

Memorandum

Date: 20 October 2023

To: Anna Stevens, Team Leader District Plan Team

From: Matthew Heale (The Property Group), Nicholas Rae (Transurban) and Victoria Woodbridge (The Property Group)

Subject: Subdivision design guide and amended PDP Subdivision chapter provisions

General Points

1. We appreciate the opportunity to work with the Council on the amended provisions to the subdivision chapter following a decision by Council's reporting officers to recommend deletion of the subdivision design guide which we support.
2. This recommendation had changed the focus from adjusting the design guide to addressing matters in the Subdivision Chapter. This has required the involvement of Mr Rae, who has been involved in the expert review of Design Guides; Mr Heale, who provided evidence on the design guides and Ms Woodbridge, who provided evidence on the subdivision chapter.
3. We have reviewed draft provisions (as attached), discussed these with Council staff (Anna Stevens and Hannah Van Haren-Giles) and this memo reflects our combined professional view on the provisions presented to the Panel for consideration.
4. This memo solely reflects the expert opinion of Mr Heale, Ms Woodbridge and Mr Rae on behalf of Kāinga Ora.

SUB-P4 & SUB-P5

5. We are generally supportive of the amendments to SUB-P4 and SUB-P5.

SUB-PX

6. We are generally supportive and in agreement with the proposed new policy, in particular we note the policy only relates to vacant lot subdivision (as referenced in the policy title and the fact it is only triggered by SUB-R5). We consider this appropriate.
7. We agree that for smaller scale subdivision (for example creation of a single lot), some, if not all, of the matters in the policy may not be applicable. For this reason, we support the inclusion of the words "appropriate to the scale of the subdivision" in the policy chapeau. Although we prefer the word "relevant" instead of "appropriate".
8. We do have several residual concerns with some aspects of the policy as follows and have suggested track changed amendments below:

- a. Point 2 seeks to minimise contour modification and large retaining walls, however, these may be acceptable if they are sympathetic to ground form and so amended wording is recommended to ensure this is clear.
- b. Point 5 is considered somewhat superfluous and primarily covered by points 3, 4 and 7. However, points 3 and 4 have some overlap and so could be combined to streamline the policy. There are a number of options for dealing with these issues:
 - i. Combine points 3 and 4 we have suggested below. Point 5 could then be deleted.
 - ii. Combine points 3 and 4 as we have suggested below but retain point 5 with the suggested amendment below.
 - iii. Retain point 3 and 4 but strengthen point 3 to refer to “*safe connected, accessible and legible streets*”. Point 5 could then either be deleted or retained with the suggested amendments below.

9. The following amendments are proposed - Council text in purple and our text in green.

SUB-PX Vacant allotment subdivision design

Provide for subdivision where, appropriate to the scale of the subdivision, it results in allotments that:

1. Are adequately served by public open space that is accessible and useable:
2. Respond to site topography by ensuring any contour modification or large retaining structures are ~~minimised to be~~ sympathetic to existing natural ground form and landscaped to soften visual impacts:
3. ~~Achieve a connected, accessible, and legible street network structure:~~
4. Provide safe, accessible and legible street network structure and connections to and through open spaces, key routes and local destinations:
5. Demonstrate best practice for Are Designed using crime prevention through environmental design principles:
6. Respond to Recognise the amenity value of views or landmarks and respond to these by aligning streets and designing public spaces to focus on these:
7. Orient lot frontages towards streets and other public spaces to create quality streetscapes and where possible combine accessways to rear lots; and
8. Achieve high quality landscape outcomes, including encouraging the retention and integration of mature trees and native vegetation that positively contribute to an area's visual amenity. [please note this wording is an amendment to the provisions attached and is the wording proposed by Anna Stevens in her email dated 19/10/2023 at 4.07pm (provided in attachment 2)– we support this wording]

SUB-R1

9. It is noted that SUB-R5 is for vacant allotment subdivision and the new policy is triggered only by that rule. However, we remain uncertain how SUB-R1 would be applied in a situation where there was no land use application because the development was permitted under all other rules and

the applicant did not provide plans. Would this then lead to an assessment of the proposal under SUB-R5 even if the subdivision was for the purpose of construction and use of residential units in the MRZ or HRZ as intended under SUB-R1?

10. This matter was raised during Hearing Stream 5 by Ms Woodbridge and we refer to her speaking notes which raised this matter.
11. We appreciate the constraints placed on subdivision under the Enabling Housing Supply and other Matters Amendment Act, however, question whether SUB-R1 could be made clearer in this regard.


Nicholas Rae
Urban Designer – Transurban
20 October 2023

Matthew Heale
Principal Planner - The Property
Group
20 October 2023

Victoria Woodbridge
Senior Planner - The Property
Group
20 October 2023

Attachment 1 – Version of subdivision chapter reviewed for this memo

Parts of this chapter have been notified using either a Part One Schedule 1 process ([P1 Sch1](#)), or as part of an Intensification Planning Instrument using the Intensification Streamlined Planning Process ([ISPP](#)). Please see notations.

This chapter contains provisions that have legal effect. They are identified with a  next to the provision. To see more about what legal effect means please click [here](#).

Wawaetanga

Subdivision

SUB	Subdivision
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P1 Sch1

Introduction

The purpose of this chapter is to assist the Council to carry out its functions under the Act relating to the control of subdivision.

Subdivision involves the division of an allotment or building into multiple allotments, or the alteration of existing boundaries. Subdivision often entails a change in land ownership arrangements, and commonly affects future development potential for newly created allotments. In this way, subdivision will play an important role in accommodating 50,000 to 80,000 additional residents in Wellington City to 2050.

Greater housing choice is also desired in the City over the short, medium and long-term. Subdivision controls will need to be flexible enough to facilitate that aim, whilst also ensuring adverse effects on people, communities and the wider environment can be appropriately managed.

In addition to facilitating increased housing supply and choice, subdivision is related to the Council's aims for a more sustainable and resilient future for Wellington. For example, poorly-designed subdivisions can limit neighbourhood connectivity and cohesion, entailing also longer travel times, greater reliance on private vehicle transport and associated increases in greenhouse gas emissions. In contrast, well-connected subdivisions can enhance community values and sense of place, and promote greater uptake of active and public transport modes.

Poorly-designed subdivisions can also lead to greater energy consumption and associated costs for home heating, relative to designs that make better use of solar aspect and other renewable energy opportunities.

When subdivision and related land use activities are assessed concurrently, it enables a comprehensive understanding of the resulting pattern, scale and density of development. For this reason, the Council prefers combined subdivision and land use resource consent applications to be made wherever possible [and therefore the District Plan provides a more enabling framework for combined subdivision and land use application. However, it is](#)

~~understood that such an integrated approach is not always practicable or preferable for applicants, for a variety of reasons.¹~~

Where buildings and activities are lawfully established prior to subdivision, the subdivision process may be little more than a formalisation of new property or unit boundaries to provide for separate ownership. Where subdivision precedes land use, the resulting development potential needs to be taken into account to ensure newly created allotments and units are of a size, shape and orientation that are fit-for-purpose and sympathetic to the local context.

Subdivisions commonly lead to an increase in intensity of land use activity, and steps need to be taken at subdivision stage to ensure existing and future activities can be serviced for access, water supply, wastewater disposal, stormwater management, telecommunications and power supply.

Subdivision involving certain activities in close proximity to some network utilities also needs to be managed. The provisions in the subdivision chapter work together with provisions in the infrastructure and other chapters to achieve the Plan's aims regarding the operation, maintenance, development and upgrade of infrastructure.

Subdivisions adjacent to surface waterbodies and the CMA afford opportunities for greater access to these features to enhance a range of values. Esplanade reserves and esplanade strips will generally be required by the Council in such circumstances. Esplanades also provide opportunities to maintain or enhance conservation values associated with ecological characteristics of surface water and the coast, as well as natural hazard mitigation.

Subdivision is only permitted in limited circumstances. ~~Under~~ Section 223 of the RMA, ~~a~~ requires ~~that a~~² survey plan for such subdivisions may be submitted to Council for approval provided that a certificate of compliance has been obtained for the subdivision and that certificate has not lapsed.

Application of rules in this Chapter³

This chapter includes objectives, policies and rules that relate to subdivision generally. It also includes policies and rules that implement objectives in other chapters, specifically as they relate to the management of subdivision.

Rule SUB-R1 relates specifically to subdivision of land for the purpose of the construction and use of residential units in the Medium Density Residential Zone and the High Density Residential Zone.

Subdivisions under Rule SUB-R1 are not subject to Rules SUB-R2 – SUB-R5, but are subject to the area-specific and ~~topic-specific~~ district wide⁴ rules where the land also contains a corresponding planning notation or overlay.

¹ Kāinga Ora [391.189]

² Kāinga Ora [391.189]

³ Consequential in response to Kāinga Ora [391.189]

⁴ Transpower [315.167 and 315.168]

With the exception of Rule SUB-R1, the general subdivision objectives, policies and rules apply to all subdivision proposals, including those that affect land subject to other planning map notations, areas, or overlays. To the extent relevant, this includes Objectives SUB-O1 and SUB-O2, Policies SUB-P1 – SUB-P8, and Rules SUB-R2 – SUB-R5.

In addition to those general provisions, the area-specific and topic-specific district wide⁵ policies and rules apply to subdivisions affecting land subject to the applicable planning notation or overlay. This includes Policies SUB-P9 – SUB-P26, and Rules SUB-R6 – SUB-R31.

