

SUB-DW - District Wide Subdivision Matters

This section contains *subdivision* requirements which apply across the entire district, or where the *subject site* is affected by an overlay. This chapter also contains requirements relating to *esplanade strips* and *esplanade reserves*.

There are no policies in this section. For policies which relate to *subdivision* that apply across the entire district, see the Strategic Direction and Financial Contribution chapters. Where a *subject site* is affected by an overlay, see the corresponding chapter for overlay specific policies.

Strategic Context

The Primary Objectives that this chapter implements are:

- DO-O1 - Tāngata Whenua;
- DO-O3 - Development Management;
- DO-O4 - Coastal Environment;
- DO-O5 - Natural Hazards;
- DO-O6 - Rural Productivity;
- DO-O9 - Landscapes, Features and Landforms;
- DO-O10 - Contaminated Land;
- DO-O11 - Character and Amenity Values;
- DO-O12 - Housing Choice and Affordability;
- DO-O13 - Infrastructure;
- DO-O14 - Access and Transport;
- DO-O15 - Economic Vitality;
- DO-O16 - Centres;
- DO-O17 - Open Spaces / Active Communities;
- DO-O18 - Renewable Energy, Energy Efficiency and Conservation; and
- DO-O19 - Housing Bottom Lines.

DO-O1 Tāngata Whenua

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-O3 Development Management

To maintain a consolidated urban form within *existing urban areas* and a limited number of *identified growth areas* which can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with *infrastructure*;
2. a variety of living and working areas in a manner which reinforces the function and vitality of

centres;

3. resilient communities where *development* does not result in an increase in *risk* to life or severity of damage to property from *natural hazard* events;
4. higher residential densities in locations that are close to *centres* and public *open spaces*, with good access to public transport;
5. management of *development* in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;
6. sustainable natural processes including *freshwater* systems, areas characterised by the *productive potential* of the *land*, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
7. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; and
8. management of the location and *effects* of potentially incompatible *land* uses including any interface between such uses.

DO-04 Coastal Environment

To have a coastal environment where:

1. areas of outstanding *natural character* and high *natural character*, *outstanding natural features and landscapes*, areas of *significant indigenous vegetation*, and *significant habitats of indigenous fauna* are identified and protected;
2. areas of outstanding *natural character* and high *natural character* are restored where degraded;
3. the *effects* of inappropriate *subdivision*, use and *development* are avoided, remedied, or mitigated;
4. public access to and along the coast to facilitate active and passive recreational use is maintained and enhanced while managing inappropriate *vehicle access*; and
5. Inappropriate *development* does not result in further loss of coastal dunes in the area mapped as the coastal environment.

DO-05 Natural Hazards

To ensure the safety and resilience of people and communities by avoiding exposure to increased levels of *risk* from *natural hazards*, while recognising the importance of natural processes and systems.

DO-06 Rural Productivity

To sustain the *productive potential* of *land* in the District, including:

1. retaining *land* which is suitable for a range of *primary production* activities;
2. achieving added economic and social value derived from *primary production* activities through *ancillary* on-site processing and marketing;
3. enabling activities that utilise the *productive potential* of the *land* in the rural environment;
4. reducing conflict between *land* uses in the rural environment and adjoining areas; and
5. avoiding, remedying or mitigating adverse *effects* on the efficient operation of existing *primary production* activities from *sensitive activities* establishing on adjoining *subject sites*;

while safeguarding the life-supporting capacity of air, *water*, soil, and ecosystems by avoiding, remedying or mitigating adverse *effects* on the *environment*.

DO-09 Landscapes, Features and Landforms

To protect the District's identified *outstanding natural features and landscapes* from inappropriate

subdivision, use and development; and

1. maintain or enhance the landscape values of *special amenity landscapes* and identified significant landforms; and
2. avoid, remedy or mitigate adverse *effects* of *earthworks* on natural features and landforms.

DO-O10 Contaminated Land

To prevent or mitigate any adverse environmental *effects*, including *risks* to human health and the *environment*, arising from past, present or future activities involving *contaminated land*.

DO-O11 Character and Amenity Values

To maintain and enhance the unique character and *amenity values* of the District's distinct communities so that residents and visitors enjoy:

1. relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by the presence of mature vegetation, a variety of built forms, the retention of landforms and unique community identities;
2. vibrant, lively *town centres* supported by higher density residential and mixed use areas;
3. neighbourhood *centres*, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;
4. productive rural areas, characterised by openness, natural landforms, areas and corridors of *indigenous vegetation*, and *primary production* activities; and
5. well managed interfaces between different types of *land* use areas (e.g. between living, working and rural areas and between potentially conflicting *land* uses, so as to minimise adverse *effects*).

