

# Section 41 – Subdivision

## 41.1 Code of Practice for Subdivision and Development

The Council's [Code of Practice for Subdivision and Development \(October 2013\)](#) has been reviewed to incorporate the new NZS 4404:2010 Land Development and Subdivision Engineering, which encompasses issues such as sustainable development and urban design that emphasises liveability and environmental quality. The Council's Code of Practice for Subdivision and Development contains two parts:

- Code of Practice for Subdivision and Development Parts 1-8
- Code of Practice for Subdivision and Development Appendices A – K

**Note**

1. Any reference in the Code of Practice for Subdivision and Development to Auckland Vertical Datum 1946 shall be read as New Zealand Vertical Datum 2016 (NZVD2016).

## 41.2 Activity Table and User Information

The district-wide rules are part of a hierarchy of rules. There may be zone rules, other district-wide rules, overlay rules or special purpose provisions that also apply to the activity and site. Where there is conflict between rules the rule hierarchy applies to the extent of the conflict (see [Section 1](#) Background and [How to Use the Plan](#) for more information).

There are other sections in [the Plan](#) that may also need to be considered. These include but are not limited to overlays, [Section 16](#) Development and Growth, [Section 19](#) Transport, and the underlying zone provisions.

### 41.2.1 Formation of roads

The formation of a new road created as part of a subdivision will need to be designed and constructed in accordance with the Council's Code of Practice for Subdivision and Development.

### 41.2.2 Earthworks

Earthworks for the construction of the subdivision will be assessed as part of the subdivision application and will assume the same activity status.

#### 41.2.3 Conservation lots and environmental benefit lots

A conservation lot is an additional lot created in the Rural Zone in exchange for restoring or enhancing and protecting identified Priority Areas (in accordance with Table 1) or other natural features outside identified Priority Areas (in accordance with Table 2). These areas are based on an assessment of indigenous biodiversity significance, their importance for restoration and their vulnerability and threats. The conservation lot rule is targeted to areas that give the greatest benefit to indigenous biodiversity in the District.

An environmental benefit lot is similar to a conservation lot, except that it is in the Rural Lifestyle Zone. It is created in exchange for restoration or enhancement, and protection of either underrepresented indigenous ecosystems or areas of natural character. The aim of the environmental benefit lot rule is to recreate and restore or enhance areas of natural character or indigenous biodiversity that can provide linkage and stepping stones to large ecological areas.

<b>Activity Table</b>				
<b>Activity</b>	<b>PER</b> (S 41.3)	<b>CON</b> (S 41.4)	<b>RDIS</b> (S 41.5)	<b>DIS</b> (S 41.6)
<b>All Zones</b>				
Amend an existing cross lease plan, unit title plan or company lease plan	R 1			
Boundary adjustment		R 2		
Conversion of cross lease title into fee simple titles		R 3		
Subdivision to accommodate a network utility		R 4		
Subdivision around two or more dwellings		R 5		
Waiver, reduction or alteration of esplanade reserve or strip				R 12
<b>Rural Zone Only</b>				
Subdivision creating one or more conservation lots			R 8	
<b>Rural Lifestyle Zone Only</b>				
Subdivision creating environmental benefit lots				R 11
<b>Subdivision creating one or more additional lots</b>				
Conservation, Recreation Active, Recreation Passive & Road Zones		R 6		
Open Space Zone				R 10
Rural Zone				R 9
All Other Zones			R 7	

## 41.3 Permitted Activities

### Rule 1: Amend an existing cross lease plan, unit title plan or company lease plan

1. Amending an existing cross lease plan, unit title plan or company lease plan is a permitted activity provided the plan is solely amended to show additions and alterations to buildings, new buildings and accessory buildings, for which building work has been carried out, or exclusive use areas.
2. Amending an existing cross lease plan, unit title plan or company lease plan that is not permitted under Rule 1.1 is a discretionary activity.

## 41.4 Controlled Activities

### Rule 2: Boundary adjustment

1. A boundary adjustment is a controlled activity provided:
  - a) The boundary adjustment does not cause or increase non-compliance with standards in the Plan or resource consent conditions; and
  - b) The subject titles prior to the boundary adjustment are contained within the same zone; and
  - c) The adjustment involves a common boundary between two or more contiguous lots
  - d) The boundary adjustment does not:
    - i) Increase the number of lots fronting a state highway unless access is gained via a local road; or
    - ii) Where there is no local road access, access to the state highway is shared and the number of state highway vehicle crossings does not exceed the number of frontages existing prior to the boundary adjustment.
2. The Council reserves its control over matters 1-7 in Table 5 at the end of Section 41.
3. A boundary adjustment that is not a controlled activity under Rule 2.1 (d) is a restricted discretionary activity and the Council restricts its discretion to the matters in Table 6 h) and i) at the end of section 41.
4. A boundary adjustment that is not a controlled activity under Rule 2.1 (a), (b) and (c) is a discretionary activity.

### Rule 3: Conversion of cross lease titles into fee simple titles

1. The conversion of any cross lease title into a fee simple title is a controlled activity.
2. The Council reserves its control over matters 1-7 in Table 5 at the end of Section 41.

### Rule 4: Subdivision to accommodate a network utility

1. Subdivision to create a lot around a network utility is a controlled activity provided:
  - a) The applicant is the requiring authority for the network utility or the network utility operator; and
  - b) The network utility is a permitted activity in the underlying zone or continues to comply with the conditions of resource consent.
2. The Council reserves its control over matters 2, 3 and 7-13 in Table 5 at the end of Section 41.
3. Subdivision to create a lot around a network utility that is not a controlled activity under Rule 4.1 is a discretionary activity.