Responsibilities

GWRC has a key role under the RMA in conserving soil, maintaining and enhancing water quality and aquatic ecosystems and avoiding or mitigating natural hazards. In practice, this means that:

1. GWRC have functions and responsibilities for the control relating to that may impact on subdivision:
2. GWRC manages potable water where a connection to Council's reticulated potable systems is not available, and the water supply is from groundwater or a waterbody.
3. GWRC manages wastewater disposal where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground.
4. GWRC manages stormwater disposal where a connection to Council's reticulated wastewater systems is not available and stormwater is to be disposed to ground or into a waterbody.
5. GWRC also manages disturbance activities in the beds of rivers and lakes.⁶

Other relevant District Plan provisions

P1 Sch1

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant including:

- **Transport-** The Transport Chapter contains provisions relating to transport matters, including traffic generation.
- **Three Waters –** The Three Waters Chapter contains provisions that relate to the management of the Three Waters infrastructure including servicing, hydraulic neutrality, water-sensitive urban design and infrastructure enabled urban development.⁷

⁵ Transpower [315.167 and 315.168]

⁶ Consequential amendment in response to GWRC [351.195]

⁷ Consequential amendment in response to Rod Halliday [25.24] and AdamsonShaw [137.5, 137.6, 137.7, and 137.8]

- **Historic Heritage and Sites and Areas of Significance to Māori** - Land subject to subdivision proposals may include archaeological sites and sites and areas of significance to Māori. Specific objectives and policies for the protection of these sites are located in the Sites and Areas of Significance to Māori Chapter and Historic Heritage Chapter.
 - **Notable Trees – The Notable Trees Chapter contains provisions that identify and protect certain trees for their significant historic heritage, ecological or amenity values.**⁸
 - **Infrastructure** - the subdivision chapter includes rules to implement objectives and policies in the Infrastructure Chapter where certain types of subdivision may have adverse effects, including reverse sensitivity effects, on infrastructure, such as the gas transmission pipeline, national grid, and transport network, are in close proximity to some network utilities.
 - **Natural Hazards** - the subdivision chapter includes policies and rules that implement the objectives in the Natural Hazards chapter where subdivision proposals affect land subject to identified natural hazards.
 - **Natural Character** – the subdivision chapter contains the rules that implement the objectives in the Natural Character chapter where subdivision proposals affect riparian margins
 - **Ecosystems and Indigenous Biodiversity** - the subdivision chapter includes policies and rules that implement the objectives in the Ecosystems and Indigenous Biodiversity chapter where subdivision proposals affect Significant Natural Areas
 - **Natural Features and Landscapes** - the subdivision chapter includes policies and rules that implement the objectives in the Natural Features and Landscapes chapter where subdivision proposals affect Outstanding Natural Features and Landscapes, Special Amenity Landscapes and Ridgelines and Hilltops.
 - **Public Access** - the subdivision chapter includes policies and rules that implement the objectives in the Public Access chapter where subdivision proposals affect access to the coast and surface waterbodies
 - **Coastal Environment** - the Coastal Environment Chapter contains the objectives and policies relating to the subdivision of land on property that is subject to coastal hazards. The subdivision chapter contains the rules that implement the objectives in the Coastal Environment chapter where subdivision proposals affect land in the Coastal Environment
 - **Earthworks** - The Earthworks Chapter manages the adverse effects of earthworks on the environment, including earthworks associated with subdivision proposals.
 - **Noise** - The Noise Chapter contains specific controls in relation to noise, including temporary construction noise from subdivision and associated development.
- Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives	
ISPP	SUB-01 Efficient pattern of development

⁸ Administrative amendment

P1 Sch1

	<p>Subdivision achieves an efficient development pattern that:</p> <ol style="list-style-type: none"> 1. Maintains or enhances Wellington's compact urban form; 2. Is compatible with the nature, scale and intensity anticipated for the underlying zone and local context; 3. Enables appropriate future development and use of resulting land or buildings; and 4. Is supported by development infrastructure and additional infrastructure for existing and anticipated future activities.
SUB-O2	<p>Esplanades</p> <p>The network of esplanade reserves and esplanade strips in Wellington is progressively increased.</p>

Policies
<u>All subdivision</u>

ISPP

SUB-P1	<p>Recognizing and providing for subdivision</p> <p>Recognise the benefits of subdivision in facilitating the supply and variety of new housing, business and other activities that meet the needs of people and communities.</p>
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ISPP

SUB-P2	<p>Boundary adjustments and amalgamation</p> <p>Enable boundary adjustments and site amalgamation to enhance the efficient use of land, provided that the nature and scale of resulting development potential is compatible with the local context.</p>
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ISPP

SUB-P3	<p>Sustainable design</p> <p>Provide for subdivision design and layout that makes efficient use of renewable energy and other natural and physical resources, and delivers well-connected, resilient communities including development patterns that:</p> <ol style="list-style-type: none"> 1. Maximise solar gain; 2. Incorporate effective water sensitive design; 3. Achieve hydraulic neutrality; 4. Provide for safe vehicle access; 5. Fulfill the intent of the Subdivision Design Guide; 6. Support walking, cycling and public transport opportunities and enhance neighbourhood and network connectivity and safety; and 7. Are adaptive to the effects of climate change.
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Commented [HvHG1]: Delete reference to SDG that was added in SUB RoR as it is now proposed to delete the SDG.

ISPP

SUB-P4	<p>Integration and layout of subdivision and development</p> <p>Provide for the efficient integration and layout of subdivision and associated development by:</p> <ol style="list-style-type: none"> 1. Encouraging joint applications for subdivision and land use; 2. Enabling subdivision around development that has already been lawfully established; and 3. Ensuring standalone subdivision proposals provide allotments that can be feasibly developed and are fit for the future intended purpose; 4. <u>Ensuring allotments are of a size, shape and orientation that is compatible with the nature, scale and intensity anticipated for the underlying zone or activity area's objectives and policies; and</u> 5. <u>Ensuring enabled land use outcomes will be able to be achieved following subdivision.</u>
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Commented [HvHG2]: New SUB-P4.4 that reflects the amendment sought by Nick Rae but acknowledging that this is very similar to notified SUB-P5. Shifting this point from SUB-P5 elevates the matter from only applying to residential activities to all subdivision more broadly, while adding reference to 'objectives and policies'.

ISPP

SUB-P5	<p>Subdivision for residential activities</p> <p>Provide for flexibility, innovation and choice for future development enabled by subdivision for residential activities, while ensuring allotments are of a size, shape and orientation that is compatible with the nature, scale and intensity anticipated for the underlying zone or activity area.</p>
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SUB-PX	<p><u>Vacant allotment subdivision design</u></p> <p><u>Provide for subdivision where, appropriate to the scale of the subdivision, it results in allotments that:</u></p> <ol style="list-style-type: none"> 2. <u>Are adequately served by public open space that is accessible and useable;</u> 3. <u>Respond to site topography by ensuring any contour modification or large retaining structures are minimised to be sympathetic to existing natural ground form and landscaped to soften visual impacts;</u> 9. <u>Achieve a connected, accessible, and legible street network structure;</u> 10. <u>Provide safe, accessible and legible connections to and through open spaces, key routes and local destinations;</u> 11. <u>Demonstrate best practice for crime prevention through environment design;</u> 12. <u>Respond to the amenity value of views or landmarks and align street and design public spaces to focus on these;</u> 13. <u>Orient lot frontages towards streets and other public spaces to create quality streetscapes and where possible combine accessways to rear lots; and</u> 8. <u>Achieve high quality landscape outcomes, including retaining and integrating mature trees and native vegetation that positively contribute to an area's visual amenity.</u>
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Commented [HvHG3]: New policy to address guidance point matters that are not otherwise addressed in the RDG or PDP chapters i.e. Three Waters, Infrastructure, Transport etc.

Commented [HvHG4]: Reflects design outcome O4 and O9, and guidance point G28

Commented [HvHG5]: Reflects design outcome O1 and guidance points G13, G14, and G16.

Commented [HvHG6]: Reflect design outcome O4 and O6, and guidance points G36, G37, and G42.

Commented [HvHG7]: Reflects design outcome O7 and combines guidance points G27, G28 and G29 which all addressed 'Connection to neighbouring areas and facilities'

Commented [HvHG8]: There were many guidance points that spoke to CPTED in very specific terms - lighting, avoiding entrapment etc. This policy clause elevates those matters to a broader consideration noting that specifics on street lighting are addressed in the INF chapter.

Commented [HvHG9]: Reflects design outcome O5 and guidance point G41.

Commented [HvHG10]: Brings together guidance points G25, G26, G39, G48, G49, and G60

P1 Sch1

SUB-P6	<p>Subdivision in the General Rural Zone</p> <p>Require subdivisions in the General Rural Zone to result in allotments of a size, shape and orientation that:</p> <ol style="list-style-type: none"> 1. Preserve the predominant open character of the rural zone and contributes to urban containment; 2. Can accommodate a residential unit in a position that manages effects on the privacy and amenity of residential units on neighbouring allotments; and 3. Do not increase the risk of reverse sensitivity effects arising on existing lawfully established activities.
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ISPP

SUB-P7	<p>Servicing</p> <p>Require all allotments created by any subdivision to be adequately serviced such that:</p> <ol style="list-style-type: none"> 1. In urban areas, suitable access, connections to reticulated water supply, wastewater and stormwater management networks are provided in accordance with the Council's Code of Practice for Land Development; 2. Allotments in rural or other areas that are unable to connect to reticulated networks are of sufficient size and shape to accommodate on-site wastewater disposal, stormwater management, and water supply, including water supply for fire-fighting purposes; and 3. <u>Suitable connections to telecommunications⁹ and electricity are supplied.</u>
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SUB-PX	<p>Subdivision within the Inner Air Noise Boundary Overlay</p> <p><u>Provide for subdivision within the Inner Air Noise Boundary Overlay where the potential future permitted density of noise sensitive activities will avoid adverse reverse sensitivity effects on Wellington International Airport.¹⁰</u></p>
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Historical and Cultural Values

P1 Sch1

SUB-P10	<p>Subdivision of land on which a heritage building or heritage structure is located</p>
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⁹ Wellington Electricity Lines [355.52 and 355.53]

