="list-style-type: none"> i. either the subdivision does not increase the degree of any non-compliance with the District Plan or land use consent has been granted, and ii. no vacant allotments are created. b. any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently if the applicant for the resource consent can demonstrate that: <ul style="list-style-type: none"> i. it is practicable to construct on every allotment within the proposed subdivision a residential unit that complies with the standards of the relevant zone, or land use consent is concurrently sought for the infringement to the relevant standard(s), and ii. no vacant allotments are created. 	<p>Activity Status where standards are not met: Restricted Discretionary Non-complying</p>

	<p><u>2.</u> A minimum allotment size of 350 m² applies to any subdivision <u>in the GRZ</u> that creates new vacant allotments.</p> <p><u>2-3.</u> A minimum allotment size of <u>350m²</u> applies to any subdivision <u>within the MRZ</u> that creates new vacant allotments.</p>	
Large Lot Residential	1,000 m ² minimum allotment size with a minimum average allotment size of 3,000 m ² .	Activity Status where standards are not met: Non-complying
Napier Hill/Mataruahou Amenity Precinct, Marewa Post-War Historic Heritage Overlay, Marewa State Housing Historic Heritage Overlay, Te Awa Bungalow Historic Heritage Overlay, Napier South Historic Heritage Overlay	500 m ²	Activity Status where standards are not met: <u>Restricted</u> Discretionary
Harbour Reserve Historic Heritage Overlay, Tram Shelter Historic Heritage Overlay	150 m ²	Activity Status where standards are not met: <u>Discretionary Non-complying</u>
Coronation Street Historic Heritage Overlay	300 m ²	Activity Status where standards are not met: <u>Discretionary Non-complying</u>
SUB-S2: Minimum allotment sizes - commercial and industrial		
All commercial zones and industrial zones, <u>Large Format Retail</u> , precincts, and overlays not otherwise provided for elsewhere	No minimum	Activity Status where standards are not met: NA
<u>Large Format Retail Zone</u>	<u>2,500 m²</u>	Activity Status where standards are not met: <u>Discretionary</u>
Pandora Specific Control Area	Front and corner sites: 1,000 m ²	Activity Status where standards are not met: Non-complying

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	Rear sites: 2,000 m ²	
SUB-S3: Minimum allotment sizes - rural		
Rural Lifestyle Zone, Mission Rural Residential Precinct	5,000 m ² minimum allotment size with a minimum average allotment size of 1.5 ha. The minimum average allotment size must be calculated using the parent allotment in existence as at 11 November 2000. This parent allotment will be the base for any further proposed subdivision.	Activity Status where standards are not met: Discretionary Non-complying
Productive Rural Zone, Mission Productive Rural Precinct	4 ha	Activity Status where standards are not met: Non-complying
Rural Special Control Area	50 ha	Activity Status where standards are not met: Non-complying
Settlement Zone	800 m ² fully serviced sites 1500 m ² unserviced sites	Activity Status where standards are not met: Discretionary Non-complying
Open Space Zones	No minimum	Activity Status where standards are not met: NA
Jervoisstown Precinct	2,500 m ²	Activity Status where standards are not met: Prohibited
SUB-S4: Minimum allotment sizes - special purpose zones		
Special purpose zones: Airport, Tertiary Education, Port, Māori Purpose Zone, Boat Harbour, Special purpose zones: Te Whanganui-a-Orotū (Ahuriri Estuary) - Stormwater and Ecology	No minimum	Activity Status where standards are not met: N/A
Special purpose zones: Te Whanganui-a-Orotū (Ahuriri Estuary) - Stormwater and Ecology	400 ha	Activity Status where standards are not met: Non-complying

