C6 SUBDIVISION

Land use zoning identifies areas of compatible land activities. Although subdivisions are not land activities, the use of land and the subdivision of land are inextricably linked and cannot therefore be easily separated. The issue of property rights underpins any future land activity.

The setting of subdivision standards is an effective means of land use control by the community. It attempts to plan for future services and functions. The subdivision of land influences the character and future uses of the land. It will create a legacy of land use patterns which will dictate how people in the area can use and develop their land.

C6.1 Objective

TO PROMOTE A PATTERN OF LAND OWNERSHIP WHICH ENHANCES THE OPPORTUNITIES FOR THE SUSTAINABLE MANAGEMENT OF RESOURCES.

Explanation

The primary purpose of the subdivision criteria is to allow the subdivision of land for any principal land activity which is authorised and meets the objectives of the District Plan.

The land pattern created by subdivision often has a major influence on the future use of the land area. Controlling the pattern ensures that reasonable options are preserved.

C6.1.1 Policy

To ensure that all new allotments in the City Centre Zone are capable of accommodating a complying building, whilst providing flexibility in order that developers can respond to changing circumstances.

Explanation

Previous subdivisions may have resulted in the creation of impractical allotment boundaries. Therefore in order to encourage rationalisation of allotment sizes and creation of more practical boundaries, where the resultant allotments can accommodate a building which complies with all the permitted activity standards, subdivision is a controlled activity.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the City Centre Zone the major subdivision consideration is that each allotment which is created can be used for a range of purposes and which is consistent with the overall objectives and policies for the Zone. This is provided for by linking the District Plan rules which allow the subdivision of land, to the other rules and activity standards for the Zone e.g. car parking.

Information on the suitability of the site for development purposes will also be required as part of the information to be supplied with a resource consent application for a subdivision.
Principal Reasons

No allotment should be created in the City Centre Zone which cannot be built on, or on which it is not possible to construct a building which meets all the City Centre Zone activity standards in the Plan.

This policy seeks to allow subdivision which reflects the demand for different properties from small units through to large comprehensive developments, while ensuring that the community interest is protected through containing the effects of development on site.

C6.1.2 Policy

To ensure that all new allotments in the Industrial Zone are capable of accommodating a building which does not contravene the permitted activity standards.

Explanation

This policy encourages the subdivision of land which creates allotments suitable for their intended use.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the Industrial Zone there are two major subdivision considerations. The first of these concerns subdivision and development processes. The financial contribution part of the Plan provides for the development of appropriate services e.g. water supply and roading, to ensure that new allotments are adequately serviced for the likely demand.

The second major consideration is that each allotment which is created can be used for industrial purposes. This is provided for by linking the District Plan rules which provide for subdivision to the other rules for the Zone and to the activity standards e.g. car parking, loading and unloading, for the Industrial Zone, and by requiring information on building potential to be included as part of the information to be supplied with a resource consent application for a subdivision.

Principal Reasons

The creation of allotments not suitable for their intended use will result in the fragmentation of land into small areas. As a consequence, the over capitalisation of these multiple allotments will act as an inhibitor to land development. On the other hand, should these allotments be put to use, environmental degradation may result due to the unsuitable nature of the allotments. The Council may therefore encourage the re-constitution of these allotments to create larger allotments through the amalgamation process. This is reflected in Policy C2.1.2 of the District Plan to protect existing large allotments for use by major establishments.

No allotment should be created in the Industrial Zone which cannot be built on, or on which it is not possible to construct a building which meets all the activity standards in the Plan.
This policy seeks to allow subdivision which reflects the demand for different industrial properties from small units through to large factories and warehouses, while ensuring that the community interest is protected through containing the effects of development on site.

C6.1.3 Policy

**To promote the creation of new allotments in the Suburban Zone which are capable of accommodating a complying dwelling.**

Explanation

This policy seeks to ensure that subdivision creates a practical arrangement of allotments for residential purposes, and that no allotments are created which are not suitable for the placement of a dwelling which could meet all the activity standards.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the Suburban Zone there are two major subdivision considerations. The first of these concerns general subdivision and development processes. The financial contribution Part of the Plan provide for the development of appropriate services e.g. water supply and roading, to ensure that new allotments are adequately serviced for the likely demand.

The second major consideration is that each allotment which is created can be used for residential purposes. This is provided for by linking the District Plan rules which provide for subdivision to the other rules for the Zone and to the activity standards e.g. yards, height recession planes, car parking, for the Suburban Zone, and by requiring information on building potential to be included as part of the information to be supplied with a resource consent application for a subdivision.

Principal Reasons

The configuration of residential allotments dictates the amount of usable area. Inappropriate subdivision design can affect future uses on the land. In locating new boundaries, it is appropriate to consider existing topographical features, and existing land activities. In short, the practicality of new boundaries shall be considered.

Regulatory control manages and makes best use of the land resource by recognising the varied land needs of different types of land activities and developments. The flexibility in the activity standards is provided through the general requirements for subdivisions and the use of subdivision standards for separate zones.