¹⁰ WIAL [406.263]

	<p>Provide for the subdivision of land on which heritage buildings and heritage structures are located, having regard to:</p> <ol style="list-style-type: none"> 1. <u>The extent to which the subdivision and any anticipated development would detract from the identified heritage values;</u>¹¹ 2. The identified relationship and contribution of the setting and surroundings of the site to the values of the heritage building or heritage structure; 3. The extent to which the subdivision would retain an appropriate setting for the heritage building or heritage structure; and 4. Whether covenants or consent notices can be imposed on any new allotment to manage any anticipated development. 5. <u>Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga where it is listed as a Category 1 or Category 2 Historic Place.</u>¹²
P1 Sch1	<p>SUB-P11 Subdivision within heritage areas</p> <p>Provide for the subdivision of land within heritage areas, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the subdivision and any anticipated development would detract from the identified heritage values; and 2. Whether covenants or consent notices can be imposed on any new allotment to manage any anticipated development. 3. <u>Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga where it is listed as a Historic Area.</u>¹³
P1 Sch1	<p>SUB-P12 Subdivision of land containing a scheduled archaeological site</p> <p>Provide for the subdivision of land containing a scheduled archaeological site, having regard to:</p> <ol style="list-style-type: none"> 1. The location of site access and new structures in relation to the scheduled archaeological site; 2. The extent to which the subdivision and any anticipated development would adversely affect archaeological values;

¹¹ Wellington City Council [266.97]

¹² Consequential amendment in response to Wellington Heritage Professionals [412.58]

¹³ Consequential amendment in response to Wellington Heritage Professionals [412.61]

P1 Sch1

	<p>3. The findings of any advice by a suitably qualified heritage professional; <u>and</u></p> <p>4. The outcomes of any consultation with Heritage New Zealand Pouhere Taonga; <u>and</u></p> <p>5. Whether controls such as covenants or consent notices can be imposed on any new allotment to manage anticipated development.</p>
	<p>SUB-P13 Subdivision of land containing a notable tree</p> <p>Require subdivision of land containing notable trees to support the maintenance of tree health and minimise the potential for interference, having regard to:</p> <ol style="list-style-type: none">1. The extent to which the location of new boundaries relative to the notable tree and any anticipated development will increase the risk of the interference with property; <u>and</u>2. Whether controls such as consent notices or covenants can be imposed on any new allotment; and3. Whether site access and new utilities can be located outside of the root protection area of the notable tree.
	<p>SUB-P9 Subdivision of land within a site or area of significance to Māori Category A or B</p> <p>Provide for the subdivision of land within a site or area of significance to Māori Category A or B having regard to:</p> <ol style="list-style-type: none">1. The extent to which Cconsultation has been¹⁴ undertaken with mana whenua;2. The extent to which the values of mana whenua have been incorporated into the proposal;3. Whether alternative methods, locations or designs are available that would avoid or reduce the impact on the identified site or area of significance;4. Any positive effects of the development for mana whenua or opportunities to enhance the cultural values of the site; and5. The extent to which mana whenua retain access and use of the site or area.
	<p><u>Natural Environment Values</u></p>

ISPP

¹⁴ Te Rūnanga o Toa Rangatira [488.55 and 488.56]

P1 Sch1

SUB-P15	Protection of significant natural areas Protect the biodiversity values of significant natural areas identified within SCHED8 by requiring subdivision to: <ol style="list-style-type: none">1. Avoid adverse effects on indigenous biodiversity values where practicable;2. Minimise adverse effects on the biodiversity values where avoidance is not practicable;3. Remedy adverse effects on the biodiversity values where they cannot be avoided or minimised;4. Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied and where the principles of APP2 – Biodiversity Offsetting are met; and5. Only consider biodiversity compensation after first considering biodiversity offsetting and where the principles of APP3 – Biodiversity Compensation are met.
SUB-P16	Subdivision in significant natural areas Allow for subdivision in significant natural areas listed in SCHED8 where it: <ol style="list-style-type: none">1. Applies the effects management hierarchy approach in SUB-P15; and2. Demonstrates that it is appropriate by taking into account the:<ol style="list-style-type: none">a. Findings of an ecological assessment in accordance with APP15; andb. Provision of any proposed protective covenants of the significant natural area; andc. Degree to which fragmentation of the significant natural area is minimised; andd. Extent to which building platforms and vehicle accessways within the new lots are proposed to locate outside the significant natural area or designed to minimize the degree of impact; ande. Extent that the ecological processes, functions and integrity of the significant natural area are maintained.
SUB-P14	Subdivision within riparian margins Provide for <u>Only allow</u> ¹⁵ subdivision within riparian margins where:

P1 Sch1

P1 Sch1

¹⁵ GWRC [351.185]

P1 Sch1

	<ol style="list-style-type: none">1. The natural character is protected; and2. The subdivisions is designed to minimise the adverse effects of future use and development enabled by the subdivision on the natural character.
P1 Sch1	<p>SUB-P17 Subdivision of land within ridgeline and hilltops <u>overlay or within the ridgetop area of the Upper Stebbings and Glenside West Development Area</u>¹⁶</p> <p><u>Provide for Only allow</u> ¹⁷subdivision of land containing ridgelines and hilltops <u>or within the ridgetop area</u> ¹⁸where:</p> <ol style="list-style-type: none">1. The integrity of the ridgeline is protected; and2. The subdivision is designed to minimise the adverse effects of future use and development on the visual amenity and landscape values.
P1 Sch1	<p>SUB-P18 Subdivision of land within special amenity landscapes</p> <p>Manage subdivision of land within identified special amenity landscapes as follows:</p> <ol style="list-style-type: none">1. Provide for subdivision of land in identified special amenity landscapes outside the coastal environment where:<ol style="list-style-type: none">a. The subdivision is designed to ensure that adverse effects of future use and development enabled by the subdivision on the identified values are avoided, remedied or mitigated; andb. The identified landscape values and characteristics are maintained.2. Provide for subdivision of land in identified special amenity landscapes within the coastal environment where:<ol style="list-style-type: none">a. The subdivision is designed to ensure that significant adverse effects of future use and development enabled by the subdivision on the identified values are avoided; andb. The subdivision is designed to ensure that any other adverse effects of future use and development enabled by the subdivision on the identified values are avoided, remedied or mitigated; andc. The identified landscape values and characteristics are maintained.
P1 Sch1	<p>SUB-P8 Esplanade requirements</p>

¹⁶ Consequential amendment

¹⁷ Forest & Bird [345.274]

¹⁸ John Tiley [142.14], Churton Park Community Association [189.14], Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt [276.21]

	<p>Require the provision of esplanade reserves and esplanade strips where subdivisions are proposed adjacent to the CMA or rivers to enhance:</p> <ol style="list-style-type: none"> 1. Public access to and along the coast and surface waterbodies; 2. Ecological, amenity and recreational values; and 3. Natural hazard resilience.
P1 Sch1	<p>SUB-P19 Subdivision of land within outstanding natural features and landscapes located outside of the coastal environment</p> <p>Only allow for the subdivision of land within identified outstanding natural features and landscapes or special amenity landscapes located outside of the coastal environment where the subdivision:</p> <ol style="list-style-type: none"> 1. Is compatible with the identified values of the identified outstanding natural features and landscapes; 2. Avoids, remedies or mitigates significant adverse effects on the identified values and characteristics of outstanding natural features and landscapes; and 3. Is designed to protect the identified values and characteristics of the outstanding natural features and landscapes.
<u>Coastal Environment</u>	
P1 Sch1	<p>SUB-P20 Subdivision of land within outstanding natural features and landscapes located within the coastal environment</p> <p>Avoid the subdivision of land within identified outstanding natural features and landscapes within the coastal environment, unless:</p> <ol style="list-style-type: none"> 1. Any adverse effects of future use and development enabled by the subdivision on the identified values of the outstanding natural features and landscapes are avoided; and 2. The identified values and characteristics of the outstanding natural features and landscapes are protected.
P1 Sch1	<p>SUB-P21 Subdivision of land within the landward extent of the coastal environment</p> <p>Provide for subdivision of land within the landward extent of the coastal environment where it:</p> <ol style="list-style-type: none"> 1. Consolidates existing urban areas; and 2. Does not establish new urban sprawl along the coastline.
P1 Sch1	<p>SUB-P22 Subdivision of land within high coastal natural character areas</p>

	<p>Only allow for subdivision in areas of very high or high coastal natural character within the coastal environment where:</p> <ol style="list-style-type: none"> 1. Any significant adverse effects on the identified values described in Schedule 12 - High Coastal Natural Character Areas are avoided and any other adverse effects on the identified values described in Schedule 12 - High Coastal Natural Character Areas are avoided remedied or mitigated; and 2. It can be demonstrated that: <ol style="list-style-type: none"> a. The particular values and characteristics of the areas of high coastal natural character areas as identified in SCHED12 – High Coastal Natural Character Areas are protected from inappropriate subdivision, considering the extent to which the values and characteristics of the area are vulnerable to change including the effects of climate change and other natural processes; b. The duration and nature of adverse effects are limited; c. There is a functional need or operational need for the subdivision to locate in the area; d. There are no reasonably practical alternative locations that are outside of the coastal environment or are less vulnerable to change; and e. Restoration or rehabilitation planting of indigenous species will be incorporated to mitigate any adverse effects.
<p>P1 Sch1</p>	<p>SUB-P23 Subdivision of land within coastal margins and riparian margins in the coastal environment located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone</p> <p>Provide for subdivision of land within coastal margins and riparian margins where it is located in the highly modified Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone.</p>
<p>ISPP</p>	<p>SUB-P24 Subdivision of land within coastal margins and riparian margins in the coastal environment located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone and City Centre Zone</p> <p>Only allow for subdivision within coastal and riparian margins in the coastal environment located outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone where:</p> <ol style="list-style-type: none"> 1. Any significant adverse effects on the natural character of the coastal environment are avoided and any other adverse effects on the natural character of the coastal environment are avoided, remedied or mitigated; and 2. It can be demonstrated that: <ol style="list-style-type: none"> a. There is a functional need or operational need for the subdivision to locate within the coastal margin or riparian margin; b. There are no reasonably practical alternative locations that are outside of the coastal margin or riparian margins or are less vulnerable to change; and c. Restoration or rehabilitation planting of indigenous species will be incorporated to mitigate any adverse effects.
<p>ISPP</p>	<p>Natural Hazards</p>