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SUB-S5: Minimum allotment sizes - development areas		
Mission Development Area	No minimum (550 houses required)	Activity Status where standards are not met: NA
Te Awa Development Area, Parklands Development Area, Park Island, Wharerangi Development Area	No minimum	Activity Status where standards are not met: NA
Jervoistown Development Area	2,500 m ²	Activity Status where standards are not met: Prohibited
SUB-S6: Number of allotments		
All general residential, commercial and industrial zones, precincts, and control areas -	The number of new allotments created must not exceed three allotments.	Matters of discretion: - 1. Street layout; 2. Reserve and open space requirements; 3. Purpose of the relevant zone, precinct, and development area; 4. Adherence to any relevant structure plan; 5. Safe, connected, and efficient transport network; 6. Infrastructure and stormwater; 7. Natural hazards, including liquefaction, land stability, and coastal hazards; 8. Heritage values; 9. Cultural values; 10. Landscape and topographical features; 11. Indigenous trees, mature trees and vegetation; 12. Management of construction effects; 13. Management of potential reverse sensitivity effects on existing land uses; 14. Financial contributions; 15. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure, and 16.1. Consistency with the Subdivision Design Guide.
Rural zones, precincts, and control areas	The number of new allotments created must not exceed six allotments.	Matters of discretion: 1. Street layout; 2. Reserve and open space requirements; 3. Purpose of the relevant zone, precinct, and development area; 4. Adherence to any relevant structure plan; 5. Safe, connected, and efficient transport network; 6. Infrastructure and stormwater; 7. Natural hazards, including liquefaction, land stability, and coastal hazards;

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		<ul style="list-style-type: none"> 8. Heritage values; 9. Cultural values; 10. Landscape and topographical features; 11. Street layout; 12. Context mapping; 13. Connectivity; 14. Open space requirements; 15. Consistency with the Subdivision Design Guide, and 16. Compliance with the Engineering Code of Practice.
SUB-S7: Development areas		
Te Awa Development Area, Wharerangi Road Development Area, Mission Development Area	<ul style="list-style-type: none"> 1. Subdivisions within development areas must demonstrate compliance with all provisions of the relevant development area. 	Refer to the provisions of the relevant Development Area
SUB-S8: Building platform		
All zones	<ul style="list-style-type: none"> 1. Each allotment must contain at least one stable, flood-free building platform capable of containing existing and new buildings in compliance with the permitted activity performance standards for the zone where it is located (including building setbacks applicable to that zone), and be suitable for building foundations; 2. Details must be provided of the extent and quantum of earthworks required to create a building platform and access. 3. The building platform must be located outside and exclusive of any: <ul style="list-style-type: none"> a. Coastal Erosion Hazard Area; b. significant natural area; c. public access corridor; d. archaeological site; e. land required for access or the disposal of stormwater or wastewater, and f. highly productive land. 	Matters of discretion: <ul style="list-style-type: none"> 1. Natural hazards and land stability; 2. Cultural values; 3. Heritage values; 4. Landscape values; 5. Ecological values; 6. Reverse sensitivity; 7. Earthworks; 8. Infrastructure and connectivity, and 9. Productive capacity.
SUB-S9: Building platforms within the National Grid Subdivision Corridor		

All zones	<ol style="list-style-type: none"> 1. The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity located entirely outside of the National Grid Yard, other than where the allotments are for roads, access ways, or network utilities. 2. The layout of allotments of any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area. 	Matters of discretion: <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards; 2. Infrastructure and connectivity, and 3. National Grid Subdivision Corridor.
SUB-S10: Building platforms within proximity of the gas transmission network		
All zones	<ol style="list-style-type: none"> 1. The subdivision of land in any zone containing the gas transmission network must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity that is at least 20 m from the gas transmission Pipeline and 30 m from above-ground equipment forming part of the Gas Transmission Network. 2. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to the gas transmission network where it is located on the allotments, including any balance area. 	Matters of discretion: <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards, and 2. Infrastructure and connectivity.
SUB-S11: Shape factor		
All zones	<ol style="list-style-type: none"> 1. All vacant sites must be able to contain a rectangle of 8 m by 15 m. 	Matters of discretion: <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards for permitted activities, and 2. Infrastructure and connectivity.
SUB-S12: Transport, access, and connectivity		
All zones	<ol style="list-style-type: none"> 1. All new allotments must have vehicular access to an existing, legal road that complies with the relevant provisions of the Transport chapter for vehicle access and manoeuvrability. 	Matters of discretion: <ol style="list-style-type: none"> 1. The safety of vehicles, pedestrians, and cyclists;