#### Rule 5: Subdivision around two or more dwellings

1. Subdivision around two or more dwellings that have been granted land use consent under this Plan is a controlled activity provided:
  - a) Each lot or unit title has at least one existing or consented dwelling; and
  - b) The subdivision is consistent with the land use consent.
2. The Council reserves its control over matters 1-8 in Table 5 at the end of Section 41.
3. Subdivision around two or more dwellings that is not a controlled activity under Rule 5.1 is a discretionary activity.

#### Rule 6: Subdivision creating one or more additional lots

1. Subdivision creating one or more additional lots in the Recreation Area or Road Zone is a controlled activity.
2. The Council reserves its control over matters 1-8 in Table 5 at the end of Section 41.

### 41.5 Restricted Discretionary Activities

#### Rule 7: Subdivision creating one or more additional lots

1. Subdivision creating one or more additional lots in the Commercial Area, Industrial Area, Residential Area, Rural Lifestyle Zone or Airfield Zone is a restricted discretionary activity provided:
  - a) It meets the standards in Tables 3 and 4 at the end of Section 41; and
  - b) Other than Pt Sec 6 Blk VIII Tairua SD (18 Kapakapa Road) and Sec 15B3 Blk VIII Tairua SD (409 Opoutere Road) it is not in the Opoutere Coastal Living Zone; or
  - c) It is not Lot 2 DPS 26491, Pt Weiti 1 DP 3656, Pt Weiti DP 3657, Lot 2 DPS 4046 and part of Lot 2 DP 382594 to the north of the designation for proposed road extending Racecourse Road to Moewai Road;
  - d) Lots created within the National Grid Subdivision Corridor can identify a building platform outside of the National Grid Yard; or
  - e) Subdivision of Lot 1 DPS 83191 (110 Te Punga Road, Whangapoua) shall require a flood hazard assessment report to be prepared by a Chartered Professional Engineer suitably qualified and experienced in flood hazard assessment
2. The Council restricts its discretion to matters 1 to 10 and 12-13 in Table 6 at the end of Section 41, including matter 14 for subdivision of Lot 1 DPS 83191 (110 Te Punga Road, Whangapoua)
3. Subdivision creating one or more additional lots in the Commercial Area, Industrial Area, Residential Area, Rural Lifestyle Zone or Airfield Zone that is not a restricted discretionary activity under Rule 7.1 a) is a discretionary activity.
4. Subdivision creating one or more additional lots in the Commercial Area, Industrial Area, Residential Area, Rural Lifestyle Zone or Airfield Zone that is not a restricted discretionary activity under Rule 7.1 b) and d) is a non-complying activity.
5. Subdivision creating one or more additional lots in the Commercial Area, Industrial Area, Residential Area, Rural Lifestyle Zone or Airfield Zone that is not a restricted discretionary activity under Rule 7.1 c) is a non-complying activity until a structure plan for this area (shown as 'Future Structure Plan Area' on Planning Map 17A) is incorporated into the Plan.

## Rule 8: Conservation lot subdivision

1. Conservation lot subdivision in the Rural Zone is a restricted discretionary activity provided:
  - a) The lot (parent lot) or landholding to be subdivided has not been the subject or result of a previous subdivision under this rule either through Table 1 or Table 2 in this District Plan; and
  - b) The natural area/feature to be protected, restored or enhanced, and the conservation lot(s) to be created, are within the lot or the landholding; and
  - c) Either the land to be restored or enhanced and protected:
    - i) contains a priority area identified on Figure 1 A-D Priority Areas for Indigenous Ecosystem Restoration or Enhancements, and Protection by Conservation Lot and meets the standards in Table 1; or
    - ii) Meets the standards in Table 2; and

For the avoidance of doubt a subdivision application can be made using either Table 1 or Table 2 and not both.
  - d) The application is accompanied by a report prepared by a suitably qualified ecologist that:
    - i) Identifies any natural features including degraded under-represented ecosystems; and
    - ii) Identifies the area/feature to be restored or enhanced and legally protected; and
    - iii) Confirms that the area/feature to be legally protected is ecologically significant in accordance with the assessment criteria of APP5 – Criteria for determining significance of indigenous biodiversity of the [Waikato Regional Policy Statement](#); and
    - iv) Identifies how the ecological values and benefits of the natural area/ feature are to be enhanced or restored and legally protected; and
    - v) Identifies how adverse ecological effects associated with the subdivision are to be avoided, remedied or mitigated; and
    - vi) Where restoration has been undertaken or is proposed, confirms that the indigenous vegetation of the natural area/feature to be legally protected contains or will contain an array of indigenous plant species appropriate for the ecosystem type(s) represented; in proportions and cover expected for the ecosystem type, and comprising species found within the locality and within the Ecological District in which the area/feature is located; and where restoration has already been undertaken greater than 95% indigenous cover has been achieved;
    - vii) Confirms that the natural area/feature, or part of it, where it forms part of a larger continuous natural area/feature within a lot or the landholding, will not adversely affect the integrity of the larger natural area/feature and the part of it that has been identified for protection will protect the best biodiversity values of that area/feature within the Landholding; and
    - viii) Includes a management plan specifying:
      - the key biodiversity and ecological enhancement objectives to be met, including successful functioning of the natural area/feature and its ability to be self-sustaining;
      - the ongoing management measures required to achieve these objectives, including any ongoing plant/animal pest control and domestic animal restrictions;
      - the ongoing monitoring methods to measure the success or otherwise of implementation of the management methods; and
      - the measures to be taken should the objectives not be fulfilled; and

- ix) Identifies the location of building platforms and associated access outside of the area for restoration or enhancement, and protection and outside of the Outstanding Natural Features and Landscapes Overlay and the Outstanding Natural Character Overlay; and
- e) The application must specify how the area/feature will be legally protected in perpetuity; and
- f) For subdivision using Table 1 – Identification of Priority Areas for Protection or Table 2 - Protection, enhancement and restoration of other natural features outside priority areas, the maximum number of conservation lots per lot (parent lot) or landholding is 2 additional lots in the Coastal Environment or 4 additional lots outside of the Coastal Environment; and
- g) For subdivision using Table 2 - Protection, enhancement and restoration of other natural features outside priority areas, the minimum average lot size of all conservation lots is 2 ha.