P1 Sch1

SUB-P25	<p>Subdivision of land affected by natural hazards</p> <p>Take a risk-based approach to the management of subdivision of land affected by natural hazards identified in the District Plan based on:</p> <ol style="list-style-type: none"> 1. The sensitivity of the activities to the impacts of natural hazards; and 2. The hazard posed to people's lives and wellbeing, and property, by considering the likelihood and consequences of differing natural hazard events.
SUB-P26	<p>Subdivision of land within the port and railway yards within the Wellington Fault Overlay</p> <p>Require subdivision of land within the port and railway yards within the Wellington Fault Overlay to incorporate mitigation measures that <u>minimise the reduce or avoid an increase in</u>¹⁹ risk to people, property and infrastructure from the ground shaking and fault rupture on the Wellington Fault.</p>

Rules: Land use activities	
All Subdivision	

ISPP

SUB-R1	<p>Subdivision for the purpose of the construction and use of residential units in the Medium Density Residential Zone or High Density Residential Zone</p>
<p><u>Medium Density Residential Zone</u></p> <p><u>High Density Residential Zone</u></p>	<ol style="list-style-type: none"> 1. Activity status: Controlled <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. The provision of practical, physical and legal access from each allotment directly to a formed legal road or by registered right of way; 2. The provision of a water supply connection to the Council's reticulated water supply system for each allotment sufficient to meet the levels of service in the Wellington Water Regional Standard for Water Services 2022 and the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; 3. The provision of a wastewater disposal connection to Council's reticulated wastewater system for each allotment sufficient to meet the level of service in the Wellington Regional Standard for Water Services 2022;

¹⁹ GWRC [351.187]

	<p>4. The provision of a stormwater connection to Council's reticulated stormwater system for each allotment sufficient to meet the level of service in the Wellington Regional Standard for Water Services 2022;</p> <p>5. The provision of fibre optic cable connections to the legal boundary of each allotment;</p> <p>6. The provision of electricity connections to the legal boundary or each allotment; and</p> <p>7. Any consent notices, covenants, easements or other legal instruments necessary.²⁰</p> <p>Notification status:</p> <p>Applications under this rule are precluded from being publicly notified or limited notified if the subdivision is only associated with residential units that fully comply with density standards MRZ-S1, MRZ-S2, MRZ-S3, MRZ-S4, MRZ-S5, MRZ-S6, MRZ-S7 and MRZ-S8 in the Medium Density Residential Zone; or HRZ-S1, HRZ-S3, HRZ-S4, HRZ-S5, HRZ-S6, HRZ-S7, HRZ-S8 and HRZ-S9 in the High Density Residential Zone.</p> <p>Applications under this rule are precluded from being publicly or limited notified if the subdivision is associated with an application for the construction and use of 4 or more residential units that comply with density standards MRZ-S1, MRZ-S2, MRZ-S3, MRZ-S4, MRZ-S5, MRZ-S6, MRZ-S7 and MRZ-S8 in the Medium Density Residential Zone; or HRZ-S1, HRZ-S3, HRZ-S4, HRZ-S5, HRZ-S6, HRZ-S7, HRZ-S8 and HRZ-S9 in the High Density Residential Zone.</p> <p>Applications under this rule are precluded from being publicly notified if the subdivision is associated with an application for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of density standards MRZ-S1, MRZ-S2, MRZ-S3, MRZ-S4, MRZ-S5, MRZ-S6, MRZ-S7 and MRZ-S8 in the Medium Density Residential Zone; or HRZ-S1, HRZ-S3, HRZ-S4, HRZ-S5, HRZ-S6, HRZ-S7, HRZ-S8 and HRZ-S9 in the High Density Residential Zone.</p>
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ISPP

	SUB-R2	Subdivision around an existing lawfully established building which does not result in the creation of any new undeveloped allotment
<u>All zones</u>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The subdivision is not located in the General Rural Zone, the Large Lot Residential Zone or the Future Urban Zone; and</p> <p>b. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; 	

²⁰ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

	<p>v. SUB-S5; and vi. SUB-S7; and c. The subdivision will not lead to, or increase the degree of, non-compliance with land use standards of the applicable Zone.</p>
<u>All Zones</u>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R2.1b cannot be achieved</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, <u>SUB-P6</u>, SUB-P7; and SUB-P8; 2. The extent and effect of non-compliance with any relevant Standard as specified in the associated assessment criteria for the infringed standards; 3. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and 4. Any consent notices, covenants, easements or other legal instruments necessary.²¹ <p>Notification status: Applications under this rule are precluded from being publicly or limited notified.</p>
<u>General Rural Zone</u> <u>Large Lot Residential Zone</u> <u>Future Urban Zone</u> <u>All Zones</u>	<p>3. Activity Status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of SUB-R2.1.a <u>or SUB-R2.1.c</u> cannot be achieved.</p>
SUB-R3	Boundary adjustments
<u>All Zones, except for:</u> <u>General Rural Zone</u> <u>Large Lot Residential Zone</u>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The boundary adjustment is not located in the General Rural Zone, the Large Lot Residential Zone or the Future Urban Zone; and</p> <p>b. Compliance with the following standards is achieved:</p> <ol style="list-style-type: none"> i. SUB-S1; ii. SUB-S2;

Commented [HvHG11]: Add SUB-P6

ISPP

²¹ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

<p>Future Urban Zone</p>	<ul style="list-style-type: none"> iii. SUB-S3; iv. SUB-S4; v. SUB-S5; and vi. SUB-S7; and <p>c. The boundary adjustment will not lead to, or increase the degree of, non-compliance with land use standards of the applicable Zone.</p>
<p>General Rural Zone</p> <p>Large Lot Residential Zone</p> <p>Future Urban Zone</p>	<p>2. Activity status: Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with the requirements of SUB-R3.1.a cannot be achieved; and b. Compliance with the following standards is achieved: <ul style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; and vi. SUB-S7; and c. The boundary adjustment will not lead to, or increase the degree of, non-compliance with land use standards of the applicable Zone; d. In the Future Urban Zone, the subdivision is in general accordance with the relevant Development Plan and Requirements set out in APP12 – Lincolnshire Farm Development Area and APP13 – Upper Stebbings and Glenside West Development Area; and e. In the General Rural Zone: <ul style="list-style-type: none"> i. All allotments identify a building platform for any existing or proposed residential unit that is no closer than 100m to any other existing or proposed building platform for a residential unit; and ii. Any allotment to be subdivided must be at least five years old from the deposit of survey plan.²² <p>Matters of control are:</p> <ul style="list-style-type: none"> 1. The matters in SUB-P1, SUB-P2, SUB-P3, SUB-P4, SUB-P5, SUB-P6, SUB-P7 and SUB-P8; 2. For subdivisions in Lincolnshire Farm Development Area, the matters in DEV2-P1, DEV2-P2 and DEV2-P6; 3. For subdivisions in Upper Stebbings/Glenside West Development Area, the matters in DEV3-P1, DEV3-P2, DEV3-P5 and DEV3-P6; <u>and</u> 4. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and 5. Any consent notices, covenants, easements or other legal instruments necessary.²³

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²² Rod Halliday [25.23]

²³ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

		Notification status: Applications under this rule are precluded from being publicly notified.
All Zones		<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. The boundary adjustment is not a permitted activity under SUB-R3.1 or a controlled activity under SUB-R3.2.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1, SUB-P2, SUB-P3, SUB-P4, SUB-P5, SUB-P6, SUB-P7, and {Link,16616,SUB-P8}; 2. The matters in the Subdivision Design Guide; 3. The extent and effect of non-compliance with any relevant Standard as specified in the associated assessment criteria for the infringed Standards; 4. For subdivisions in Lincolnshire Farm Development Area, the matters in DEV2-P1, DEV2-P2 and DEV2-P6; 5. For subdivisions in Upper Stebbings/Glenside West Development Area, the matters in DEV3-P1, DEV3-P2, DEV3-P5 and DEV3-P6; 6. For subdivisions in the General Rural Zone, the matters in the Rural Design Guide; and 7. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and 8. Any consent notices, covenants, easements or other legal instruments necessary.²⁴ <p>Notification Status: Applications under this rule are precluded from being publicly notified.</p>
	SUB-R4	Subdivision to create a new allotment for infrastructure
All Zones		<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. Compliance is achieved with the following standards for any balance allotment²⁵:</p> <ol style="list-style-type: none"> i. SUB-S1; and ii. SUB-S6; and²⁶ iii. SUB-S7. <p>Matters of control are:</p>

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P1 Sch1

²⁴ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

²⁵ WIAL [406.262]

²⁶ WIAL [406.262]