DO-O12 Housing Choice and Affordability

To meet diverse community needs by increasing the amount of housing that:

1. is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitable urban and rural locations;
2. is affordable and adequate for lower income households; and
3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;

while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular resource, water and energy efficiency.

DO-O13 Infrastructure

To recognise the importance and national, regional and local benefits of *infrastructure* and ensure the efficient *development*, maintenance and operation of an adequate level of social and physical *infrastructure* and services throughout the District that:

1. meets the needs of the community and the region; and
2. builds stronger community resilience, while avoiding, remedying or mitigating adverse *effects* on the *environment*.

DO-O14 Access and Transport

To ensure that the transport system in the District:

1. integrates with *land* use and urban form and maximises accessibility;

2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;
3. contributes to a strong economy;
4. avoids, remedies or mitigates adverse *effects* on *land* uses;
5. does not have its function and operation unreasonably compromised by other activities;
6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and
7. provides for the integrated movement of people, goods and services.

DO-015 Economic Vitality

To promote sustainable and on-going economic development of the local economy, including the rural sector, with improved number and quality of jobs and investment through:

1.
 - a. encouraging *business activities* in appropriate locations within the District, principally through differentiating and managing various types of *business activities* both on the basis of the activity, and the potential local and strategic *effects* of their operation;
 - b. reinforcing a compact, well designed and sustainable regional form supported by an integrated *transport network*;
 - c. enabling opportunities to make the economy more resilient and diverse;
 - d. providing opportunities for the growth of a low carbon economy, including clean technology;
 - e. minimising *reverse sensitivity effects* on *business activities*, including *primary production activities*; and
 - f. enhancing the amenity of *working zones*;

while:

2.
 - a. ensuring that economic growth and *development* is able to be efficiently serviced by *infrastructure*;
 - b. encouraging commercial consolidation and the co-location of community services and facilities primarily within the *Paraparaumu sub-regional centre* and *town centres*; and
 - c. managing contamination, pollution, odour, *noise* and glare, associated with *business activities*, including *primary production activities*.

DO-016 Centres

To have vibrant, safe and economically sustainable *centres* that function as key employment and economic nodes and as a focus for social and community life, as public transport and local service hubs, and as places for living, entertainment and recreation that:

1. provide the primary focus for *commercial* (excluding *industrial*), *retail* and community activities within the District;
2. support community cohesion and a sense of place;
3. reinforce a compact, well designed and sustainable District and regional form, through promoting and reinforcing a close proximity and good accessibility between living, business and employment areas;
4. encourage economic opportunities and *business activities* in a manner which promotes:
 - a. the *Paraparaumu sub-regional centre* as the principal commercial, retail, cultural, civic and tourist centre for the District, to be developed in a manner that:
 - i. achieves an integrated and compact *metropolitan centre zone*, linking all Precincts through a well-connected pedestrian and *transport networks* offering a choice of efficient routes and a quality built environment;

- ii. provides for a broad range of mutually compatible activities that are integrated with pedestrian and public transport;
 - iii. is supported by opportunities for medium density residential living;
 - iv. consolidates community activities within *Precinct B*; and
 - v. provides for *commercial* (excluding *industrial*) and *retail activities* in Precincts A1, A2 and C, with some restrictions on the scale and nature of *retail activities* in *Precinct C*
- b. the District’s *town centres* at a scale and form that provides the urban focus for the commercial (excluding *industrial*), tourism, education, entertainment, community and civic activities as well as opportunities for medium density residential living, where these meet the needs of the surrounding township community; and
- c. District’s *local centres* to provide for *commercial activities* (excluding *industrial activities*), within a residential context, to primarily serve the local convenience, community and commercial needs of the surrounding residential community.

DO-O17 Open Spaces / Active Communities

To have a rich and diverse network of *open space* areas that:

1. is developed, used and maintained in a manner that does not give rise to significant adverse effects on the natural and physical environment;
2. protects the District’s cultural, ecological and *amenity values*, while allowing for the enhancement of the quality of *open space* areas;
3. supports the identity, health, cohesion and resilience of the District’s communities; and
4. ensures that the present and future recreational and *open space* needs of the District are met.

DO-O18 Renewable Energy, Energy Efficiency and Conservation

Increase the development and use of energy from renewable sources, including on-site systems, and efficiency and conservation of energy use while avoiding, remedying or mitigating adverse effects on the environment.

DO-O19 Housing Bottom Lines

To achieve sufficient development capacity as required by the National Policy Statement on Urban Development 2020 by meeting housing bottom lines of:

1. 6,123 additional *residential units* over the short-medium term (2021 – 2031); and
2. 10,063 additional *residential units* over the long term (2031-2051).