2. The Council restricts its discretion to all the matters in Table 6 at the end of Section 41.
3. Subdivision creating one or more conservation lots in the Rural Zone that does not meet the standards in Rule 8.1 d), f) or g) is a discretionary activity.
4. Subdivision creating one or more conservation lots in the Rural Zone that does not meet the standards in Rule 8.1 a), b) c) or e) is a non-complying activity.

**Table 1 – Identification of Priority Areas for Protection**

<b>Key from Figure 1 A-D</b>	<b>Minimum priority area to be restored or enhanced, and protected, for each additional conservation lot</b>	<b>Rationale for the area</b>
	2 ha	Internationally to nationally significant of high or medium priority
	4 ha	Internationally to regionally significant of high to medium priority
	10 ha	Nationally to locally significant of high to medium priority
	14 ha	Regionally to locally significant of medium high to medium priority

The priority areas mapped in Figure 1 A-D are indicative only. An ecological assessment will be required to determine the full extent of the area. At this time the priority area may be found to be smaller or larger than the mapping indicates or that the site contains other natural features as per Rule 8.1 d) i) that are contiguous with the priority area.

**Table 2 – Protection, enhancement and restoration of other natural features outside of priority areas**

<b>Natural feature</b>	<b>Rural Zone</b>		<b>Rural Zone outside the Coastal Environment only</b>	
	Min. feature size for one additional lot	Min. feature size for two additional lots	Min. feature size for three additional lots	Min. feature size for four additional lots
<b>Wetland</b>	0.5ha + 10 m indigenous buffer	2ha + 10 m indigenous buffer	3ha + 10 m indigenous buffer	4ha + 10 m indigenous
<b>Duneland</b>	0.5ha	2ha	N/A	N/A
<b>Floodplain forest</b>	1ha with minimum width 30 m	2ha	3ha	4ha
<b>Coastal forest</b>	5ha	20ha	N/A	N/A
<b>Coastal Edge Escarpment Forest</b>	2ha	5ha	N/A	N/A
<b>Lowland forest</b>	10ha	30ha	45ha	60ha

The definitions for the purpose of this table, found in Section 3, intend to allow for the protection of existing mature indigenous ecosystems and the rehabilitation and/or restoration of underrepresented ecosystem types including wetlands, dunelands and floodplain forest.

**Note:**

1. *The Coastal Environment rules only apply to that part of a lot that is within the Coastal Environment*

## 41.6 Discretionary Activities

**Rule 9: Subdivision creating one or more additional lots**

1. Subdivision creating one or more additional lots in the Rural Zone is a discretionary activity provided:
  - a) It meets the standards in Tables 3 and 4 at the end of Section 41 except:
    - i) Table 3 shall not apply where a consent notice is registered on the certificate of title identifying lots which qualify for further subdivision
    - b) The land has not been the subject of previous subdivision under this Rule or Rule 751 of the previous Thames-Coromandel District Plan, except as provided for in Rule 9.1 a) i) above
2. Subdivision creating one or more additional lots that is not a discretionary activity under Rule 9.1 is a non-complying activity.

**Rule 10: Subdivision creating one or more additional lots**

1. Subdivision creating one or more additional lots in the Open Space Zone is a discretionary activity provided it meets the standards in Table 4 at the end of Section 41.
2. Subdivision creating one or more additional lots that is not a discretionary activity under Rule 10.1 is a non-complying activity.

### **Rule 11: Subdivision creating environmental benefit lots**

1. Subdivision creating environmental benefit lots in the Rural Lifestyle Zone is a discretionary activity provided:
  - a) The application is accompanied by a report prepared by a suitably qualified professional that:
    - i) Identifies the area/feature to be created, restored or enhanced and protected; and
    - ii) Confirms that at least one of the following can be achieved:
      - Restoration or enhancement of an identified under-represented eco-system (refer Figure 2A-G); or
      - Restoration of indigenous biodiversity; or
      - Enhancement of indigenous biodiversity;
      - Creation of a buffer to an under-represented or threatened indigenous ecosystem/s; or
      - Creation of an ecological stepping stone or corridor to link indigenous ecosystem/s; or
      - Restoration or enhancement of a wetland or dune habitat; or
      - Legal protection and restoration or enhancement of a modified or degraded area of natural character or an area of High Natural Character or Outstanding Natural Character identified on the Overlay Maps.
    - iii) Confirms that the area/feature, or part of it, (where it forms part of a larger natural area) that has been identified for protection and restoration or enhancement will be:
      - self-sustaining; and
      - provide the greatest biodiversity gains or outcomes for protection of natural character for the site; and
    - iv) Includes a management plan specifying the steps to be taken to create, restore or enhance the area/feature and its ongoing management and monitoring requirements to ensure that the biodiversity gains are maintained; and
  - b) The area to be set aside for restoration or enhancement and protection is at least equivalent to the total area of new lots created; and
  - c) The minimum area of each new lot created is 5,000 m<sup>2</sup>; and
  - d) The new lots created are not dependent upon public water and wastewater infrastructure.
  - e) No more than four environmental benefit lots are created per lot.
  2. Subdivision creating environmental benefit lots in the Rural Lifestyle Zone that is not a discretionary activity under Rule 11.1 is a non-complying activity.

### **Rule 12: Waiver, reduction or alteration of esplanade reserve or strip**

1. The requirements to provide an esplanade reserve or strip may be waived, reduced or altered as a discretionary activity.