	<p>1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P7, and SUB-P8; <u>and</u></p> <p>2. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</p> <p>3. Any consent notices, covenants, easements or other legal instruments necessary.²⁷</p> <p>Notification status: Applications under this rule are precluded from being publicly or limited notified.</p>
<u>All Zones</u>	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R4.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P6, SUB-P7, and SUB-P8;</p> <p>2. The extent and effect of non-compliance with any relevant Standard as specified in the associated assessment criteria for the infringed standards; <u>and</u></p> <p>3. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</p> <p>4. Any consent notices, covenants, easements or other legal instruments necessary.²⁸</p> <p>Notification status: Applications under this rule are precluded from being publicly notified.</p>
	<p>SUB-R5 Subdivision that creates any vacant allotment, <u>excluding new allotments for infrastructure.</u>²⁹</p>
<u>All Zones, except: General Rural Zone, Large Lot Residential Zone, Future Urban Zone</u>	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The subdivision is not located in the General Rural Zone, the Large Lot Residential Zone or the Future Urban Zone; and</p> <p>b. Compliance with the following standards is achieved:</p> <p>i. SUB-S1</p> <p>ii. SUB-S2;</p> <p>iii. SUB-S3;</p> <p>iv. SUB-S4;</p>

ISPP

²⁷ WCC [266.95, 266.96] (Supported by Survey & Spatial New Zealand FS 116.4)

²⁸ Consequential amendment in response to WIAL [406.262]

²⁹ WIAL [406.262] – consequential to change to SUB-R4

	<p>v. SUB-S5; vi. SUB-S6; and vii. SUB-S7.</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-PX, SUB-P7, and SUB-P8; and 2. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and 3. Any consent notices, covenants, easements or other legal instruments necessary.³⁰ <p>Notification status: Applications under this rule are precluded from being publicly or limited notified.</p>
<p><u>General Rural Zone</u></p> <p><u>Large Lot Residential Zone</u></p> <p><u>Future Urban Zone</u></p>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with the requirements of SUB-R5.1.a cannot be achieved; and b. Compliance with the following standards is achieved: <ol style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; vii. SUB-S7; and c. In the Future Urban Zone, the subdivision is in general accordance with the relevant Development Plan in the Planning Maps and with the Requirements set out in APP12 – Lincolnshire Farm Development Area and APP13 – Upper Stebbings and Glenside West Development Area; and d. In the General Rural Zone: <ol style="list-style-type: none"> i. All allotments identify a building platform for any existing or proposed residential unit that is no closer than 100m to any other existing or proposed building platform for a residential unit; and ii. Any allotment to be subdivided must be at least five years old from the deposit of survey plan. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-PX, SUB-P6, SUB-P7, and SUB-P8; 2. The matters in the Subdivision Design Guide;

Commented [HvHG14]: Add reference to new SUB-PX

Commented [HvHG15]: SUB-P5

Commented [HvHG16]: Add reference to new SUB-PX

³⁰ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)






	<p>3. <u>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards:</u>³¹</p> <p>4. For subdivisions in Lincolnshire Farm Development Area, the matters in DEV2-P1, DEV2-P2 and DEV2-P6;</p> <p>5. For subdivisions in Upper Stebbings/Glenside West Development Area, the matters in DEV3-P1, DEV3-P2, DEV3-P5 and DEV3-P6;</p> <p>6. For subdivisions in the General Rural Zone, the matters in the Rural Design Guide; <u>and</u></p> <p>7. Site access and the design of any vehicle parking and associated maneuvering areas; and</p> <p>8. Any consent notices, covenants or other legal instruments necessary.³²</p> <p>Notification status: Applications under this rule are precluded from being publicly or limited notified.</p>
<p><u>All zones, except:</u></p> <p><u>General Rural Zone</u></p>	<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R5.1.b cannot be achieved; and</p> <p>b. The subdivision is not located in the General Rural Zone.</p> <p>Matters of discretion are:</p> <p>1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-PX, SUB-P7, and SUB-P8;</p> <p>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards; <u>and</u></p> <p>3. Site access and the design of any vehicle parking and associated maneuvering areas; and</p> <p>4. Any consent notices, covenants or other legal encumbrances or instruments necessary.³³</p> <p>Notification status: Applications under this rule are precluded from being publicly notified.</p>
<p><u>All Zones</u></p>	<p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. The subdivision is not a controlled activity under SUB-R5.1 or a restricted discretionary activity under SUB-R5.2 or SUB-R5.3.</p>
<p>Historical and Cultural Values</p>	

Commented [HvHG17]: Add reference to new SUB-PX

³¹ Trelissick Park [168.21 and 168.22]

³² ibid

³³ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

ISPP	SUB-R7 	Subdivision of a site on which a scheduled heritage building or object heritage structure³⁴ is located
	<u>All Zones</u>	1. Activity status: Discretionary
ISPP	SUB-R8 	Subdivision of a site within a heritage area
	<u>All Zones</u>	1. Activity status: Discretionary
P1 Sch1	SUB-R9 	Subdivision of a site on which a scheduled archaeological site is located
	<u>All Zones</u>	1. Activity status: Discretionary
P1 Sch1	SUB-R10	Subdivision of a site on which a notable tree is located
	<u>All Zones</u>	1. Activity status: Discretionary
P1 Sch1	SUB-R6 	Subdivision of land within a site or area of significance to Māori Category A and B
	<u>All Zones</u>	1. Activity status: Restricted Discretionary Matters of discretion are: 1. The matters in SUB-P9.
	Natural Environment Values	
P1 Sch1	SUB-R11 	Subdivision of land within a significant natural area
	<u>All Zones</u>	1. Activity status: Restricted Discretionary Where: a. A future building platform to contain a residential unit including areas for access to the building platform are³⁵ identified for each new undeveloped allotment that:

³⁴ Administrative amendment

³⁵ Forest & Bird [345,284]

	<p>i. Complies with the underlying zone provisions for buildings; and</p> <p>ii. Is located outside of the significant natural area.</p> <p>Matters of discretion are:</p> <p>1. The matters in SUB-P15 and 46624, SUB-P16.</p> <p>Section 88 information requirements for applications: Applications for activities within an identified significant natural area must provide, in addition to the standard information requirements, an ecological assessment in accordance with APP15.</p>
All Zones	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R11.1.a cannot be achieved; <u>and</u></p> <p>b. <u>The subdivision is located outside of the coastal environment.</u></p> <p><u>Section 88 information requirements for applications: Applications for activities within an identified significant natural area must provide, in addition to the standard information requirements, an ecological assessment in accordance with APP15.</u>³⁶</p>
All Zones	<p>3. Activity Status: Non-complying</p> <p>Where:</p> <p>a. <u>Compliance with any of the requirements of SUB-R11.2 cannot be achieved; and</u></p> <p>b. <u>The subdivision is located outsideinside the coastal environment.</u>³⁷</p> <p><u>Section 88 information requirements for applications: Applications for activities within an identified significant natural area must provide, in addition to the standard information requirements, an ecological assessment in accordance with APP15.</u>³⁸</p>
<p>P1 Sch1</p>	
	<p>SUB-R12 Subdivision of land within special amenity landscapes</p>
All Zones	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. A future building platform to contain a residential unit is identified for each new undeveloped allotment that:</p> <p>i. complies with the underlying zone provisions for buildings.</p> <p>Matters of discretion are:</p>

³⁶ Forest & Bird [345.284]

³⁷ Forest & Bird [345.284]

³⁸ Forest & Bird [345.284]

	1. The effects on the identified values of the special amenity landscape; and 2. The matters in SUB-P18.
All Zones	2. Activity status: Discretionary Where: a. Compliance with any of the requirements of SUB-R12.1.a cannot be achieved.

P1 Sch1

	SUB-R13	Subdivision of land within outstanding natural features and landscapes
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All Zones	1. Activity status: Restricted Discretionary Where: a. A future building platform to contain a residential unit <u>including areas for access to the building platform are</u> ³⁹ identified for each new undeveloped allotment that: i. complies with the underlying zone provisions for buildings; and ii. is located outside of the outstanding natural feature or landscape. Matters of discretion are restricted to: 1. The matters in SUB-P19 and SUB-P20; and 2. The effects on the identified values of the outstanding natural features or landscapes.
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All Zones	2. Activity status: Discretionary Where: a. Compliance with any of the requirements of SUB-R13.1.a cannot be achieved; and b. The subdivision is located outside the coastal environment.
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All Zones	3. Activity status: Non-Complying Where: a. Compliance with any of the requirements of SUB-R13.2 cannot be achieved; and b. The subdivision is located outside <u>inside</u> the coastal environment.
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P1 Sch1

	SUB-RX	<u>Subdivision of land within ridgeline and hilltops overlay or within the ridgetop area of the Upper Stebbings and Glenside West Development Area</u>
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³⁹ Forest & Bird [345.286]

<p><u>All Zones</u></p>	<p>1. <u>Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>A future building platform to contain a residential unit is identified for each new undeveloped allotment that:</u></p> <p>i. <u>complies with the underlying zone provisions for buildings; and</u></p> <p>ii. <u>For the Upper Stebbings and Glenside West Development Area is located outside of the ridgetop area.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in SUB-P17; and</u></p> <p>2. <u>Any measures proposed to protect ridgeline and hilltop or ridgetop area, including the location and size of future building platforms.⁴⁰</u></p>
<p>P1 Sch1</p>	<p>SUB-R14</p> <p>Subdivision of land within the coastal environment outside of high coastal natural character areas and outside of coastal margins and riparian margins</p>
<p><u>All Zones</u></p>	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The subdivision is not located in any Open Space and Recreation Zone or the General Rural Zone; and</p> <p>b. Compliance is achieved with the following standards:</p> <p>i. SUB-S6; and</p> <p>ii. SUB-S7.</p> <p>Matters of control are:</p> <p>1. The matters in PA-P1, SUB-P8 and SUB-P21.</p>
<p><u>Open Space and Recreation Zones</u></p> <p><u>General Rural Zone</u></p>	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of SUB-R14.1.a cannot be achieved; and</p> <p>b. Compliance is achieved with the following standards:</p> <p>i. SUB-S6; and</p> <p>ii. SUB-S7.</p>

⁴⁰ Proposed amendment in response to John Tiley [142.14], Churton Park Community Association [189.14], and Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt [276.21]