		<ul style="list-style-type: none"> 2. Connectivity with adjoining land uses and roading networks; 3. The effects of traffic generation, and 4. Active street frontages.
SUB-S13: Stormwater treatment and disposal		
All zones	<ul style="list-style-type: none"> 1. For allotments capable of containing a building, each allotment must be designed to manage the treatment, containment, and disposal of stormwater from all impervious or potentially impervious surfaces in accordance with the Code of Practice for Land Development and Subdivision Infrastructure. 2. The means for treatment, containment, and disposal of stormwater must incorporate low impact design principles in accordance with the Code of Practice for Land Development and Subdivision Infrastructure. This will include the use of swale drains, rain gardens, rain tanks, detention tanks, re-use systems, and other methods to minimise stormwater run-off. 3. Where the means of stormwater disposal is to ground, that area of disposal must not be subject to instability, slippage, or inundation or be used for the disposal of wastewater. 	<p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. Infrastructure servicing; 2. Public health and safety; 3. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure, and 4. Environmental benefits (including ecological benefits of the proposed design for stormwater treatment and disposal).
SUB-S14: Water supply		
All zones	<ul style="list-style-type: none"> 1. All new allotments created that require water must be connected to a public reticulated water supply where a supply is available. 2. At the time of subdivision, sufficient land for water tobies must be set aside. 3. Where a new lot will not be connected to a public reticulated water supply or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the subdivider must demonstrate how an alternative and satisfactory water supply can be provided (including firefighting water supply). 	<p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The adequate and safe supply of water to service sites; 2. Infrastructure servicing; 3. Public health and safety, and 4. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure.
SUB-S15: Wastewater		

All zones	<ol style="list-style-type: none"> 1. All new allotments created must be connected to a public reticulated wastewater disposal system where a supply is available. 2. Where the new allotment will not be connected to a public reticulated wastewater system or where an additional level of service is required that exceeds the level of service provided by the reticulated systems, the subdivider must demonstrate how an alternative and satisfactory method of wastewater disposal can be provided for each site. 	Matters of discretion: <ol style="list-style-type: none"> 1. Infrastructure servicing; 2. Public health and safety, and 3. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure.
SUB-S16: Utility services		
All zones	<ol style="list-style-type: none"> 1. Each allotment must be designed and located so that provision is made for power lines, gas distribution pipes (where available) and telecommunication lines. 2. With the exception of industrial and rural zones, all utility services must be laid underground. 3. At the time of subdivision, sufficient land for telecommunications, transformers and any associated ancillary services must be set aside. 4. All necessary easements for the protection of network utility services must be duly granted and reserved 	Matters of discretion: <ol style="list-style-type: none"> 1. The ability of the site to be adequately serviced by network utilities, and 2. Public health and safety.
SUB-S17: Indicative public access route		
All Zones	<ol style="list-style-type: none"> 1. When land is subdivided containing an indicative public access route, Council will require: <ol style="list-style-type: none"> a. the provision of an easement or vesting of land to secure ongoing public access along the proposed walkway; b. the minimum width of the easement or land vested in a. above must be 10 m; c. the provision of an easement, covenant, or other legally enforceable requirement on the land title restricting buildings from locating within the public access corridor, and d. the provision of a legal mechanism to protect council access to the easement or vested land under a. above to provide for maintenance and development of the indicative public access routes. 	Matters of discretion: <ol style="list-style-type: none"> 1. The extent to which key feature public access corridors are compromised; 2. Safety, attractiveness, and connectivity of streets, public access ways, and public open spaces; 3. Public health and safety, and 4. Ecological, landscape, and cultural values.
SUB-S18: Esplanade reserves		