## 41.7 Assessment Standards, Matters and Criteria

**Table 3 - Subdivision standards for one or more additional lots**

**1. Airfield Zone**

- a) Minimum net lot area is 700 m<sup>2</sup>

**2. Coastal Living Zone (excluding Lot 1 DPS 60434 at Hahei)**

- a) Minimum net lot area when lot is able to connect to wastewater reticulation is 800 m<sup>2</sup>
- b) Minimum net lot area when lot is unable to connect to wastewater reticulation is 1,200 m<sup>2</sup>
- c) Minimum shape circle diameter is 20 m

**3. Coastal Living Zone (Lot 1 DPS 60434 at Hahei)**

- a) Minimum net lot area is 2,500 m<sup>2</sup>
- b) Average lot density is 4,400 m<sup>2</sup>
- c) Minimum shape circle diameter is 20 m

**4. Commercial Zone**

- a) Minimum lot area is 200 m<sup>2</sup>
- b) Minimum shape circle diameter is 7.5 m
- c) Minimum road frontage is 6 m

**5. Extra Density Residential Zone**

- a) Minimum net lot area:
  - Front lot 250 m<sup>2</sup>
  - Rear lot 350 m<sup>2</sup>
- b) Minimum shape circle diameter is 10 m

**6. Gateway Zone**

- a) Minimum lot area is 2,000 m<sup>2</sup>
- b) Minimum road frontage is 20 m

**7. Industrial Zone**

- a) Minimum net lot area is 1,000 m<sup>2</sup>
- b) Minimum shape circle diameter is 20 m

**8. Light Industrial Zone**

- a) Minimum net lot area is 700 m<sup>2</sup>
- b) Minimum shape circle diameter is 15 m

**Table 3 - Subdivision standards for one or more additional lots**

**9. Low Density Residential Zone**

- a) Minimum net lot area, except on the western side of Koromiko Drive, Coromandel Town is 2,500 m<sup>2</sup>
- b) Minimum average lot density, except on the western side of Koromiko Drive, Coromandel Town is 1 per 3,000 m<sup>2</sup>
- c) Minimum shape circle diameter is 25 m
- d) Western side of Koromiko Drive, Coromandel Town:
  - (i) average net lot area is 1,800 m<sup>2</sup>; and
  - (ii) minimum net lot area (excluding any covenant area) is 1,500 m<sup>2</sup>; and
  - (iii) minimum lot area (where land includes a covenant area) where land is subject to a covenant area shown on DP 365937, and a building is sited within a covenant area AB; BB; BH; V; W; X; Y or Z shown on DP 365937:
    - a new lot shall include 'A and BB'; or 'B and AB'; or 'C and Z'; or 'D and Y'; or "E and X'; or 'F and W'; or 'G and V'; or 'H and BH';and
    - no building shall be sited more than 20m west of the eastern boundary of the covenant area.

**10. Marine Service Zone**

- a) Minimum net lot area is 700 m<sup>2</sup>
- b) Minimum shape circle diameter is 15 m

**11. Pedestrian Core Zone**

- a) Minimum lot area is 200 m<sup>2</sup>

**12. Residential Zone**

- a) Minimum net lot area,unless b) or c) applies:
  - Front lot 400 m<sup>2</sup>
  - Rear lot 500 m<sup>2</sup>
- b) Minimum net lot area for lots in Tairua, Matarangi and Coromandel Town is 500 m<sup>2</sup>
- c) Minimum net lot area for lots not adjacent to a canal in Pauanui is 600 m<sup>2</sup>
- d) Minimum shape circle diameter is 15 m

**13. Rural Zone**

- a) Minimum average lot area for all lots is 20 ha

**14. Rural Lifestyle Zone**

- a) Minimum net lot area is 2 ha

**15. Village Zone**

- a) Minimum net lot area is 800 m<sup>2</sup>
- b) Minimum shape circle diameter is 20 m

**Table 3 - Subdivision standards for one or more additional lots**

**16. Waterfront Zone**

- a) Minimum net lot area is 200 m<sup>2</sup>
- b) Minimum shape circle diameter is 6 m
- c) Minimum road frontage is 6 m

**Table 4 – Standards for subdivision**

**1. Stormwater, wastewater and water services**

- a) Every lot, excluding those in the Rural Area and Low Density Residential Zone must be connected to a public stormwater, water and wastewater reticulation network if the subdivision is within 100 m of the respective reticulation network. If the public reticulation network is underground, the connection or extension to each lot must also be underground.
- b) Adequate water supply (suitable for domestic, commercial or industrial consumption based on zoning) must be provided for each lot and/or building.
- c) Where connection to a reticulated stormwater or wastewater treatment and disposal system is not available, or there is not sufficient capacity, every lot and/or building must provide self-contained wastewater treatment and disposal and stormwater disposal on-site.

**2. Electricity and telecommunications**

- a) Every lot within a Commercial, Industrial or Residential Area must be connected to an underground electricity network, unless the lot can connect to existing overhead infrastructure.
- b) All additional lots created by a subdivision of ten or more lots within a Commercial, Industrial or Residential Area in Thames (Tararu to Kopu), Whitianga (including Wharekaho) or Whangamata (south of Whitipirorua Road/SH 25 intersection (road to Onemana)), must be connected to a telecommunication line.

**3. Access, road and street lighting**

- a) Every lot must have legal and physical vehicle access to a point on a formed public road which is suitable for the construction of a vehicle crossing.
- b) If a public road is created as part of the subdivision within the Commercial Area, Industrial Area or Residential Area, street lighting must be provided.
- c) Excluding State Highways, where land at an intersection is subject to subdivision, or where a new subdivision involves creating an intersection, corner splays of not less than 6 metres along each street/road frontage must be provided for and shown as 'road to vest in the Council' on the survey plan.