The rules in this chapter apply to all land and activities in all *zones* unless otherwise specified. Provisions in other chapters of the Plan may also be relevant.

Rules

SUB-DW-R1	<i>Subdivision to create an allotment for network utility purposes (including allotments required for renewable electricity generation activities).</i>	
Controlled Activity	Standards	Matters of Control
	<ol style="list-style-type: none"> 1. There shall be no minimum area requirements for <i>allotments</i> for <i>network utility purposes of network</i> 	<ol style="list-style-type: none"> 1. Any positive <i>effects</i> to be derived from the activity. 2. Layout of <i>subdivision</i>.

	<p><i>utility providers.</i></p> <p>2. Each <i>allotment</i> must have inalienable legal and physical access to a legal <i>road</i>.</p>	<ol style="list-style-type: none"> 3. Public safety. 4. Extent of <i>earthworks</i> 5. Appropriateness for proposed use. 6. Adequacy of the methods of mitigation/remediation or ongoing management. 7. <i>Effects on an ecological site, geological feature, outstanding natural feature and landscape, or area of outstanding or high natural character.</i> 8. <i>Effects on historic heritage.</i> 9. Visual, character and amenity <i>effects</i>. 10. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012. 11. Adequacy of geotechnical information. 12. <i>Natural hazard risk</i> management. 13. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.
<p>SUB-DW-R2</p>	<p><i>Boundary adjustments</i> where no additional <i>allotments</i> are created in any Rural Zone, on <i>land</i> containing a high-pressure gas pipeline designed to operate at over 2000kPa.</p> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p> <p><i>Cross lease</i> updates are excluded from this rule.</p>	
<p>Controlled Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. No new <i>allotment boundary</i> shall be situated closer than 10 metres to the centreline of a high-pressure gas pipeline. 2. Legal and existing physical vehicular access is maintained. 3. The <i>subdivision</i> must comply with all other relevant <i>subdivision</i> standards applicable to the <i>zone</i>. <p><i>Boundary adjustment qualifying criteria:</i> The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of existing <i>allotments</i>.</p>	<p>Matters of Control</p> <ol style="list-style-type: none"> 1. The matters listed in SUB-RUR-R50.
<p>SUB-DW-R3</p>	<p><i>Subdivision</i> of the following land titles:</p>	
	<ol style="list-style-type: none"> 1. Part Ngarara West B7 subdivision 2C (53D/165) 2. Part Ngarara West B7 subdivision 2B (53D/165) 3. Part Ngarara West B7 subdivision 2A (53D/165) 4. Part Ngarara West B7 subdivision 1 (53D/165) 	

	<ol style="list-style-type: none"> 5. Section 1 SO 36625 (42C/187) 6. Part Ngarara West B5 (53D/165) 7. Part Lot 1 Block IV DP 2767 SO 23196 (46C/577) 8. Part Ngarara West B4 (Part 46C/570) 9. Part Ngarara West B4 (46C/569) 10. Part Lot 1 Block IV DP 2767 (46C/574) 11. Part Ngarara West B4 (46C/576) 12. Part Lot 3 Block IV DP 2767 and Lots 1, 3 and 5 and Part Lot 7 DP 13859 (46C/575) 	
<p>Controlled Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. A covenant must be registered with the Council (to be registered against the Title for each new <i>allotment</i>) to the effect that the applicant and subsequent owners of the <i>allotment(s)</i> shall not take enforcement or other legal action, or support such action, relating to <i>noise</i> of aircraft using Kapiti Coast Airport or any operation arising out of or incidental thereto (“airport <i>noise</i>”), provided that the airport <i>noise</i> complies with limits in the District Plan. Such person shall not do or permit to be done or support any act, matter or thing in relation to airport <i>noise</i> which is intended to restrict or has the effect of restricting in any way whatsoever the operations of Kapiti Coast Airport or any aircraft using Kapiti Coast Airport (including seeking more stringent <i>noise</i> standards). 	<p>Matters of Control</p> <ol style="list-style-type: none"> 1. Imposition of covenants or encumbrances
<p>SUB-DW-R4</p>	<p><i>Subdivision of land creating new allotments in the rural zones, Natural Open Space Zone, Open space zone and the river corridor, that complies with all restricted discretionary activity standards under SUB-RUR-R51 and SUB-OS-R59.</i></p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <p>Water Supply</p> <ol style="list-style-type: none"> 1. It shall be demonstrated (as evidenced by a report including an <i>environmental</i> impact report from a suitably qualified and experienced person) that: <ol style="list-style-type: none"> a. a <i>water</i> supply of sufficient quality (potable for drinking purposes) and quantity can be provided for the activities 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Those matters listed under rules: <ol style="list-style-type: none"> a. SUB-RUR-R51 for <i>restricted discretionary subdivision</i> in rural zones; b. SUB-OS-R59 for <i>restricted discretionary subdivision</i> in <i>Open Space Zones</i>; and c. INF-MENU-R35 and SUB-DW-R4 for <i>restricted discretionary subdivision</i> in all zones.