<p>All Zones, (excluding Marine Industrial Zone, Port Zone and Mission Development Area)</p> <p><i>Purpose: to ensure public access and environmental protection along riparian and coastal margins.</i></p>	<p>1. A 20-metre-wide esplanade must be vested in Council where a subdivision of land creates any allotment(s) (including any balance allotment) of less than 4 ha that adjoins the coastal marine area and waterbodies including;</p> <ul style="list-style-type: none"> a. Te Whanganui-a-Orotū (Ahuriri Estuary); b. Waiohinanga (Esk River); c. Tūtaekurī River; d. Taipo Stream, and e. Petane Stream (limited to the esplanade reserve area identified in the Planning Maps). <p>2. The esplanade reserves for Taipo Stream must be 6 m or 20 m as shown on the planning maps and in Appendix 6.</p>	<p>Activity Status where standards are not met: Non-complying</p>
<p>Marine Industrial Zone, Port Zone</p> <p><i>Purpose: to consider the safety of the public where uncontrolled public access is undesirable.</i></p>	<p>1. No esplanade reserve requirement.</p>	<p>NA</p>
<p>Mission Development Area</p> <p><i>Purpose: to consider the safety of the public when restricting access through a working vineyard.</i></p>	<p>1. There is no esplanade reserve requirement for Taipo Stream where it traverses the Mission Special Character Zone, except in the following circumstances:</p> <ul style="list-style-type: none"> a. a 20 m esplanade reserve must be vested in Council for land comprised in either Lot 1 DP 27138 held in Certificate of Title W3/453 W1/63 and/or Part Lot 2 DP25932 held in Certificate of Title HBW1/63 (as at 12 September 2018) that falls within the Productive Rural, Landscape & Visitor, and/or Rural Residential (fronting Church Road) Precincts where sites of less than 4 ha are created wholly or partly within 100 m of Taipo Stream. b. no esplanade reserve will be required for sites created through subdivision within the Residential Precinct and the Rural Residential Precinct, which adjoins the Residential Precinct. 	<p>Activity Status where standards are not met: Non-complying</p>
<p>SUB-S19: Acoustic insulation requirements</p>		
<p>Port Zone</p>	<p>1. When land is subdivided in the Port Zone:</p> <ul style="list-style-type: none"> a. A consent notice issued under section 221 of the Act must be entered into specifying that any new noise-sensitive space within any new or altered noise-sensitive activity within the 	<p>NA</p>

	<p>Port Noise Overlay must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels in those rooms do not exceed 40 dB Ldn (5-day).</p>	
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Assessment criteria

In assessing all applications for subdivision, Council will have regard to the following assessment criteria. The assessment criteria are to be considered as matters of control for the assessment of controlled activity subdivisions and matters of discretion for all restricted discretionary activity subdivisions.

The assessment criteria for subdivisions in development areas (and the precincts within development areas) apply in addition to the criteria below unless otherwise stated.

SUB-AC1: General, applies to all subdivision (including boundary adjustments)

Purpose of the relevant zone, precinct, or development area

- a. Whether compliance with the rules of the zone, precinct and/or development area in which subdivision is taking place is able to be met and whether the subdivision is consistent with all relevant objectives and policies.

Safe, connected, and efficient transport network

- b. The extent to which the Transportation chapter standards for vehicle access and manoeuvring are able to be complied with, including TPT-S4 and TPT-S6.
- c. The extent to which the subdivision considers:
 - i. opportunities for direct connections to existing roads, pathways and cycle ways in the surrounding neighborhood;
 - ii. connectivity to the future development of any relevant adjoining land;
 - iii. the safety of vehicles, pedestrians and cyclists;
 - iv. the design and construction of roads in relation to Council's Roding Hierarchy;
 - v. the requirements of Waka Kotahi with regard to vehicle entrances onto state highways, and
 - vi. whether the subdivision and/or land development provides adequate measures to accommodate traffic generation arising from the subdivision ~~meet increases in traffic.~~
- d. Limiting the use of cul-de-sacs unless constrained by topography, infrastructure, or geotechnical factors. Where cul-de-sacs cannot be avoided, they should, where appropriate, provide pedestrian and cycle links to other streets and/or open spaces to ensure connectivity and accessibility.
- e. ~~Whether connectivity is able to be achieved.~~

Stormwater and infrastructure

- f. The extent to which the subdivision infrastructure incorporates ~~has considered~~ low-impact design methods to effectively manage stormwater to prevent flooding, erosion, and discharge of contaminants while positively contributing to amenity, improved biodiversity, and cultural values.