**Note**

1. For vehicle access standards please refer to Section 42 Transport.
2. Should access be required from a State Highway which is a Limited Access Road, a notice pursuant to Section 93 of the Government Roading Powers Act 1989 is required from the NZ Transport Agency in order to provide legal and physical access from the State Highway. The provision of legal and physical access to all allotments created by subdivision is a requirement under section 106 (1)(c) of the RMA.

**Table 5 – Controlled Activity Matters**

1. A building platform for each lot free from inundation (including sea level rise), erosion, subsidence and slippage. The Council may require a report on the geotechnical suitability of each lot (including any restrictions on development) from a chartered professional engineer.
2. Provision of suitable access requirements and the provision of power, sewage, and stormwater to each lot. The Council may require a report on these matters (including any restrictions on development) from a chartered professional engineer.
3. If applicable, the consistency and compliance with the original land use consent.
4. Consistency with the relevant Rural Subdivision Design Principles and Guidelines for the zone (refer to Appendix 4 (if relevant).
5. For the conversion of cross lease sites to freehold sites, the apportionment of land area to each respective lot (taking into account exclusive use areas).
6. Compliance with the Code of Practice for Subdivision and Development (October 2013).
7. The necessity or requirement for any easements and the suitability of their location.
8. Any landscaping required to mitigate the effects of the creation of the new lot.
9. Compliance of the balance lot with the relevant zone standards and ability for it to be used in accordance with the purpose of the underlying zone.
10. The suitability of the lot size to accommodate the network utility while allowing access for maintenance and repair.
11. Compliance with NZS 2772.1:1999 Radiofrequency fields.
12. The necessity for a consent notice to be added to a subdivision for a network utility provider which states that the site is not suitable for residential activity.
13. Reverse sensitivity effects.

**Table 6 – Restricted Discretionary Activity Matters**

1. **Site stability for a building platform**
  - a) Whether lots will have a building platform free from inundation (including sea level rise), erosion, subsidence and slippage. The Council may require a report on the suitability of the lot (including any restrictions on development) from a Chartered Professional Engineer.
2. **Site and soil suitability for an on-site effluent treatment system (if wastewater reticulation is unavailable or not provided)**
  - a) Whether a site and soil evaluation assessment has been carried out in accordance with NZS 1547:2012 On-site Domestic Wastewater Management, and the results indicate that the site and soil can adequately cope with anticipated wastewater loads without leaching or ponding during wet seasons.
3. **Servicing of water, wastewater, electricity, telecommunications**
  - a) Whether all lots can be adequately serviced.
  - b) Whether adequate provision for a firefighting water supply can be made in accordance with the SNZ PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice, particularly in non-reticulated areas. If this is not available or is impractical, whether consent notice requires all buildings used for residential purposes to have sprinkler systems installed.

**Table 6 – Restricted Discretionary Activity Matters**

- c) Whether all lots can be serviced by electricity and a telecommunications service (reticulated or provided remotely).
- d) The extent to which broadband internet capability should be provided to all lots, particularly in Residential, Commercial and Industrial Areas, taking into account the affordability per lot connection.
- e) Whether any network utility required as part of the subdivision proposal (e.g. transformer, pump station) can be contained within the subdivision and their location is appropriate.
- f) Whether improvements to existing infrastructure, including extensions and upgrades, are required to service the subdivision and how the cost of these works will be met.
- g) Whether easements are required.
- h) Whether a consent notice on the title is needed to make future property buyers aware of any limitations of telecommunication availability (e.g. no fibre-optic cable) to the lot.

#### 4. Stormwater

- a) Whether stormwater is managed and appropriate stormwater management systems are established to ensure stormwater runoff from the subdivided area does not have any off-site adverse effects.

#### 5. Roads and access

- a) The extent to which any new roads being proposed provide the desired level of service based on road formation, convenience, traffic volumes, vehicle speed, public safety and amenity.
- b) Whether utility services are able to be located within the road reserve, including water and wastewater reticulation, stormwater and land drainage, electricity and street lighting, telecommunications and landscaping.
- c) The extent to which suitable physical and legal access is provided to each lot, and where appropriate, whether that access meets New Zealand Transport Agency and SNZ PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice requirements.
- d) Whether the subdivision has the potential to undermine the safe and efficient operation of the transport network.
- e) Whether access to the coast is maintained or enhanced.
- f) Whether improvements to existing roads, including extensions and upgrades, are required to provide access and ensure connectivity and how the cost of these works will be met.
- g) The extent to which effects from additional traffic movements and any related nuisance factors affected shared users of an existing internal access or private way.
- h) The extent to which any recommendations/findings of an Integrated Transport Assessment or Traffic Impact Assessment are incorporated into the subdivision design.
- i) The extent to which the proposal minimises the number of vehicle access points to the regionally significant transport corridors, taking into account:
  - a) Opportunities that exist for shared access with adjoining sites.
  - b) The hierarchy of the fronting transport corridor and opportunities that exist for access to transport corridors with a lower status (e.g. collector or local transport corridors or service lanes).

**Table 6 – Restricted Discretionary Activity Matters**

- c) The siting of the access points with respect to adjacent access points visibility and flow.
- d) The operational requirements of the proposal.
- e) Potential obstruction for access to network utilities.
- f) The impact of multiple vehicle entrances (which break up berm, landscaping, footpath and cycleway continuity) on streetscape, amenity, retail frontage areas and pedestrian and cycle movements