- proposed for the *subdivision*, including firefighting;
- b. the proposed *water* supply will have no adverse *effects* on other *water* users;
 - c. the proposed supply will have no adverse *effects* on the *water* resource; and
 - d. the proposed *water* supply will have no adverse *effects* on *natural and physical resources*.

2. Any *risk* likely to adversely affect a *registered drinking-water supply* or *water* collection area as identified on District Plan Maps, will be managed to avoid the threat.
3. All new *buildings* and impervious surfaces shall have on-site attenuation and treatment of *stormwater* including the use of on-site vegetation to slow down run-off rates and improve *water* filtration. Grassed swales shall be provided to direct *road* run-off instead of concrete kerb and channel.

Effluent Disposal

4. Where *subdivision* occurs on *land* that is not serviced by an existing community *sewage* system, the application shall demonstrate that on-site domestic effluent disposal is suitable for each proposed *allotment* or multiple *allotments* in accordance with AS/NZS 1547:2010 "On Site Domestic Wastewater Management".

Note: any *discharge* into *land*, air or *waterbodies* may require *resource consent* from the Wellington Regional Council. Applicants should contact the Regional Council to confirm whether or not consent is required.

Underground services

5. Any underground services must avoid *waahi tapu*, *archaeological* and *ecological sites*.

2. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012.
3. *Effect* on *water* catchment areas and any *registered drinking-water supply* source.

<p>SUB-DW-R5</p>	<p><i>Subdivision of land creating new allotments in the residential zones and working zones that complies with all restricted discretionary activity standards under rules SUB-RES-R27, SUB-RES-R28, SUB-WORK-R40, SUB-WORK-R41, SUB-WORK-R42, SUB-WORK-R43, SUB-WORK-R44, SUB-WORK-R45, SUB-WORK-R46, SUB-WORK-R47, SUB-DEV1-R63, SUB-DEV2-R67, SUB-DEV2-R68, SUB-DEV2-R69, SUB-DEV2-R70, SUB-DEV2-R71.</i></p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <p><i>Hydraulic neutrality</i></p> <ol style="list-style-type: none"> 1. <i>Stormwater</i> systems must be designed to ensure that the <i>stormwater</i> runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak <i>stormwater</i> runoff when compared to the pre-development situation for the 50%, 20%, 10% and 1% <i>Annual Exceedance Probability</i> flood events. 2. Existing waterways and <i>stormwater</i> detention areas must be retained, and be enhanced with plantings to create attractive features. <p>Note: Any <i>stormwater discharge</i> may need to meet threshold limits for the receiving <i>waters</i> under <i>Council's</i> network <i>discharge</i> consent or under the National Policy Statement for Freshwater Management.</p> <p>Underground Services</p> <ol style="list-style-type: none"> 3. Where any <i>subdivision of land</i> involves the construction of a new <i>road</i> or the extension of an existing <i>road</i> all electric, gas and telecommunication services to the land in the <i>subdivision</i> shall be reticulated underground. <p>Water Supply</p> <ol style="list-style-type: none"> 4. All new <i>allotments</i>, other than <i>allotments</i> for access, <i>roads</i>, utilities or reserves, where the <i>allotments</i> are in or adjoining areas which are served with a <i>Council</i> reticulated <i>water</i> supply, must be 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Those matters listed under rules: <ol style="list-style-type: none"> a. SUB-RES-R27, SUB-RES-R28, SUB-DEV1-R63, SUB-DEV2-R67, SUB-DEV2-R68, SUB-DEV2-R69 and SUB-DEV2-R70 for <i>restricted discretionary subdivision</i> in the Residential Zones chapter; b. SUB-WORK-R40, SUB-WORK-R41, SUB-WORK-R42, SUB-WORK-R43, SUB-WORK-R44, SUB-WORK-R45, SUB-WORK-R46, SUB-WORK-R47 and SUB-DEV2-R71 for <i>restricted discretionary subdivision</i> in the Working Zones chapter; c. INF-MENU-R35 and SUB-DW-R4 for <i>restricted discretionary subdivision</i> in all zones; and d. degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012. <p>Stormwater</p> <ol style="list-style-type: none"> 2. The provision of grassed swales to direct road-run-off (instead of concrete kerb and channel) in <i>residential zone areas</i>, where grassed swales would be in keeping with the surrounding <i>environment</i> and functional.

