

# SUB-DEV2 - Subdivision in the Waikanae North Development Area

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

The Waikanae North Design Guide (Appendix 9) is also relevant to subdivision within the Waikanae North Development Area.

The Primary Objectives that this chapter implements are:

- DO-01 - Tāngata Whenua;
- DO-03 - Development Management;
- DO-04 - Coastal Environment;
- DO-05 - Natural Hazards;
- DO-09 - Landscapes, Features and Landforms;
- DO-010 - Contaminated Land;
- DO-011 - Character and Amenity Values;
- DO-012 - Housing Choice and Affordability;
- DO-013 - Infrastructure;
- DO-014 - Access and Transport;
- DO-015 - Economic Vitality;
- DO-017 - Open Spaces / Active Communities;
- DO-018 - Renewable Energy, Energy Efficiency and Conservation;
- DO-019 - Housing Bottom Lines.

## DO-01 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-03 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-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*

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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-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-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

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| <b>SUB-DEV2-R66</b>               | <p>In Precincts 1, 2, 4 and 5, any <i>boundary adjustment</i> or <i>subdivision of land</i> where no additional <i>allotments</i> are created, or any <i>subdivision</i> that is a <i>controlled activity</i> under Rule SUB-DW-R1.</p> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p>  |  |
| Controlled Activity               | <p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Any <i>subdivision</i> must comply with the controlled activity standards for the Residential Zone under Rule SUB-RES-R25.</li> </ol> <p><i>Boundary adjustment qualifying criteria:</i></p> <ol style="list-style-type: none"> <li>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of <i>existing allotments</i>.</li> </ol>   | <p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. The matters listed under Rule SUB-RES-R25.</li> </ol>   |
| <b>SUB-DEV2-R67</b>               | <p>Any <i>subdivision of land</i> in Precinct 1 (The Preserve) of the Waikanae North Development Area.</p> <p><b>Criteria for notification</b></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>   | <p><b>Amended 01</b><br/>Sep 23 PC2</p>  |
| Restricted Discretionary Activity | <p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The minimum <i>allotment</i> area shall be 500m<sup>2</sup>, the minimum average <i>allotment</i> area shall be 1,000m<sup>2</sup> and maximum <i>allotment</i> area shall be 2,500m<sup>2</sup>.</li> <li>2. All services must be underground.</li> <li>3. Vehicle access must be to David Street and Parata Street.</li> <li>4. The total number of <i>allotments</i> for <i>residential activity</i> must not exceed 152.</li> <li>5. Any application for <i>subdivision</i> must provide information outlining the extent of <i>earthworks</i> required for both the <i>subdivision</i> and creation of proposed or potential <i>building platform(s)</i>, vehicle access, areas</li> </ol> | <p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i>.</li> <li>2. The imposition of <i>conditions</i> to manage character and amenity <i>effects</i>.</li> <li>3. <i>Landscaping</i></li> <li>4. The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The imposition of conditions in accordance with Council's <i>Land Development Minimum Requirements</i>.</li> <li>6. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</li> </ol> |

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|  | <p>of permeable and impermeable surfaces, areas for landscaping, reticulated services, <i>stormwater</i> retention tank(s) and any <i>greywater</i> subsoil disposal areas.</p> <p>6. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</p> <p>7. Compliance with FC-Table 1.</p> | <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>7. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network and any transport <i>effects</i>.</p> <p>8. Any legal mechanisms required for legal access.</p> <p>9. The location of any associated <i>building</i> areas relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, geological feature, outstanding natural feature</i> and <i>landscape</i> and <i>area of high natural character</i>.</p> <p>10. <i>Stormwater</i> management.</p> <p>11. <i>Water</i> management and <i>water saving</i> initiatives.</p> <p>12. Pest weed and animal control including prohibition of domestic cats.</p> <p>13. Consistency with the relevant parts of the Waikanae North Design Guide in Appendix 9.</p> <p>14. The application shall assess how the <i>subdivision</i> will contribute to achieving, or is consistent with, the environmental enhancements and <i>water</i> management required to implement the Concept Masterplan and for the area of the <i>subdivision</i>, how environmental enhancements and <i>water</i> management will be implemented and maintained.</p> |
| <p><b>SUB-DEV2-R68</b></p>               | <p>Any <i>subdivision of land</i> within Precinct 2 (Perimeter) of the Waikanae North Development Area.</p> <p><b>Criteria for notification</b><br/>The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.</p>   |  |
| <p>Restricted Discretionary Activity</p> | <p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The minimum <i>allotment</i> area shall be 1,000m<sup>2</sup>.</li> <li>2. All services must be underground.</li> <li>3. <i>Vehicle access</i> must be to Parata Street and David Street.</li> <li>4. The <i>Esplanade Reserve</i> and</li> </ol>                         | <p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The matters listed under Rule SUB-DEV2-R67.</li> </ol>   |