		Matters of discretion are: 1. The matters in PA-P1, SUB-P8 and SUB-P21.
	<u>All Zones</u>	3. Activity status: Discretionary Where: a. The subdivision is not a controlled activity under SUB-R14.1 or a restricted discretionary activity under SUB-R14.2.
P1 Sch1	SUB-R15	Subdivision of land within the coastal environment within coastal margins or riparian margins
	<u>Port Zone</u> <u>Airport Zone</u> <u>Stadium Zone</u> <u>Waterfront Zone</u> <u>City Centre Zone</u>	1. Activity status: Controlled Where: a. The subdivision is located in the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone Matters of control are: 1. The effect on coastal margins and riparian margins; 2. Any measures proposed to protect the natural character values of the area, including the location and size of future building platforms; and 3. The matters in SUB-P14, SUB-P21, SUB-P23, PA-P1, PA-P2 and PA-P3.
	<u>All Other Zones</u>	2. Activity Status: Restricted Discretionary Where: a. Compliance with the requirements of SUB-R15.1.a cannot be achieved; and b. A future building platform to contain a residential unit is identified for each new undeveloped allotment that: i. Complies with the underlying zone provisions for buildings; and ii. Is located outside of the coastal margin or riparian margin. Matters of discretion are: 1. The effect on coastal margin and riparian margins; 2. Any measures proposed to protect the natural character values of the area, including the location and size of future building platforms; and 3. The matters in SUB-P14, SUB-P21, SUB-P24, PA-P1, PA-P2 and PA-P3.
	<u>All Other Zones</u>	3. Activity Status: Discretionary Where: a. Compliance with any of the requirements of SUB-R15.2.b cannot be achieved.
P1 Sch1	SUB-R16	Subdivision of land within the coastal environment within high coastal natural character areas
	<u>All Zones</u>	1. Activity status: Restricted Discretionary Where:

	<p>a. A future building platform to contain a residential unit including areas for access to the building platform are⁴¹ identified for each new undeveloped allotment that:</p> <ol style="list-style-type: none"> complies with the underlying zone provisions for buildings; and is located outside of the high coastal natural character area. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The effects on the identified coastal natural character values; Any measures proposed to protect the natural character values of the area, including the location and size of future building platforms; and The matters in SUB-P14, SUB-P21, SUB-P22, PA-P1, PA-P2 and PA-P3.
All Zones	<p>2. Activity status: Non-complying</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance with any of the requirements of SUB-R16.1.a cannot be achieved.
Natural Hazards – Fault Hazards	
ISPP	<p>SUB-R17 Subdivision within the Shepherds Gully Fault or Terawhiti Fault Overlays</p>
All Zones	<p>1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> The subdivision creates any building platform. <p>Matters of control are:</p> <ol style="list-style-type: none"> The matters in NH-P3 and NH-P10; and Site access and the design of any vehicle parking and associated maneuvering areas proposed.
ISPP	<p>SUB-R178 Subdivision that creates building platforms for less hazard-sensitive activities within the low, medium or high hazard areas of the Coastal Hazard Overlays or within the Flood Hazard, Liquefaction, Wellington Fault, Ohariu Fault, Sheppards Shepherds Gully Fault or Terawhiti Fault Overlays</p>
All Zones	<p>1. Activity status: Controlled</p> <p>Where:</p>

⁴¹ Forest & Bird [345.289]

	<p>a. The subdivision creates building platforms for less hazard sensitive activities.</p> <p>b. The building platform is not located within an identified overland flowpath of the Flood Hazard Overlay; and</p> <p>c. The building platform is not located within a stream corridor of the Flood Hazard Overlay.</p> <p>Matters of control are:</p> <p>1. The matters in NH-P3, SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7; and</p> <p>2. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</p> <p>3. Any consent notices, covenants, easements or other legal instruments necessary.⁴²</p>
All Zones	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R17.1.a.</p> <p>a. The subdivision creates building platforms for potentially hazard sensitive activities.</p> <p>Matters of discretion are:</p> <p>1. The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7; and</p> <p>2. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</p> <p>3. Any consent notices, covenants, easements or other legal instruments necessary; and⁴³</p> <p>4. The matters in NH-P3.</p>
All Zones	<p>3. Activity Status: Discretionary Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R17.1.b.</p> <p>a. The subdivision creates building platforms for hazard sensitive activities.</p>
ISPP	<p>SUB-R19 Subdivision within the Wellington Fault Overlay</p>
All Zones Excluding the City Centre	<p>1. Activity status: Controlled</p> <p>Where:</p>

⁴² WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

⁴³ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

Zone and Port Zone	<p>a. <u>The subdivision creates building platforms for less hazard sensitive activities.</u></p> <p><u>Matters of control are:</u></p> <ol style="list-style-type: none"> <u>The matters in NH-P3; and</u> <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed.</u>
City Centre Zone and Port Zone as specified in rule	<p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The subdivision creates building platforms within the City Centre Zone; or</u> <u>The subdivision is for operational port activities, passenger port facilities and rail activities.</u> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <u>The matters in SUB-P26, NH-P2, NH-P15, and NH-P16; and</u> <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed.</u>
All Zones Excluding the City Centre Zone	<p>3. <u>Activity Status: Discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The subdivision creates building platforms for potentially hazard sensitive activities; or</u> <u>Compliance with the requirements of SUB-R19.2.b cannot be achieved.</u>
All Zones Excluding the City Centre Zone	<p>4. <u>Activity Status: Non-complying</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The subdivision creates building platforms for hazard sensitive activities; or</u> <u>Compliance with the requirements of SUB-R19.2.b cannot be achieved.</u>

Natural Hazards – Liquefaction

ISPP

SUB-R1820	<p>Subdivision that creates building platforms for potentially hazard sensitive activities within the low hazard area of the Coastal Hazard Overlays, or within the inundation area of the Flood Hazard Overlay, or within the Liquefaction, Sheppards Fault or Terawhiti Fault Overlays</p>
All Zones	<p>1. Activity status: Controlled</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> For subdivision where the building platforms are located in the Liquefaction, Sheppards Gully Fault or Terawhiti Fault Overlays: <ol style="list-style-type: none"> The matters in NH-P2 SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7 and SUB-P8; and Site access and the design of any vehicle parking and associated maneuvering areas proposed; and

ISPP

	<p>3. Any consent notices, covenants, easements or other legal instruments necessary;⁴⁴</p> <p>2. The matters in NH-P6 for building platforms that are located in pending inundation⁴⁵ of the Flood Hazard Overlay.</p>
<p>Natural Hazards – Flood Hazards</p>	
<p>SUB-R1921</p>	<p>Subdivision that creates building platforms for potentially hazard sensitive activities within the inundation area of the Flood Hazard Overlay medium hazard area of the Coastal Hazard Overlays</p>
<p>All Zones</p>	<p>1. Activity Status: Controlled</p> <p>Where:</p> <p>1. <u>The subdivision creates building platforms for less hazard sensitive activities or potentially hazard sensitive activities.</u></p> <p>Matters of control are:</p> <p>1. <u>The matters in NH-P3 and NH-P6; and</u></p> <p>2. <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed.</u></p>
<p>All Zones</p>	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. <u>The subdivision creates building platforms for hazard sensitive activities.</u></p> <p>Matters of discretion are:</p> <p>1. The matters in <u>NH-P6-SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7 and SUB-P8; and</u></p> <p>2. <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</u></p> <p>3. Any consent notices, covenants, easements or other legal instruments necessary; and⁴⁶</p> <p>4. <u>The matters in CE-P16 for building platforms that are located in the medium hazard area of the Coastal Hazard Overlays.</u></p>

⁴⁴ ibid
⁴⁵ Administrative amendment
⁴⁶ ibid

ISPP

<p>SUB-R2022 Subdivision that creates building platforms for potentially hazard sensitive activities within the⁴⁷ overland flow path of the Flood Hazard Overlay, the Wellington Fault Overlay or the Ohariu Fault Overlay</p>	
<p><u>All Zones</u></p>	<p>1. Activity status: Restricted Discretionary</p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for less hazard sensitive activities.</u></p> <p><u>Matters of discretion are:</u></p> <p>-</p> <p>1. <u>The matters in NH-P3; and</u> 2. <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed.</u></p>
<p><u>All Zones</u></p>	<p>2. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms potentially hazard sensitive activities or hazard sensitive activities.</u></p>

ISPP

<p>SUB-R2123 Subdivision that creates building platforms for potentially hazard sensitive activities within the stream corridor of the Flood Hazard Overlay or the high hazard area of the Coastal Hazard Overlays</p>	
<p><u>All Zones</u></p>	<p>1. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for less hazard sensitive activities.</u></p>
<p><u>All Zones</u></p>	<p>2. Activity status: Non-Complying</p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for potentially hazard sensitive activities or hazard sensitive activities.</u></p>
<p><u>Coastal Hazards</u></p>	

⁴⁷ Administrative amendment

ISPP

<p>SUB-R2224</p>	<p>Subdivision that creates building platforms for hazard sensitive areas activities⁴⁸ within the Sheppard, Shepherds Gully Fault, Terawhiti Fault or Liquefaction Overlays low hazard area of the Coastal Hazard Overlays</p>
<p>All Zones</p>	<p>1. Activity status: Controlled</p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for less hazard sensitive activities or potentially hazard sensitive activities.</u></p> <p>Matters of control are:</p> <ol style="list-style-type: none"> The matters in <u>CE-P13 and CE-P15; and</u> Site access and the design of any vehicle parking and associated maneuvering areas proposed; <u>and</u> <u>Any consent notices, covenants, easements or other legal instruments necessary.</u>⁴⁹
<p>All Zones</p>	<p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for hazard sensitive activities.</u></p> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <u>The matters in CE-P16; and</u> <u>Site access and the design of any vehicle parking and associated maneuvering areas proposed.</u>
<p>SUB-R23</p>	<p>Subdivision that creates building platforms for hazard sensitive activities within the inundation area of the Flood Hazard Overlay or the low hazard area of the Coastal Hazard Overlays</p>
<p>All Zones</p>	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters in SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7, and SUB-P8, and SUB-P25⁵⁰; Site access and the design of any vehicle parking and associated maneuvering areas proposed;