	<p>provided with a connection to the Council reticulated <i>water</i> supply laid to the <i>boundary</i> of the <i>allotment</i>.</p> <p>Effluent Disposal</p> <p>5. All new <i>allotments</i>, other than <i>allotments</i> for access, <i>roads</i>, utilities or reserves, where the <i>allotments</i> are in or adjoining areas which are served by the public <i>wastewater</i> reticulation and treatment system must be provided with a piped <i>sewage</i> outfall for disposing of sanitary <i>sewage</i> to a reticulated system, laid to the <i>boundary</i> of each <i>allotment</i>.</p> <p>Telecommunication and electricity supply</p> <p>6. Provision must be made to the <i>boundary</i> of each proposed <i>allotment</i> for a connection to a telecommunication network and energy supply network.</p>	
SUB-DW-R6	<i>Subdivision of land within outstanding natural features and landscapes and on land which contains ecological sites or geological features.</i>	
Restricted Discretionary Activity	Standards	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The location of <i>building</i> areas and <i>allotment boundaries</i> relative to <i>ecological sites</i> and <i>geological features</i>. 2. Potential adverse or positive <i>effects</i> of subsequent <i>development</i> on <i>ecological sites</i> and <i>geological features</i> and on the values of <i>outstanding natural features and landscapes</i> identified in Schedule 4. 3. The design and layout of the <i>subdivision</i> including <i>earthworks</i>. 4. <i>Council's</i> Subdivision and Development Principles and Requirements 2012. 5. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter. 6. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management

		Act.
SUB-DW-R7	<i>Subdivision where any part of the land contains flood storage, ponding, residual ponding or shallow surface flow areas.</i>	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. Each <i>allotment</i> shall have a <i>building area</i> located outside any <i>river</i> or <i>stream corridor</i>, <i>overflow path</i> or <i>residual overflow path</i>. 2. Each <i>building area</i> shall be located above the estimated <i>1% AEP</i> flood event level. 3. <i>Formed vehicle access</i> does not adversely affect the <i>1% AEP</i> flood hazard <i>risk</i> on other <i>properties</i> in the same flood catchment. 4. Compliance with all other relevant <i>subdivision</i> rules and standards in other chapters. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The design and layout of the <i>subdivision</i>. 2. <i>Council's</i> Subdivision and Development Principles and Requirements 2012. 3. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter. 4. The location of any <i>building platform</i> or area relative to the <i>natural hazards</i>, <i>historic heritage features</i>, <i>ecological sites</i>, <i>outstanding natural features and landscapes</i>, and geological <i>sites</i>. 5. The location and design of any servicing of the <i>subdivision</i>. 6. The extent and <i>effects</i> of <i>earthworks</i>.
SUB-DW-R8	<i>Subdivision proposing additional developable allotments where any part of the land is in the fault avoidance area.</i>	
	<p>Criteria for notification</p> <p>The written approval of persons will not be required and applications under this rule will not be served on any person or notified.</p>	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. Each <i>allotment</i> must be capable of providing a 200m² <i>building area</i>, which has a minimum horizontal dimension of 12 metres in any direction, clear of the identified <i>fault avoidance area</i>, where the <i>allotment</i> is not a reserve or access <i>allotment</i>. 2. <i>Building areas</i> do not have to be clear of the <i>fault avoidance areas</i> within the <i>distributed</i>, <i>uncertain-constrained</i>, and <i>uncertain-poorly constrained</i> areas of the Gibbs and Ōtaki Forks faults and no geotechnical information will be required. 3. The entire Southeast Reikorangi Fault, is excluded from this provision. (i.e. <i>zone provisions</i> apply). 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The design and layout of the <i>subdivision</i>, <i>earthworks</i> and the location of any <i>building area</i>, relative to the <i>fault avoidance area</i>. 2. <i>Council's</i> Subdivision and Development Principles and Requirements 2012. 3. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter. 4. <i>Vehicle access</i> onto <i>legal road</i> including the <i>State Highway Network</i> and any <i>effects</i> on the <i>transport network</i>.
SUB-DW-R9	<i>Subdivision (excluding boundary adjustments or subdivision of land where no</i>	

