

# SUB-DEV1 - Subdivision in the Ngārara Development Area

This section provides the subdivision requirements for the Ngārara Development Area. See the Ngārara Development Area Chapter for further policies and rules which relate to this area.

The Ngārara Structure Plan (Appendix 7) and Ngārara Management Area (Appendix 8) are also relevant to subdivision within the Ngārara Development Area.

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-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-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

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To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the *development* of new urban areas where these 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. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
  - a. that are in or near a *Centre Zone* or other area with many employment opportunities; or
  - b. that are well serviced by existing or planned public or active transport; or
  - c. where there is high demand for housing or for business land relative to other areas within

the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. 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;
8. 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;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

#### 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-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-010 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-011** Character and *Amenity Values***Amended 01**  
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To recognise the unique character and *amenity values* of the District's distinct communities, while providing for character and *amenity values* to develop and change over time in response to the diverse and changing needs of people, communities and future generations, resulting in:

1. residential areas characterised by the presence of mature vegetation, a variety of built forms and *building densities*, the retention of landforms, and the recognition of unique community identities;
2. vibrant, lively *metropolitan* and *town centres* supported by higher density residential and mixed use areas;
3. *local 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-012** 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-013** 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-014** 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-017 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-018 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-019 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. 5,477 additional *residential units* over the short-medium term (2021—2031); and
2. 8,411 additional *residential units* over the long term (2031—2051).

Provisions in other chapters of the Plan may also be relevant.

## Rules

<b>SUB-DEV1-R62</b>	<p><i>Boundary adjustments</i> or any <i>subdivision of land</i> in the Ngārara Development Area where no additional <i>allotments</i> are created.</p> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p> <p>Cross lease updates are excluded from this rule.</p>	<b>Amended 01</b> Sep 23 PC2
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. No further <i>development</i> potential shall be created as a result of the <i>subdivision</i>. (i.e. through the creation of a small <i>allotment</i> and a larger <i>allotment</i> which can then be further subdivided and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>allotment</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>3. Public <i>roads</i>, public <i>water</i> supply systems, sanitary drainage systems and surface <i>water</i> drainage systems must be available to serve the <i>subdivision</i>.</li> <li>4. The relevant <i>subdivision</i> standards under Rule SUB-RES-R27 must be complied with.</li> </ol> <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><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Design and layout, including any associated <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network, and any transport effects.</li> <li>3. The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> <li>4. The location of any associated <i>building</i> area relative to any identified <i>natural hazards</i>, <i>historic heritage features</i>, <i>notable tree</i>, <i>ecological site</i>, <i>key indigenous tree</i>, <i>rare and threatened vegetation species</i>, <i>geological feature</i>, <i>outstanding natural feature and landscape</i> or <i>area of high natural character</i>.</li> <li>5. The imposition of <i>conditions</i> in accordance with <i>Council's Land Development Minimum Requirements</i>.</li> <li>6. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li>7. The imposition of <i>conditions</i> in accordance with Sections 108 and 220 of the Resource Management Act 1991.</li> <li>8. The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> </ol>
<b>SUB-DEV1-R63</b>	<p><i>Subdivision</i> within the Waimeha North Neighbourhood Development Area, as identified in the Ngārara Development Area Structure Plan in Appendix 7.</p>	<b>Amended 01</b> Sep 23 PC2
Restricted	<b>Standards</b>	<b>Matters of Discretion</b>

<p>Discretionary Activity</p>	<ol style="list-style-type: none"> <li>1. The <i>subdivision</i> shall be in general accordance with the Ngārara Zone Structure Plan and be for activities that are identified as anticipated activities in the Structure Plan for the Waimeha North Neighbourhood Development Area.</li> </ol> <p><b>Access</b></p> <ol style="list-style-type: none"> <li>2. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> </ol> <p><b>Size and frontage</b></p> <ol style="list-style-type: none"> <li>3. Each <i>allotment</i> shall have an average area (exclusive of access) of:             <ol style="list-style-type: none"> <li>a. 200m<sup>2</sup> for <i>subject sites</i> identified as Mixed Use,</li> <li>b. 300m<sup>2</sup> for <i>subject sites</i> identified as Apartment or Residential A (excluding the multi unit <i>allotments</i> next to Pocket Park that have a lower average <i>allotment</i> size),</li> <li>c. 400m<sup>2</sup> for <i>subject sites</i> identified as Residential B,</li> <li>d. 600m<sup>2</sup> for <i>subject sites</i> identified as Residential C (excluding the <i>allotments</i> adjoining the golf course that have a larger average <i>allotment</i> size).</li> </ol> </li> <li>4. Any front <i>allotment</i> shall have a minimum <i>road</i> frontage of 6 metres.</li> </ol> <p><b>Esplanades</b></p> <ol style="list-style-type: none"> <li>5. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 shall be complied with.</li> </ol> <p><b>Financial contributions</b></p> <ol style="list-style-type: none"> <li>6. Compliance with FC-Table 1.</li> </ol>	<ol style="list-style-type: none"> <li>1. The extent of consistency with the Structure Plan for the Waimeha North Neighbourhood Development Area in Appendix 7 and Appendix 8.</li> <li>2. <i>Amenity effects</i>.</li> <li>3. Council's <i>Land Development Minimum Requirements</i>.</li> <li>4. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li>5. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any transport <i>effects</i>.</li> <li>6. Any legal mechanisms required for legal access.</li> <li>7. Council's Crime Prevention through Environmental Design Guidelines (Appendix 6).</li> </ol>
<p><b>SUB-DEV1-R64</b></p>	<p><i>Subdivision or development of a Neighbourhood Development Area</i>, as identified in the Ngārara <i>Structure Plan</i> included in Appendix 7, except as specifically provided for in Rules DEV1-R1 to DEV1-R15 and SUB-DEV1-R62.</p>	

Discretionary Activity	
<b>SUB-DEV1-R65</b>	Any activity in the Ngārara Development Area which is not listed as a <i>non-complying</i> or <i>prohibited activity</i> and does not comply with one or more of the <i>permitted, controlled, or restricted discretionary activity</i> standards, unless otherwise specifically stated.
Discretionary Activity	