ISPP

⁴⁸ Administrative amendment

⁴⁹ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

⁵⁰ GWRC [351.190]

ISPP

	<p>3. Any consent notices, covenants, easements or other legal instruments necessary;⁵¹</p> <p>4. The matters in NH-P6 for building platforms that are located in the inundation area of the Flood Hazard Overlay; and</p> <p>5. The matters in CE-P15 for building platforms that are located in the low hazard area of the Coastal Hazard Overlay.</p>
	<p>SUB-R2425 Subdivision that creates building platforms for hazard sensitive activities within an overland flow path of the Flood Hazard Overlay or the medium hazard areas of the Coastal Hazard Overlays</p>
<p>All Zones excluding the City Centre Zone, Port Zone and Airport Zone</p>	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The subdivision creates building platforms for less hazard sensitive activities.</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> The matters in CE-P13; and Site access and the design of any vehicle parking and associated maneuvering areas proposed.
<p>All Zones excluding the City Centre Zone, Port Zone and Airport Zone</p>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. The subdivision creates building platforms for potentially hazard sensitive activities.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters in CE-P17; and Site access and the design of any vehicle parking and associated maneuvering areas proposed.
<p>City Centre Zone, Port Zone and Airport Zone as specified in the rule</p>	<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The subdivision creates building platforms within the City Centre Zone; or The subdivision is for Airport purposes, operational port activities, passenger port facilities and rail activities.

⁵¹ WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

		<p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters in CE-P20, CE-P21, CE-P22 and CE-P23; and Site access and the design of any vehicle parking and associated maneuvering areas proposed.
	All Zones	<ol style="list-style-type: none"> Activity status: Discretionary <p>Where:</p> <ol style="list-style-type: none"> The subdivision creates building platforms for hazard sensitive activities; or Compliance with the requirements of SUB-R25.3.b cannot be achieved.
ISPP	SUB-R25	Subdivision that creates building platforms for hazard sensitive activities within the stream corridor of the Flood Hazard Overlay, the Wellington Fault Overlay, the Ohariu Fault Overlay or the high hazard area of the Coastal Hazard Overlays
	All Zones	1. Activity status: Non-Complying
P1 Sch1	SUB-R26	Subdivision within the high hazard areas of the Coastal Hazard Overlays Wellington Fault Overlay or medium or high coastal hazard areas on land occupied by City Centre Zone or Airport purposes, operational port activities, passenger port facilities and rail activities
	All Zones excluding the City Centre Zone, Port Zone and Airport Zone	<ol style="list-style-type: none"> Activity status: Controlled <p>Where:</p> <ol style="list-style-type: none"> The subdivision creates building platforms for less hazard sensitive activities. <p>Matters of control are:</p> <ol style="list-style-type: none"> The matters in CE-P13; and Site access and the design of any vehicle parking and associated maneuvering areas proposed.
	City Centre Zone, Port Zone and Airport Zone as specified in rule	<ol style="list-style-type: none"> Activity status: Restricted Discretionary <p>Where:</p> <ol style="list-style-type: none"> The subdivision creates building platforms within the City Centre Zone; or The subdivision is for Airport purposes, operational port activities, passenger port facilities and rail activities. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> The matters in CE-P12, CE-P19, CE-P20, CE-P21, CE-P22 and CE-P23 SUB-P1, SUB-P3, SUB-P4, SUB-P5, SUB-P7 and SUB-P8; and Site access and the design of any vehicle parking and associated maneuvering areas proposed;

	<p>3. Any consent notices, covenants, easements or other legal instruments necessary;⁵²</p> <p>4. The matters in SUB-P26 and NH-P14 for building platforms associated with operational port activities, passenger port facilities and rail activities that are located in the Wellington Fault Overlay;</p> <p>5. The matters in CE-P20 for subdivision on land occupied by the Airport purposes, operational port activities, passenger port facilities and rail activities that are located in a medium or high coastal hazard areas; and</p> <p>6. The matters in CE-P19 and⁵³ CE-P22 for subdivision on land within the City Centre Zone that is located in a medium or high coastal hazard areas;</p>
All Zones excluding City Centre Zone	<p>3. <u>Activity status: Non-complying</u></p> <p><u>Where:</u></p> <p>a. <u>The subdivision creates building platforms for potentially hazard sensitive activities or hazard sensitive activities;</u></p> <p>b. <u>Compliance with the requirements of SUB-R26.2.b cannot be achieved.</u></p>
Other overlays	
P1-Sch1	SUB-R27 Subdivision in the National Grid substation buffer
- All Zones	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>-</p> <p>a. All resulting allotments, except allotments for access or a public work, demonstrate that they can accommodate a building footprint for the principal building and any dwelling or sensitive activity outside of the National Grid substation buffer.</p> <p>-</p> <p>Matters of control are:</p> <p>-</p> <p>1. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation;</p> <p>2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</p> <p>3. Measures proposed to avoid potential adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and development of the substation;</p> <p>4. Technical advice from an electrical engineer specialising in electricity transmission;</p> <p>5. The outcome of any consultation with Transpower; and</p>

⁵² WCC 266.95, 266.96 (Supported by Survey & Spatial New Zealand FS 116.4)

⁵³ Consequential amendment

	<p>6. Whether the building, structure or sensitive activity could be located further from the substation.</p> <p>Notification status:</p> <p>-</p> <p>Applications under this rule are precluded from being publicly notified.</p> <p>-</p> <p>Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedures) Regulations 2003.</p>
All Zones	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of SUB-R27.1.a cannot be achieved.</p>

P1 Sch1

	SUB-R287	Subdivision in the National Grid subdivision corridor
All Zones	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building footprint for the principal building and any dwelling or sensitive activity outside of the National Grid yard; and</p> <p>b. Vehicle access to National Grid assets is maintained.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) ISSN01140663; 2. The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines <u>and support structures</u> for maintenance, inspections and upgrading; 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of building platforms; 4. The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines; 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid, <u>and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</u> 6. The outcome of any consultation with Transpower; <u>and</u> 7. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform or platforms for a principal building or dwelling can be located outside of the National Grid Yard for each new allotment: <u>; and</u> 	

	<p>8. <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u>⁵⁴</p> <p>Notification status:</p> <p>Applications under this rule are precluded from being publicly notified.</p> <p>Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedures) Regulations 2003.</p>
<u>All Zones</u>	<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R28.1 cannot be achieved.</p>
SUB-R298	<p><u>Subdivision of land containing a Gas Transmission Pipeline corridor</u></p> <p><u>Subdivision of land within the Gas Transmission Pipeline Corridor and/or within 30m of any above-ground station site forming part of the Gas Transmission Network</u></p>
<p><u>All Zones, except:</u></p> <p><u>Residential Zones</u></p>	<p>1. Activity status: <u>Controlled Restricted Discretionary</u>⁵⁵</p> <p>Where:</p> <p>a. The subdivision will not result in any building(s) (or any part of any building) or sensitive activities being located within the gas transmission pipeline corridor <u>and/or within 30m of above ground related infrastructure</u>;</p> <p>b. New allotment boundaries are outside of, and do not cross, the gas transmission pipeline corridor;</p> <p>c. The layout of allotments, including the balance area, and any associated earthworks, maintains physical and practical access to the gas transmission pipeline; and</p> <p>d. The subdivision is not located in any Residential Zone.</p> <p>Matters of control<u>discretion</u> are:</p> <p>1. The extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the gas transmission pipeline, including the ability for continued reasonable access for inspections, maintenance and upgrading;</p>

P1 Sch1

⁵⁴ Transpower [315.171] and [315.172, 315.173]

⁵⁵ Firstgas [304.39 and 304.40]

	<ol style="list-style-type: none"> 2. The location of any future building platform as it relates to the gas transmission pipeline; 3. The risk of hazards affecting public or individual safety, and the risk of property damage; 4. The extent to which the subdivision design allows for activities to be setback from the gas transmission <u>network pipeline</u>; 5. The nature and location of any vegetation to be planted in the vicinity of the gas transmission <u>network pipeline</u>⁵⁶; and 6. The outcome of any consultation with the owner and operator of the gas transmission pipeline. <p>Notification status:</p> <p>Applications under this rule are precluded from being publicly notified.</p> <p>Notice of any application for resource consent under this rule must be served on the owner and operator of the Gas Transmission Pipeline in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedures) Regulations 2003.</p>
<p><u>All Zones, except:</u></p> <p><u>Residential Zones</u></p>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of SUB-R29.1.a, SUB-R29.1.b or SUB-R29.1.c cannot be achieved.</p> <p>-</p> <p>Matters of discretion are:-</p> <ol style="list-style-type: none"> 1. The extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the gas transmission pipeline, including the ability for continued reasonable access for inspections, maintenance and upgrading; 2. The location of any future building platform as it relates to the gas transmission pipeline; 3. The risk of hazards affecting public or individual safety and the risk of property damage; 4. The extent to which the subdivision design allows for activities to be setback from the gas transmission pipeline; 5. The nature and location of any vegetation to be planted in the vicinity of the gas transmission pipeline; and 6. The outcome of any consultation with the owner and operator of the gas transmission pipeline. <p>-</p> <p>Notification status:-</p> <p>Applications under this rule are precluded from being publicly notified.</p>

⁵⁶ All changes in response to FirstGas [304.39 & 304.40]