	additional <i>allotments</i> are created) of <i>land</i> with peat or sand soils.	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. Geotechnical information must be provided by a suitably qualified and experienced person (to <i>building</i> consent level) on <i>liquefaction risk</i>. 2. Proposed <i>building</i> areas with a minimum dimension of 20 metres must be identified for each <i>allotment</i>. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The outcomes of the geotechnical investigation on <i>liquefaction risk</i>. 2. Whether the potential <i>risk</i> to the health and safety of people, and property from <i>liquefaction</i> can be avoided or mitigated. 3. The design and layout of the <i>subdivision</i> including <i>earthworks</i>, servicing and the location of any <i>building</i> platforms. 4. <i>Council's</i> Subdivision and Development Principles and Requirements 2012. 5. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.
SUB-DW-R10	<i>Subdivision of any land or site containing a scheduled historic building or structure, a scheduled historic site, a notable tree, or a scheduled historic area, waahi tapu and other places and areas significant to Māori except as provided for in Rules SASM-R14 and SASM-R20.</i>	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. The <i>historic heritage</i> feature must be contained within one <i>allotment</i> or where the feature is contained within more than one <i>allotment</i> the number of <i>allotments</i> containing the feature will not be increased. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. Imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter. 2. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012 (or <i>structure plan</i> or guideline). 3. <i>Effects</i> on <i>historic heritage</i> values. 4. Layout of the <i>subdivision</i>. 5. <i>Effect</i> on context and surroundings. 6. <i>Effects</i> on landscape and <i>amenity values</i>. 7. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of <i>Historic Heritage</i> Schedule 7.
SUB-DW-R11	<i>Subdivision in an area scheduled as waahi tapu and other places and areas significant to Māori - Wāhanga Rima</i>	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH - Table 1, must be followed. 2. <i>Subdivision</i> compliance with 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects</i> on <i>historic heritage</i> values. 2. Imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.

	<p><i>subdivision</i> rules and standards for the underlying <i>zone</i>(s).</p>	<ol style="list-style-type: none"> 3. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012 (or <i>structure plan</i> or guideline). 4. Layout of the <i>subdivision</i>. 5. <i>Effects</i> on landscape and <i>amenity values</i>. 6. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of <i>Historic Heritage</i> (Schedule 7).
<p>SUB-DW-R12</p>	<p><i>Subdivision of land</i> in any <i>zone</i> within 10 metres either side of the centre-line of high pressure gas pipeline designed to operate at or over 2000kPa, unless the <i>subdivision</i> is for a <i>boundary adjustment</i> in the Rural <i>Zone</i> and complies with the standards under the SUB-DW-R2.</p> <p>Criteria for Notification: The written approval of persons will not be required other than the pipeline owner and/or operator and applications under this rule will not be served on any persons other than the pipeline owner and/or operator or notified.</p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The <i>subdivision</i> must comply with all other relevant <i>subdivision</i> standards applicable to the <i>zone</i>. <p><i>Boundary adjustment qualifying criteria:</i></p> <ol style="list-style-type: none"> 1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of existing <i>allotments</i>. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The extent to which the <i>subdivision</i> design avoids or mitigates conflict with existing pipelines. 2. The ability for maintenance and inspection of transmission pipelines including ensuring access to the pipelines. 3. Consent notices on titles to ensure on-going compliance with AS2885 Pipelines – Gas and Liquid Petroleum – Parts 1 to 3. 4. The outcome of any consultation with the affected <i>network utility operator</i>.
<p>SUB-DW-R13</p>	<p><i>Boundary adjustments</i> that fail to comply with one or more of the standards under SUB-DW-R2.</p> <p>Criteria for Notification: The written approval of a persons will not be required other than the pipeline owner and/or operator and applications under this rule will not be served on any persons other than the pipeline owner and/or operator or notified.</p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The extent to which the <i>subdivision</i> design avoids or mitigates conflict with existing pipelines. 2. The ability for maintenance and inspection of transmission pipelines including ensuring access to the