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g. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure.

Whether the sites created by subdivision can be sufficiently serviced by water, stormwater, wastewater, and network utilities (power lines, gas distribution pipes and telecommunication lines.) **Note:** Council will not accept public infrastructure that is located in gated communities.

h. Whether Council is able to accept the vesting of infrastructure.

i. When the site is not proposed to be connected to a public water supply:

- i. the ability for the site to effectively and efficiently meet firefighting requirements, and
- ii. the ability to show how the site will be serviced by an acceptable alternative water supply.

j. When the site will not be connected to a public wastewater or stormwater network, sufficient space is available for onsite wastewater and stormwater attenuation and treatment, and disposal systems will ~~avoid or mitigate not cause~~ environmental effects on or beyond the site.

Natural hazards

k. Whether the land, or any potential structure on that land, will be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source.

l. Whether there are any methods/measures available to overcome or reduce the risk of any hazard(s), and whether these methods/measures may have any significant adverse effects on the environment.

m. Whether techniques proposed for the remediation and/or mitigation of liquefaction and/or lateral spread hazards are appropriate, including but not limited to:

- i. provision for ground-strengthening, foundation design, provision of resilient services, and the ability of these to be incorporated into the subdivision consent as conditions or consent notices;
- ii. setbacks in relation to any waterbody or whether any ground strengthening geoenvironmental solutions are identified to address any potential for lateral spread, and
- iii. the extent to which the layout of the subdivision in relation to the liquefaction and/or lateral spread hazards are appropriate, including the proposed location of earthworks, roads, access, servicing, and building platforms.

n. In assessing the above matters, the Council will have regard to the following:

- i. any information held on the Council's Natural Hazard Database and the Hawke's Bay Hazards Map Portal;
- ii. the objectives, policies, and rules of the Natural Hazards chapter of the District Plan (*Note: The provisions relating to Natural Hazards have not been included in the Proposed District Plan and will be released at a later date as a variation. Please refer to the Natural Hazards provisions (including maps) in the Operative District Plan*);
- iii. information by suitably qualified professionals whose investigations are supplied with subdivision consent applications, and
- iv. the provision of any consent notice in terms of Section 221 of the Act for subdivision in hazard areas.

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Heritage values

- o. Whether the proposed subdivision and/or land development has the potential to adversely affect heritage and/or archaeological sites.
- p. The extent to which the site layout will compromise the character of the heritage or amenity precinct as described in the character statements in SCHED4 - Historic Heritage Overlay and Precinct Schedule.

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Cultural values

- q. Whether the design of the development recognises and respects cultural values to reflect the whakapapa, ancestral names, history, and stories of the area.

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Landscape and topographical features

- r. The extent to which the subdivision design works with the natural topography and landscape features of a site.
- s. Whether the impact of the scale and intensity of the subdivision and/or land development is compatible with the landscape and topographical features.
- t. The effects of property access, road reserves, and drainage reserves on the site as they impact on landscape and amenity values.
- u. For subdivisions within landscape overlays, the extent to which the subdivision design mitigates potential effects on the landscape values identified in Schedule 2.

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Natural features and indigenous trees and vegetation

- v. The extent to which subdivision design retains any natural features of the sites, including indigenous and mature trees and vegetation.
- w. The extent to which the subdivision design includes native plantings for the purpose of enhancing biodiversity.
- x. Whether the proposed subdivision and/or land development will have adverse any effects on ecosystems, including flora and fauna and their habitats.
- y. For areas of indigenous vegetation, whether an assessment and classification under the National Policy Statement for Indigenous Biodiversity 2023, Appendix 1, is required.