## **6. Subdivision location and design, including Rural Subdivision Design Principles and Guidelines in Appendix 4**

- a) Whether rural amenity values and character are maintained or able to be enhanced.
- b) Whether the subdivision design responds to the natural landform and nestles building platforms and road configurations into the site's topography without breaking the natural skyline; and in the Coastal Environment whether buildings platforms and road configurations are located away from headlands and ridgelines that are visually prominent from public places. Where this is not practical or reasonable the extent to which measures have been or will be taken to avoid adverse visual effects.
- c) The extent to which the layout of the subdivision protects the natural characteristics of undeveloped areas of the Coastal Environment; avoids ribbon development along the coast; and provides for inland migration of coastal ecosystems.
- d) The extent to which the proposal has considered the Rural Subdivision Design Principles and Guidelines in Appendix 4.
- e) The extent to which the subdivision has been designed to: facilitate transport networks (e.g. arterial roads, local roads, and cycle and pedestrian routes), provide opportunities for connections within the subdivision and to adjacent transport networks, and facilitates easy vehicle and pedestrian access to higher ground in case of tsunami.
- f) Whether the subdivision design and number of lots has taken into account topography, vegetation and waterways.
- g) The extent to which the activity avoids adversely affecting a community water supply.
- h) Whether there are sufficient setbacks from waterways, wetlands, forestry, and significant indigenous vegetation.
- i) The extent to which subdivision has been designed to ensure the following:
  - i) High levels of accessibility for residents.
  - ii) Safe, efficient movement of vehicle and pedestrian traffic
  - iii) More efficient infrastructure provision
  - iv) A transport network layout (including cycleways and walkways) with multiple links to adjacent sites and surrounding roads.
  - v) Spatial layout of roads, cycleways and walkways that allows for easy integration and direct access to and from bus stops, shops, schools, employment areas and other amenities based on how people logically seek to move through an area.
  - vi) Integration with the existing settlement.
  - vii) The long-term maintenance burden of all infrastructure in the subdivision is equitable to the existing community.

**Table 6 – Restricted Discretionary Activity Matters**

- viii) The subdivision reflects natural character and historic heritage values, landscape views and encourages energy efficiency.
- ix) Reserves and other amenities are located at prominent, highly visible locations which are well fronted by other activities
- x) Lot numbers, sizes and densities have been based around the landform and urban amenities rather than a generic size indiscriminately laid over the land; and the configuration of lots, blocks, and activities have been designed to mitigate nuisances between users and activities. Lots are of a practical, useable dimension and take into account co-location of compatible activities on adjoining sites.

**7. Efficient use of mineral resources**

- a) Whether the subdivision design takes into account the effects of existing lawfully established quarries and ensures that future activities do not result in reverse sensitivity effects.

**8. Staging of subdivision**

- a) Whether applications for staging sufficiently demonstrate the anticipated extent and order of the proposed stages.
- b) Whether staging is the most appropriate method to address provisional lack of infrastructure.

**9. Cumulative effects on urban density and stormwater runoff**

- a) The extent to which the subdivision adds to the cumulative effects of urban intensification that is beyond that anticipated by the Plan.
- b) Whether the subdivision does not add to a cumulative effect of stormwater runoff beyond the capability of stormwater infrastructure.

**10. Code of Practice for Subdivision and Development (October 2013)**

- a) The extent to which the works are designed and constructed in accordance with the Code of Practice for Subdivision and Development (October 2013).

**11. Ecosystem restoration and enhancement**

- a) Whether the part of the area/feature that has been identified for protection on a site will provide the greatest biodiversity gains for the site.
- b) Where the area/natural feature identified for protection is part of a larger area/natural feature that is not protected:
  - i) Whether the area/feature is part of a larger natural area that is not protected and whether the area to be protected is able to be successfully managed to ensure it is able to be ecologically functional and self sustaining; and
  - ii) Whether the unprotected part of the area/natural feature is able to retain its integrity; and
  - iii) Whether the unprotected part of the area/natural feature is affected by the management/protection works specified for the protected area.
- c) Whether the management plan is adequate to:

**Table 6 – Restricted Discretionary Activity Matters**

- i) ensure the restoration or enhancement of the area/feature; and
- ii) ensure ongoing management requirements are identified and able to be achieved.
- iii) ensure effective management coordination over the protected natural feature.
- d) Whether the protected area/feature can be successfully monitored to ensure that the management requirements are being met.
- e) Whether a bond is necessary to ensure that;
  - i) the management plan is being effectively implemented; or
  - ii) the restoration and/or enhancement work is being achieved to an acceptable level within the specified timeframes; or
  - iii) the maintenance work is being carried out to an acceptable level.
- f) Whether the dwelling platforms and vehicle access are located outside of the area to be protected.
- g) Whether the method of legal protection is appropriate.