		<p>pipelines.</p> <ol style="list-style-type: none"> 3. Consent notices on titles to ensure on-going compliance with AS2885 Pipelines – Gas and Liquid Petroleum – Parts 1 to 3. 4. The outcome of any consultation with the affected <i>network utility operator</i>.
<p>SUB-DW-R14</p>	<p><i>Subdivision of land in any zone where all of, or part of the subject site is within the national grid subdivision corridor.</i></p> <p>Criteria for Notification: Where an activity requires <i>resource consent</i> solely because it is within the <i>national grid subdivision corridor</i> public notification of the application is precluded. However, any application under this rule will be served on Transpower, unless the written approval from Transpower is provided at the time the application is lodged.</p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The <i>subdivision</i> shall identify a complying nominal <i>building</i> platform for each new <i>allotment</i>, which is fully located outside the <i>national grid yard</i>. <p>Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including <i>buildings, structures, earthworks</i> and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</p> <p>Vegetation to be planted within the <i>National Grid Yard</i> as shown on the District Plan Maps should be selected and/or managed to ensure that the vegetation will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support <i>structures</i>. To discuss works, including <i>tree</i> planting near any electricity <i>line</i> especially works within the transmission corridor; contact the relevant <i>network utility operator</i>.</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. The extent to which the design, construction and layout of any <i>subdivision</i> demonstrates that a suitable <i>building</i> platform(s) can be located outside of the <i>national grid yard</i> for each new <i>allotment</i>. 2. The provision for the on-going operation, maintenance (including access) and planned upgrade of existing <i>transmission lines</i>. 3. The risk to the structural integrity of the <i>national grid</i>. 4. The extent to which the <i>subdivision</i> design and consequential <i>development</i> will minimise the risk of injury and/or <i>property</i> damage from such <i>lines</i>. 5. The extent to which the <i>subdivision</i> design and consequential <i>development</i> will minimise the potential <i>reverse sensitivity</i> on and amenity and <i>nuisance effects</i> of the transmission asset. 6. The extent to which the design and construction of any <i>subdivision</i> allow for <i>earthworks, buildings</i> and <i>structures</i> to comply with the safe separation distances in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001. 7. The nature and location of any proposed vegetation to be planted in the vicinity of the <i>national grid</i>.
<p>SUB-DW-</p>	<p>Any activity listed as a <i>controlled</i> or <i>restricted discretionary activity</i> in this section</p>	

R15	which does not comply with one or more of the associated standards, unless otherwise specified
Discretionary Activity	
SUB-DW-R16	<i>Subdivision where any part of the land contains an overflow path or residual overflow path.</i>
Discretionary Activity	
SUB-DW-R17	<p><i>Subdivision of land located partly within the river corridor or stream corridor where each allotment has building areas which are:</i></p> <ol style="list-style-type: none"> 1. <i>located outside any river or stream corridor, overflow path or residual overflow path; and</i> 2. <i>located above the estimated 1% AEP flood event level.</i> 3. <i>formed vehicle access which does not adversely affect the flood hazard risk on other properties in the same flood catchment.</i>
Discretionary Activity	
SUB-DW-R18	<p><i>Subdivision where any part of the land is within the fault avoidance area for all of the Ohariu and Northern Ohariu faults, or within the well-defined and well-defined extension areas for the Gibbs and Ōtaki Forks faults (see District Plan Maps for detail) and where a building area, which has a minimum dimension of 12 metres, is not provided clear of the identified fault avoidance area and where the subdivision would otherwise be a restricted discretionary activity under SUB-DW-R8.</i></p> <p>Note: Refer to NH-EQ-Table 2 <i>Building Importance Category</i> and NH-EQ-Table 3 <i>Risk Based Matrix</i>.</p> <p>Criteria for notification The written approval of persons will not be required and applications under this rule will not be served on any person or notified.</p>
Discretionary Activity	
SUB-DW-R19	<i>Subdivision of land located partly within the river corridor or stream corridor that does not meet the requirements of SUB-DW-R17.</i>
Non-Complying Activity	
SUB-DW-R20	<i>Subdivision of land located wholly within the stream corridor or river corridor.</i>
Non-Complying Activity	
SUB-DW-	<i>Subdivision in an area scheduled as waahi tapu and other places and areas</i>

R21	<p><i>significant to Māori</i> – Wahanga Toruwhere the number of <i>allotments</i> the scheduled item is contained within is increased</p> <p>Criteria for notification: any application under this rule shall either be publicly notified or notice served on relevant <i>iwi authority</i> and Heritage New Zealand as affected parties.</p>
Non-Complying Activity	
SUB-DW-R22	<p>Any <i>subdivision</i> of <i>land</i> in any <i>zone</i> where all of or part of the <i>subject site</i> is within the <i>national grid subdivision corridor</i>, which does not comply with the <i>restricted discretionary activity</i> standard under SUB-DW-R14.</p>
Non-Complying Activity	

SUB-DW-R23	<p><i>Subdivision</i> that does not comply with one or more of the activity standards for <i>water, wastewater and stormwater</i> or electricity and telecommunications under rules SUB-DW-R4 and SUB-DW-R5.</p>
Non-Complying Activity	
SUB-DW-R24	<p><i>Subdivision</i> for the purposes of creating a vacant <i>site</i> for <i>residential activities</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>) within <i>air noise boundary</i> identified on the District Plan Maps.</p>
Prohibited Activity	