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Management of construction effects

- z. The extent to which construction effects will need to be managed through a construction management plan, having regard to the following:
 - i. traffic movements during the construction phase(s);
 - ii. compliance with noise standardsmanagement;
 - iii. hours of operation, and
 - iv. the adoption of erosion and sediment control measures.

Management of potential reverse sensitivity effects on existing land uses

- aa. The extent to which the subdivision design considers reverse sensitivity effects on existing or permitted activities, including avoidance of reverse sensitivity effects on land based primary production activities and highly productive land. Design mitigation techniques may include but are not limited to: planting, setbacks, locating non-sensitive components of land uses in the most affected areas, etc.
- bb. Effects to be mitigated may include noise, odour, spray drift, dust, vibration, and traffic.

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Management of cumulative effects

- cc. The extent to which the subdivision avoids potential cumulative loss of the availability or productive capacity of highly productive land.

Financial contributions and bonds

- dd. The payment of financial contributions to enable the integrated management of infrastructure to service development and to ensure fair and reasonable costs are met by the developer.
- ee. Bonds, covenants, or both, to ensure performance or compliance with any conditions imposed.
- ff. Works or services to ensure the protection, restoration, or enhancement of any natural or physical resource, including (but not limited to) planting or replanting, earthworks, or any other works or services necessary to ensure the avoidance, remediation, or mitigation of adverse environmental effects.
- gg. Administrative charges to be paid to the Council in respect of processing applications, administration, monitoring, and supervision of resource consents, and the carrying out of Council's functions under Section 35 of the Act.

The assessment criteria SUB-AC1 above applies to all subdivisions in addition to the following:

SUB-AC2: Subdivision of three sites or more in residential, rural, commercial, and industrial zones (Number of allotments created SUB-S6)

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Purpose of the relevant zone, precinct, or development area

- a. The extent to which the design of the subdivision considers the objectives of the relevant zone, precinct or development area as well as the amenity values of the nearby locality/community.

Street and road layouts

- b. The extent to which the subdivision layout:
- i. retains the natural topography and landscape features of a site;
 - ii. maintains a north to south axis as much as natural features allow;
 - iii. achieves connectivity within and between neighbourhoods;
 - iv. provides allotments of varying shapes and sizes, and
 - v. minimises narrow allotments, rear lots, and/or rights of way.

Active frontages and landscaping

- c. The extent to which overall subdivision design and sites are situated to create opportunities for a positive interaction between the pedestrian environment and private property.
- d. The extent to which landscaping is provided and its contribution to streetscape enhancement.

Recreation, open space, and reserve requirements for residential subdivision

- e. For subdivisions outside of structure plan areas, the extent to which public open space meets the following:
- i. conserving existing areas of natural or cultural value;
 - ii. integration with green infrastructure and sustainability concepts;
 - iii. is conveniently located, sized, and situated to strengthen existing green networks;
 - iv. is well connected to existing walkways and cycleways;
 - v. is accessible from public land to ensure a sense of public ownership;
 - vi. are safe, welcoming, and provides for a range of activities and users, and
 - vii. is able to be gazetted under the Reserves Act 1977.
- f. Whether land for reserves is vested in Council calculated at 75 m² per allotment or the equivalent through financial contributions.

- ~~g. For subdivisions that adjoin existing council reserves, whether Council has considered options for adding land to that reserve before taking financial contributions.~~
- ~~h. For subdivision adjoining public open space, whether open style permeable fencing is provided in accordance with the rules of the underlying zones.~~
- ~~i. For subdivision within structure plan areas, the extent to which public open space adheres to the location, size, shape and any additional criteria of the relevant structure plan reserve requirements.~~

~~Subdivision Design Guide~~

- ~~j. The extent to which the subdivision design demonstrates consistency with the Napier subdivision design guide~~

SUB-AC3: Subdivision to create conservation lots (SUB-R4),

Public access

- a. Whether the subdivision has created opportunity for public access where appropriate.