**12. Reverse sensitivity effects**

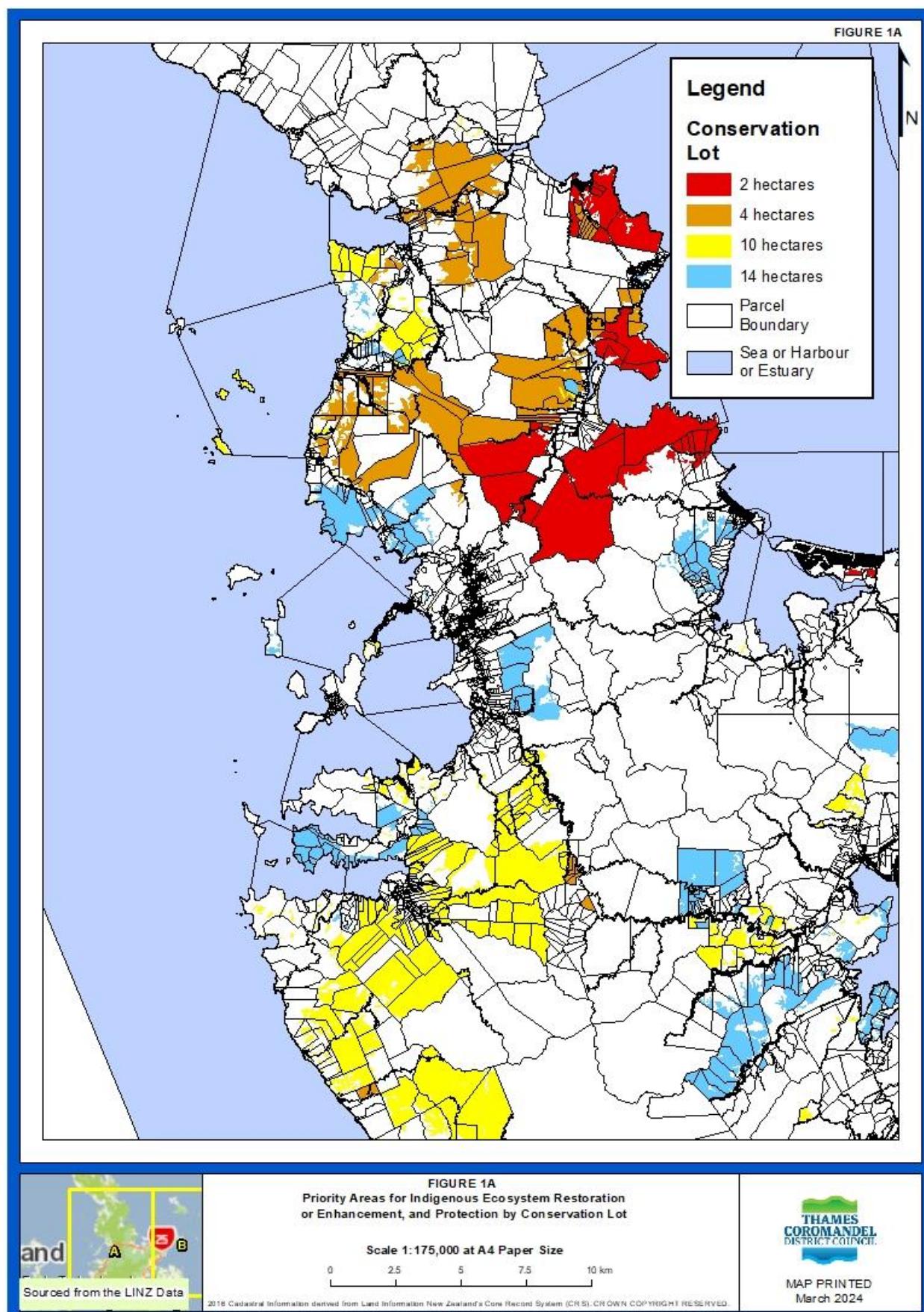
- a) The extent to which reverse sensitivity effects are avoided or mitigated.
- b) Whether the subdivision will result in new sites where noise sensitive activities could be established within 80 m of a state highway.

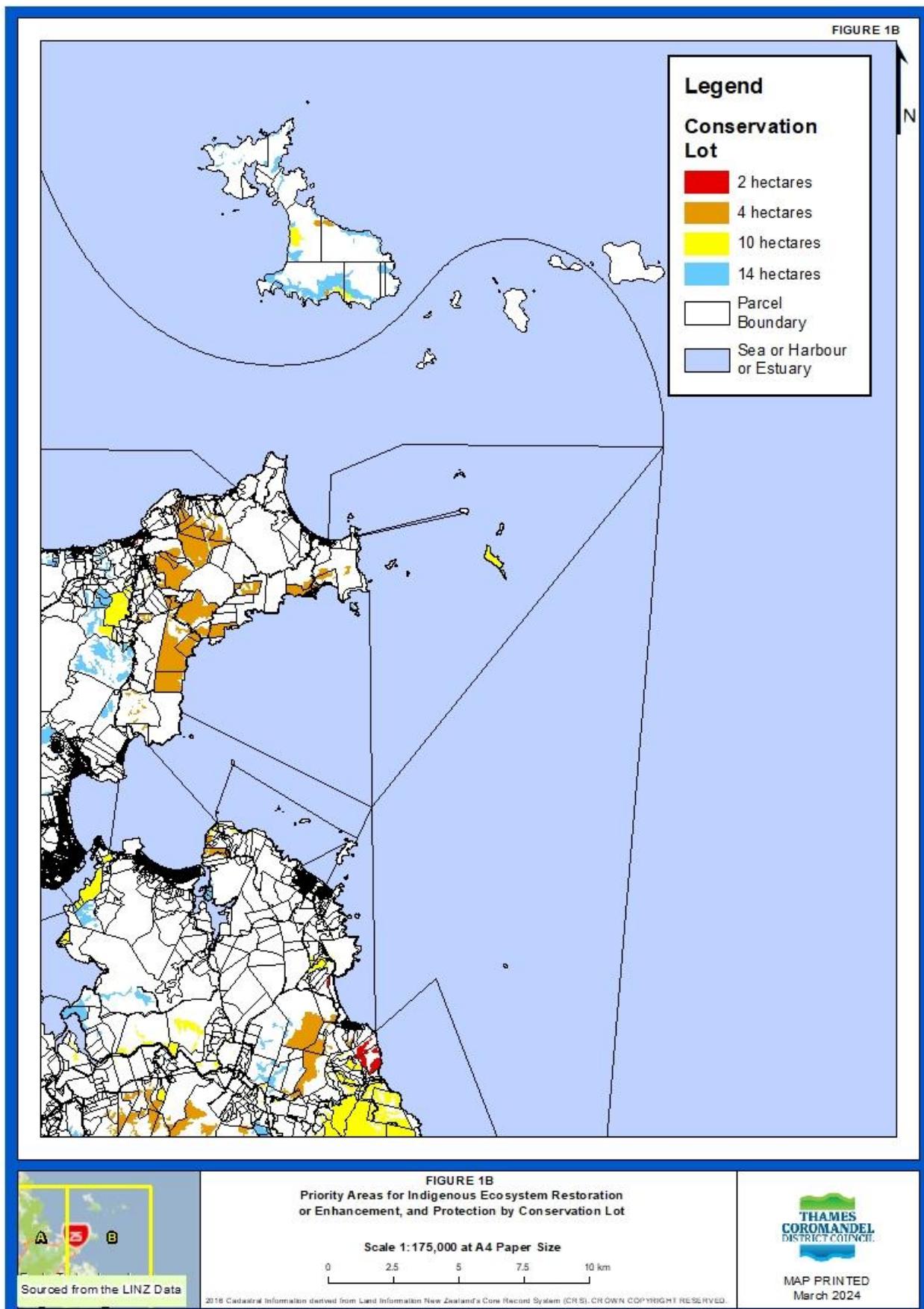
**13. Natural hazard risk**

- a) Whether there is a significant risk from natural hazards.