SUB-DW-Table 1 - Esplanade Reserves / Strips		Requirements
	Coastal Margins	A 50 metre wide <i>Esplanade Reserve</i> in the <i>Rural Zone</i> and 20 metres in all other <i>zones</i> , measured from the line of the Mean High Water Spring Tide (MHWS), shall be required along the coast when <i>subdivision</i> occurs, creating <i>allotments</i> of less than 4ha, excluding <i>boundary adjustment subdivisions</i> . These reserves shall be fenced with a 7 wire post and wire fence or equivalent.
	Lakes (with a bed of 8 hectares or more)	A 20 metre wide <i>Esplanade Reserve</i> shall be required along lakes of more than 8 hectares when <i>subdivision</i> occurs creating <i>allotments</i> of less than 4ha, excluding <i>boundary adjustment subdivisions</i> . These reserves shall be fenced with a 7 wire post and wire fence or equivalent.
	Rivers and	Table 1 below is a list of widths required for <i>subdivision</i> , creating

Streams (river bed with average width of 3 metres or more)

allotments of less than 4 ha, excluding *boundary adjustment subdivisions*. The priorities are indicated for each recommended width. There are also areas which are considered to be high priority where *Council* may wish to negotiate with the landowner for public access through an *Esplanade Strip*.

TABLE 1 - MAXIMUM WIDTH OF ESPLANADE RESERVE/STRIP

Water Body	Width of Esplanade Reserve	Width of Esplanade Strip
Waitohu Stream		
Upstream of Water Treatment Plant	-	20 metres (E)
Downstream of Water Treatment Plant	-	5 metre (A, H) - Greater widths may be required within 500 metres of MHWS (Waitohu Stream mouth)
Ōtaki River		
Upstream of SH1 Bridge	-	20 metres (E,A,H)
Downstream of SH1 Bridge	20 metres A,H	-
Mangaone Stream		
Upstream of Hautere Plain	-	20 metres (E)
On the Hautere Plain	-	5 metres (A, H)
Waikanae River		
Upstream of Old SH1 Bridge		20 metres (A & E)
Downstream of Old SH1 Bridge	20 metres A,H,E - Greater widths may be required within 1000 metres of the Waikanae River Mouth (as shown on the District Plan Maps)	3-5 metres (A) - If no <i>subdivision</i> occurs and negotiated with landowner
Ngatiawa, Rangiora, Reikorangi Streams	-	20 metres Rural (E)
Tikotu, Wharemauku, Mazengarb	20 metres Urban (A, H)	20 metres Rural (E)

	Streams (part only)	
	Priority for Reserve/Strip	E: Ecological, <i>Water</i> Quality A: Access, Recreational H: <i>Natural Hazard</i> Mitigation
	Considerations	Consideration will be given to providing larger areas around the Waikanae River and Waitohu Stream Estuaries where the areas are of considerable ecological value. Other agencies, e.g. Department of Conservation or Wellington Regional Council, may be interested in acquiring greater buffer areas around future <i>residential activities</i> . As more than 20-metre <i>Esplanade Reserves</i> in the Estuary may be sought, financial compensation to the landowner will be required.
	Reductions and Waivers	The Council may reduce or waive <i>Esplanade Reserves</i> or <i>Strips</i> where it is demonstrated to the satisfaction of Council that circumstances make the required width impracticable. This includes difficult topography and existing permitted <i>buildings</i> or in recognition of other reserves given for public access. A reduction could also be given where there is an absence of natural values and need for public access. Council will also have regard to all objectives in the PDP. Applicants for reduction or waiver may be required to consult with the Department of Conservation and the Wellington Regional Council and produce evidence of the outcome of these consultations.
	Fencing	All <i>Esplanade Strips</i> upstream of the Waitohu and Waikanae Water Supply Treatment Plants in the Rural <i>Zone</i> and all <i>Esplanade Reserves</i> and <i>Strips</i> within urban areas shall be fenced by a 7 wire post and wire fence or equivalent. Stiles over fences or other devices may also be required to improve public access.
	Access Strips	Council may negotiate to acquire <i>access strips</i> to <i>Esplanade Reserves</i> or <i>Esplanade Strips</i> . Generally <i>access strips</i> shall, in the Rural <i>Zone</i> , be fenced with a 7 wire post and wire fence or equivalent and in urban areas a 1.5 metre close boarded fence or equivalent. The <i>access strips</i> shall be at least 3 metres wide and shall include boardwalks where erosion to sand dunes by pedestrians is likely. Any <i>structures</i> on dune systems (including boardwalks) shall be designed so as to avoid deflecting or accelerating erosion. However, the conditions of access, fencing requirements and the provision of boardwalks will be negotiated when <i>Council</i> purchases the easement.
Bed of River, Lake or Coastal Marine Area	Where <i>subdivision</i> includes a <i>river</i> , stream or <i>lake</i> the <i>bed</i> of the <i>river</i> , stream or <i>lake</i> shall vest in Council. Where <i>subdivision</i> includes the Coastal Marine Area, the <i>bed</i> of the Coastal Marine Area shall vest in the Crown.	