Conservation values

- b. The extent to which the subdivision provides for the protection and ~~management~~ ~~maintenance~~ of the identified values
- ~~e. The outcome of any recommendations made by a relevant expert~~
- ~~d.c.~~ The outcome of any consultation undertaken with the Regional Council, iwi, or any other organisation, including any recommendations made by those parties.

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SUB-AC4: Subdivision not meeting building platform standard (SUB-S8)

Natural hazards and land stability

Council will have regard to the following:

- a. Consideration of whether development should be restricted to certain parts of the site.
- b. Where a parcel of land may be subject to inundation, whether there is a need to establish minimum floor heights for buildings in order to mitigate potential damage.

Cultural and heritage values

- c. Where the building platform is located within a site of significance to Māori or adjacent to an archaeological site, the extent to which adverse effects on cultural and heritage values identified in the Cultural Values chapter are able to be managed.

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Landscape values

- d. Where the building platform is located within a landscape overlay, the extent to which the building platform is likely to have an adverse impact on key intrinsic values identified in the relevant landscape overlay (general visibility, interruption of ridgeline, and earthworks, etc.).

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Ecological values

Reverse sensitivity

- i. The potential for reverse sensitivity issues where building platforms are proposed to be located within close proximity to an existing or consented network utility.

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SUB-AC5: Shape factor (SUB-S11)

Relevant zone rules and standards

- a. Whether the applicant provides a concept plan demonstrating how sites created are able to accommodate development in accordance with the relevant district wide and zone provisions.

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Infrastructure and connectivity

- b. The extent to which the site would prevent connectivity with adjoining sites, in particular transport, cycling, pedestrian, and infrastructure servicing.

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SUB-AC6: Indicative public access route (SUB-S17)

- a. Whether there are alternative practicable options for alignment of the public access route and the proposed measures to protect these.
- b. The extent to which future development will ~~avoid ensure there are no~~ impediments to maintaining ongoing public access along the indicative public access route.

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SUB-AC7: Utility services - high voltage lines

- a. Whether the proposed subdivision and/or land development has the potential to adversely affect the efficient use and operation of overhead high-voltage transmission lines and the potential for site development to place human health and safety at risk from such lines.

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This will include consideration of the degree to which the subdivision design, including the location of roads and reserves, landscaping, and any earthworks, recognises and provides for existing electricity lines so that reasonable access to, and appropriate separation from, the lines is maintained.

SUB-AC8: All infringements to standards (SUB-S1 - SUB-S18)

~~The Council must be satisfied that:~~

-

- ~~c. Granting consent for non-compliance with any standards is not contrary to the relevant objectives and policies of the Plan.~~
- ~~d. Compliance with the Code of Practice for Land Development and Subdivision Infrastructure and bylaws is able to be achieved.~~

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The Council will have regard to:

- ~~e-a.~~ Inherent site considerations such as unusual size, shape, topography, substratum, vegetation, or flood susceptibility.
- ~~f-b.~~ Any additional special or unusual characteristic of the site that is relevant to the standards.
- ~~g-c.~~ The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- ~~d.~~ Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- ~~e.~~ Compliance with the Code of Practice for Land Development and Subdivision Infrastructure and bylaws is able to be achieved.
- ~~h-c.~~

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SUB-AC9: National Grid Subdivision Corridor

- a. The extent to which the subdivision design allows for the ongoing efficient operation, maintenance, upgrading, and development of the National Grid, including the ability for continued reasonable access for inspections, maintenance, and upgrading.

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- b. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid.
- c. The risk of electrical hazards affecting public or individual safety and the risk of property damage.
- d. The nature and location of any vegetation to be planted in the vicinity of the National Grid and how such landscaping will impact on the operation, maintenance, upgrade, and development (including access) of the National Grid.
- e. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and amenity and nuisance effects of the National Grid asset.