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|                                   | <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.<br>5. Compliance with FC-Table 1.  |   |
| <b>SUB-DEV2-R69</b>               | Any <i>subdivision</i> within Precinct 4 of the Waikanae North Development Area.<br><b>Criteria for notification</b><br>The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.   |   |
| Restricted Discretionary Activity | <b>Standards</b><br>1. The minimum <i>allotment</i> area shall be 400m <sup>2</sup> for <i>land</i> fronting the Perimeter Road and 224m <sup>2</sup> elsewhere.<br>2. All services must be underground.<br>3. <i>Vehicle access</i> must be to Parata Street and David Street.<br>4. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.<br>5. Compliance with FC-Table 1. | <b>Matters of Discretion</b><br>1. The matters listed under Rule SUB-DEV2-R67.  |
| <b>SUB-DEV2-R70</b>               | Any <i>subdivision</i> within Precinct 5 of the Waikanae North Development Area.<br><b>Criteria for notification</b><br>The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.   |   |
| Restricted Discretionary Activity | <b>Standards</b><br>1. There shall be no minimum <i>allotment</i> size.<br>2. All services must be underground.<br>3. <i>Vehicle access</i> must be to Parata Street and David Street.<br>4. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.<br>5. Compliance with FC-Table 1.  | <b>Matters of Discretion</b><br>1. The matters listed under Rule SUB-DEV2-R67.  |
| <b>SUB-DEV2-R71</b>               | <i>Subdivision</i> in Precinct 6 of the Waikanae North Development Area.<br><b>Criteria for notification</b><br>The written approval of persons will not be required and applications under this rule will not be served on any person or notified.   | <b>Amended 01</b><br>Sep 23 PC2   |
| Restricted Discretionary Activity | <b>Standards</b><br>1. All services must be underground.<br>2. <i>Vehicle access</i> must be to Parata Street or David Street.<br>3. Each <i>allotment</i> must have legal and  | <b>Matters of Discretion</b><br>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i> .<br>2. Character and amenity <i>effect</i> |

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|                         | <p>physical access to a <i>legal road</i>.</p> <ol style="list-style-type: none"> <li>4. Each <i>allotment</i>, including the balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards in Rules LCZ-R1 to LCZ-R9.</li> <li>5. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>6. For <i>properties</i> adjoining <i>Residential Zones</i>, <i>development</i> must meet the <i>Permitted Activity</i> Standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>7. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> <li>8. Compliance with FC-Table 1.</li> </ol> <p><b>Note:</b> There is no minimum <i>allotment</i> size.</p> | <ol style="list-style-type: none"> <li>3. <i>Landscaping</i> and planting.</li> <li>4. The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The extent of consistency with <i>Council's Land Development Minimum Requirements</i> and the <i>Centres Design Principles</i> in Appendix 20.</li> <li>6. The imposition of <i>financial contributions</i> in accordance with the <i>Financial Contributions</i> chapter.</li> <li>7. Vehicle access points onto <i>legal road</i> including the <i>State Highway Network</i> and any transport <i>effects</i>.</li> <li>8. Any legal mechanisms required for legal access.</li> <li>9. The location of any associated <i>building</i> area(s) relative to any identified <i>natural hazards</i>, <i>historic heritage feature</i>, <i>notable tree</i>, <i>ecological site</i>, <i>key indigenous tree</i>, <i>key indigenous tree species</i>, <i>rare and threatened vegetation species</i>, <i>geological feature</i>, <i>outstanding natural features and landscapes</i>.</li> <li>10. Stormwater management.</li> <li>11. Water management and <i>water saving devices</i>.</li> <li>12. The extent of consistency with the <i>Waikanae North Design Guide</i> in Appendix 9.</li> <li>13. The application shall assess how the <i>subdivision</i> will contribute to achieving, or is consistent with, the environmental enhancements and water management required to implement the <i>Concept Masterplan</i> and for the area of the <i>subdivision</i>, how environmental enhancements and water management will be implemented and maintained.</li> <li>14. <i>Allotment</i> design, frontage and area.</li> <li>15. Utility and reticulated service provision.</li> <li>16. Standard, construction and location of <i>vehicle access</i> and parking.</li> <li>17. Location of <i>roads</i> and the design of the road environment, including <i>tree</i> planting.</li> <li>18. The extent of consistency with the <i>Regulatory Plan</i> in Appendix 9.</li> </ol> |
| <p><b>SUB-DEV2-</b></p> | <p>Any <i>subdivision</i> within Precincts 1, 2, 4, or 5 of the Waikanae North Development</p>   |  |



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| <b>R72</b>             | Area which does not comply with one or more of the <i>restricted discretionary activity</i> standards under Rules SUB-DEV2-R67 to SUB-DEV2-R70. |
| Non-Complying Activity |   |
| <b>SUB-DEV2-R73</b>    | Any <i>subdivision</i> that does not have access to Parata Street and David Street.   |
| Non-Complying Activity |   |