**14. Flood hazard risk for subdivision of Lot 1 DPS 83191 (110 Te Punga Road, Whangapoua)**

- a) Whether the flood hazard assessment report submitted with the subdivision consent application that determines that the level of risk to all proposed lots and adjacent properties is acceptable or tolerable. Council requires a flood hazard assessment report to be prepared by a Chartered Professional Engineer.
- b) The extent to which any changes to surface topography may have a material effect on the flood modelling assumptions and identified areas of flood hazards.
- c) The extent to which the subdivision works, including earthworks, displaces or diverts flood waters from the design river flood event (described in Section 36.2.2), with more than minor effects on people or property off-site.
- d) The extent to which any mitigation measures proposed in the flood hazard assessment report are effective to reduce the risk, including residual risk, to property from the design river flood event (described in Section 36.2.2).
- e) The extent to which the plan of proposed subdivision will avoid or mitigate any cumulative risk to adjacent properties identified in the flood hazard assessment report.
- f) The extent to which the flood hazard assessment report addresses potential effects of future climate change over the next 100 years.





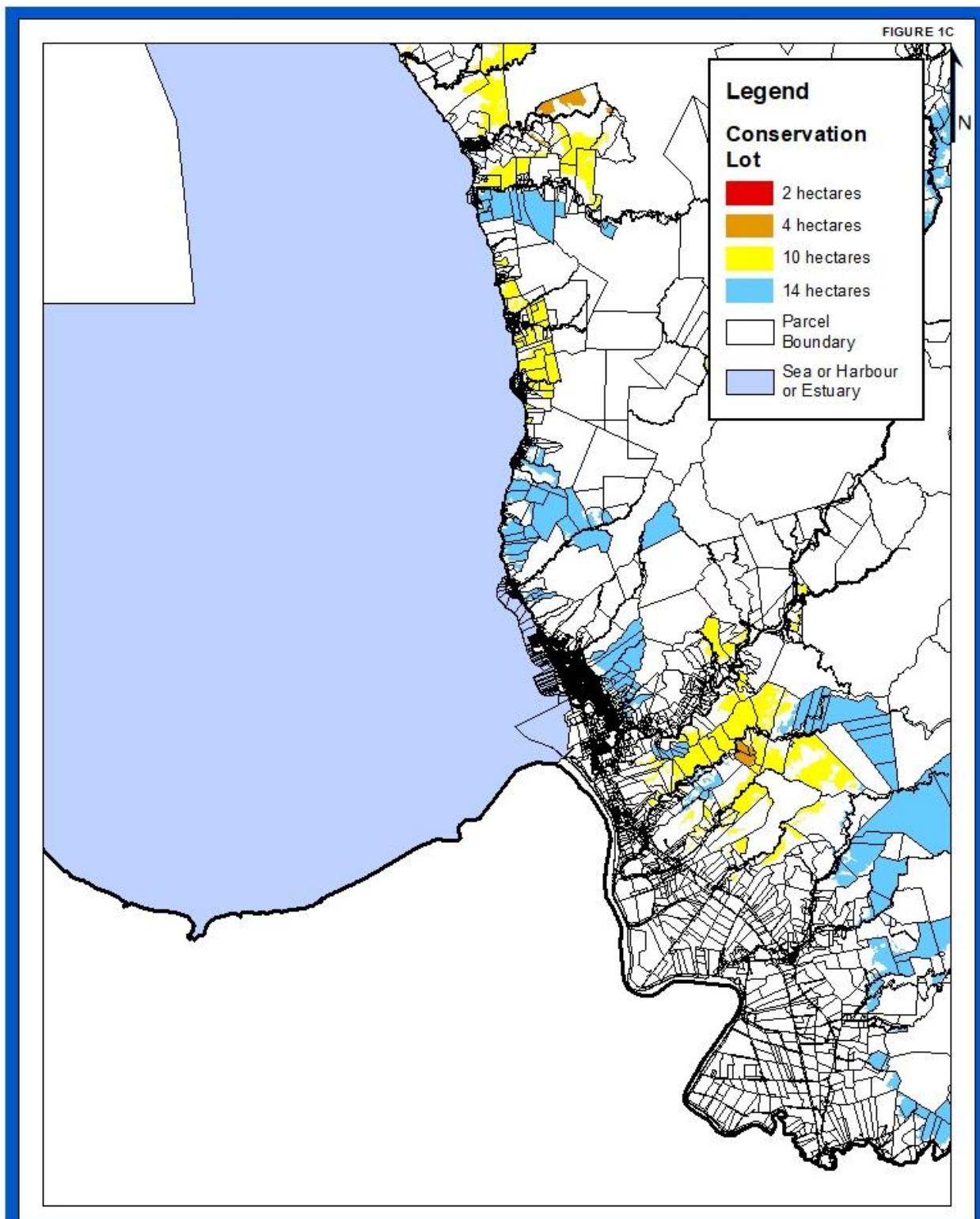


FIGURE 1C  
Priority Areas for Indigenous Ecosystem Restoration or Enhancement, and Protection by Conservation Lot

Scale 1:175,000 at A4 Paper Size

0 2.5 5 7.5 10 km

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