		<p>Notice of any application for resource consent under this rule must be served on the owner and operator of the Gas Transmission Pipeline in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedures) Regulations 2003.</p>
	<p><u>Residential Zones</u>⁵⁷</p>	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of SUB-R29.1.d cannot be achieved.</p>
P1 Sch1	<p>SUB-R3029</p>	<p>Subdivision with in the <u>Inner Air Noise Boundary Overlay</u></p>
	<p><u>All Zones</u></p>	<p>1. Activity status: Discretionary</p> <p>Notification status: For a resource consent application made in respect of Rule SUB-R29, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.⁵⁸</p>
		<p><u>Other subdivision</u></p>
P1 Sch1	<p>SUB-R3130</p>	<p>Any other subdivision</p>
	<p><u>All Zones</u></p>	<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. The subdivision is not otherwise provided for as a permitted activity, controlled activity, restricted discretionary activity, or non-complying activity.</p>
		<p>Standards</p>
ISPP	<p>SUB-S1</p>	<p>Access</p>
	<p>Every allotment must have practical, physical and legal access directly to a formed legal road or by way of a registered right-of-way.</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. Whether the safe, efficient and effective functioning of the transport network is maintained;</p>

⁵⁷

⁵⁸ WIAL [406.282 and 406.283]

	<ol style="list-style-type: none"> 2. Whether any alternative access arrangement is located, formed and constructed in a manner that is suited to the development or activity it serves; and 3. Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.
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ISPP

SUB-S2	Water supply
<ol style="list-style-type: none"> 1. Where a connection to Council's reticulated water supply systems is available, all new allotments must: <ol style="list-style-type: none"> a. Be provided with a water supply connection at the allotment boundary, that provides the level of service in Chapter 6, Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May-2019v3.0 December 2021; b. Comply with water supply requirements in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; and 2. Where a connection to Council's reticulated water supply systems is not available, all allotments must: <ol style="list-style-type: none"> a. Be provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L; and b. Comply with the water supply requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the proposed water supply is sufficient for the development or activity it serves; 2. The suitability of the proposed water supply for fire-fighting purposes, including effects on peoples' health and safety, and on property; 3. Where Council's reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems; and 4. Whether any site constraints make compliance impracticable.

ISPP

SUB-S3	Wastewater disposal
<ol style="list-style-type: none"> 1. Where a connection to Council's reticulated wastewater systems is available, all new allotments must be provided with a connection at the allotment boundary that provides the level of service in Chapter 5, section 5.2.3 of the Wellington Water Regional Standard for Water Services May-2019v3.0 December 2021; 2. Where a connection to Council's reticulated wastewater systems is not available, all allotments must be provided with on-site wastewater systems, a septic tank or soakage 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the proposed wastewater disposal solution is sufficient for the development or activity it serves; 2. The extent to which the proposed wastewater disposal solution will result in adverse effects on peoples' health and safety; 3. Whether the proposed wastewater disposal solution may result in contamination of groundwater or stormwater, including as a result of wet weather overflows; 4. Where Council's reticulated system is not immediately available but is likely to be in the

<p>field⁵⁹ or an approved alternative means to dispose of sewage in a sanitary manner within the net site area of the allotment in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019v3.0 December 2021; and</p> <p>3. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.</p>	<p>near future, the appropriateness of temporary systems; and</p> <p>5. Whether any site constraints make compliance impracticable.</p>
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ISPP

<p>SUB-S4</p>	<p>Stormwater management</p>
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<p>1. Where a connection to Council's stormwater management systems is available, all new allotments must be provided with a connection at the allotment boundary, that provides the level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019v3.0 December 2021;</p> <p>2. All subdivisions must achieve hydraulic neutrality; and</p> <p>3. Where a connection to Council's stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater.</p>	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which the proposed stormwater management solution is sufficient for the development or activity it serves; 2. The extent to which the proposed stormwater management solution results in adverse effects on peoples' health and safety; 3. Whether the proposed stormwater management solution results in adverse flooding effects on other property, including on the effective function of Council's reticulated network; 4. Where Council's reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems; and 5. Whether any site constraints make compliance impracticable.
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ISPP

<p>SUB-S5</p>	<p>Telecommunications and power supply</p>
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<p>1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments; and</p>	<p>Assessment criteria where the standard is infringed:</p>
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⁵⁹ GWRC [351.192]

<p>2. All new allotments must have provision for electricity connections to the legal boundary of the allotments.</p>	<p>1. The extent to which the proposed telecommunications and power supply is sufficient for the development or activity it serves;</p> <p>2. Where any reticulated telecommunications and power supply system is not immediately available but is likely to be in the near future, the appropriateness of temporary supply solutions; and</p> <p>3. Whether any site constraints make compliance impracticable.</p>
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ISPP

SUB-S6	Number, size and shape of allotments	
<p>The following maximum allotment number and minimum size and shape limits must be complied with for any fee simple subdivision:</p>		<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The extent to which a higher density of development is compatible with the <u>anticipated zone purpose, form and function and</u> local site⁶⁰ context; 2. Whether the size, shape and other physical characteristics of resulting allotments will enable feasible future development of a nature and scale that is generally anticipated by the relevant Zone provisions; 3. The extent to which any adverse effects on privacy or sunlight access for neighbours can be managed by allotment size, shape, orientation and topography or by landscaping, restrictions on future buildings or other mitigation; 4. The extent to which clustering of smaller allotments and associated buildings in the General Rural Zone is appropriate to the local rural character and the overall maintenance of spaciousness, compared to a more dispersed development pattern; and
Standard	Limit	
Large Lot Residential Zone		
1. Minimum size of any allotment following subdivision:	3,500m ²	
General Rural Zone		
2. Maximum number of allotments following subdivision	2	
3. Minimum size of allotment that may be subdivided	nil	
a. In the Horokiwi Area;	30ha	
b. In all other areas	30ha	
4. Minimum size of any allotment following subdivision:	50ha	
a. In the Horokiwi Area;	50ha	
b. In all other areas	nil	

⁶⁰ Kainga Ora [391.244 and 291.245]

Metropolitan Centre, Local Centre, Neighbourhood Centre, Mixed Use & General Industrial Zones		5. The effectiveness of any legal or instruments <u>necessary proposed</u> ⁶¹ to limit future intensification.
5. Maximum number of allotments	nil	
6. Minimum allotment size	500m ²	
7. Minimum allotment shape	nil ⁶²	
Upper Stebbings and Glenside West Development Area		
8. Minimum allotment size and shape	Capable of providing a building platform within the 'built' area	
All other Zones		
9. Maximum number of allotments	nil	
10. Minimum allotment size and shape	nil	

P1 Sch1

SUB-S7	Esplanade reserves and esplanade strips
<ol style="list-style-type: none"> Where any subdivision creates any allotment adjoining the CMA, an esplanade reserve or esplanade strip with a minimum width of 20m must be provided; Where any subdivision creates any allotment which adjoins or contains a river whose bed has an average width of 3m or more where the river adjoins or flow through the allotment, an esplanade reserve or esplanade strip with a minimum width of 20m must be provided in accordance with section 230 of the RMA; and Standards SUB-S7.1 and SUB-S7.2 do not apply to the creation of any allotments in the Port Zone or the Airport Zone. 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> The extent to which the land will maintain or enhance the ecological values and natural character, landscape, historic heritage and natural function of the adjacent surface waterbody or area of coast; Whether safe public access, recreational use, and natural hazard management are: <ol style="list-style-type: none"> Already available and can be maintained for the future; or Unable to be achieved irrespective of any reserve or strip being provided due to functional needs, operational

⁶¹ Kainga Ora [391.244 and 291.245]






⁶² Kainga Ora [391.244 and 291.245]

	<p>needs, physical characteristics of the land, or other practical constraints;</p> <ol style="list-style-type: none">3. The extent to which an esplanade strip would better provide for public access, recreation, natural hazard management, and ecological values compared to an esplanade reserve; and4. Whether any reduction in width is offset by an increase in width in other locations which would result in a net positive public benefit, in terms of public access, recreation, or natural hazard management.
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Attachment 2 – Email from Anna Stevens with amendment to point 8

RE: Subdivision design guide policy

 Anna Stevens <Anna.Stevens@wcc.govt.nz>
To:  Nick Rae,  Matt Heale,  Victoria Woodbridge
Cc:  Stewart McKenzie,  Hannah van Haren-Giles

 Reply  Reply All  Forward  

Thu 19/10/2023 6:13 pm

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nick

We agree with the change and have amended it as follows:

Achieve high quality landscape outcomes, including encouraging the retention and integration of mature trees and native vegetation that positively contribute to an area's visual amenity.

There was a comment but it appears to have been deleted post our workshop with you as we made small tweaks to the policy matter post our discussion. The comment was as follows:

"Brings through guidance points G6, G8, G9, G11, G13, G14 and G16."

Many thanks

Anna

From: Nick Rae <nick.rae@transurban.co.nz>
Sent: Thursday, 19 October 2023 5:25 pm
To: Anna Stevens <Anna.Stevens@wcc.govt.nz>; Matt Heale <mheale@propertygroup.co.nz>; Victoria Woodbridge <vwoodbridge@propertygroup.co.nz>
Cc: Stewart McKenzie <Stewart.McKenzie@wcc.govt.nz>; Hannah van Haren-Giles <Hannah.vanHaren-Giles@wcc.govt.nz>
Subject: RE: Subdivision design guide policy

Hi Anna,

As an interim response I have one question

I wonder if the wording in SUN-PX 8. Is too strong leading to effectively protecting trees that are not otherwise protected. This was debated at the conferencing and it maybe better as a "consider" policy? Such as below? The concerns that there would be a preference to identify existing vegetation as not positively contributing to visual amenity so that vegetation does not need to be retained. Maybe something like below? This point has not supporting comment – is there a reason why?

8. *Achieve high quality landscape outcomes, encouraging including the retention and integration of mature trees and native vegetation that positively contribute to an area's visual amenity.*