This policy seeks to allow subdivision which reflects the demand for different residential properties while ensuring that the community interest is protected through containing the effects of development.
C6. Subdivision Objectives and Policies

C6.1.4 Policy

To ensure continuity of transport, road links, open space, walkways, cycle routes, sewer lines, watermains and other infrastructure services through proposed new areas of development and subdivisions.

Explanation

This policy seeks to ensure that all known information about the needs for continuity in open space, transport and infrastructure are considered when applications for resource consents for subdivisions are made. It also enables negotiation on the best alignments and funding by the Council, contributions by the subdivider towards these major facilities prior to the proposed schemes of subdivision being finalised.

Methods of Implementation

In the preliminary consideration of any major scheme for subdivision/development the Council will identify the need for continuity of any road, open space or other infrastructure services and answer any requests for such information.

The financial contributions part to the Plan provides for the development of appropriate services, eg water supply, roading and other infrastructure, to ensure that the internal needs of any subdivision are adequately provided. The second consideration in these respects is to ensure that within the total network for the City any services or infrastructure passing through the subdivision and development have been adequately provided for.

The Council in assessing subdivision will promote the following:

i) Reduction in demand for travel particularly by private vehicles.

ii) A distribution of land uses that facilitates efficient transport.

iii) Provision of road, pedestrian and cycling networks and bus routes that promote walking, cycling and public transport as convenient alternatives to the private car; and

iv) Management of the movement of vehicles through the introduction of traffic calming measures.

Principal Reasons

The topography, location and services required both for the subdivision and to pass through the subdivision dictate, in some measure, the layout for future subdivision. It is necessary to consider all these aspects including the provision for continuity of road links, open space and other infrastructure prior to the approval of any scheme plan of subdivision.

To allow subdivision which while meeting the needs for residential and other development facilitates and does not prejudice the continuity of city services.
C6.1.5 Policy

To protect the long-term potential of the rural land resource by controlling subdivision which does not directly contribute to the long-term sustainable management of the rural resource. The Judgeford Hills Zone makes specific provision for the sustainable management of the rural land resource within that zone.

Explanation

Subdivision which provides for the more efficient and effective management of the rural resource is very different to subdivision which creates a higher level of built development, greater demands for services, and a reduced range of feasible rural activities.

Method of Implementation

(a) The District Plan rules on subdivision allow boundary adjustments as a controlled activity.

(b) District Plan rule D4.1.5 provides that the creation of new allotments below 5 hectares is a non-complying activity.

(c) The creation of new allotments of 5 hectares or more but under 40 hectares is a discretionary activity.

(d) The creation of large allotments of 40 hectares or more is a controlled activity.

(e) The creation of a separate zone for the Judgeford Hills area.

Principal Reasons

The changing nature of farming is such that the District Plan must allow flexibility for a variety of land holdings and associated rural activities. At the same time, the sustainable management of the City's infrastructural resources e.g. roads, water supply, sewerage and stormwater disposal, rubbish disposal, service resources e.g. schools, reserves, pools, public transport etc strongly supports the overall direction of this plan, to focus the further urban and residential development of the City within the existing urban areas of the City. These areas represent an existing resource with additional capacity which can efficiently accommodate significant growth while minimising the risk of damage to the natural environment, coast and to the future potential of the rural resource.

C6.1.6 Policy

To allow minor boundary adjustments to existing certificates of title and allotments for the purposes of rationalising existing boundaries.

Explanation

Some existing allotment or title boundaries are not practical for farming purposes, or in the urban areas, the boundaries do not relate well to the existing use of the land. This policy allows for the minor adjustment of these boundaries.
Method of Implementation

In order to encourage the rationalisation of certificate of title sizes and the creation of more practical boundaries the **District Plan rules** require that boundary adjustments are controlled activities in the Rural Zone. In the remaining three zones, boundary adjustments are treated no differently than other forms of subdivision and have been classified as controlled activities.

Principal Reasons

Previous subdivisions may have resulted in the creation of impractical allotments or certificate of title boundaries. Farm boundaries may therefore need to be re-arranged on the basis of changes in ownership and shareholding, through the need to improve access, or for other similar reasons. It is important therefore to recognise this as a legitimate issue in the Rural Area, and to facilitate the rationalisation of impractical certificate of title boundaries through the subdivision consent process.

Similarly, allotments in the urban zones often do not adequately recognise existing activities, or structures on a property. The Council will therefore allow for the rationalisation of these boundaries as a controlled activity.

C6.1.7 Policy

**To ensure that opportunity is provided in the Suburban Zone for a wide range of residential allotment sizes without compromising the future development potential of the land.**

Explanation

The Suburban Zone applies to a diverse and varied landscape, which may be suitable for a variety of subdivision types. Consequently there will be some areas of land within the Suburban Zone which are suitable for farmland, low or high density residential development, or left undeveloped for conservation purposes. These may all be an efficient use of resources, particularly when regard is had to the topography and other characteristics of the site.

Where subdivision occurs, the Council will require that reticulated urban services are provided, and will retain a discretion over the appropriate level of such services, and other services and utilities required to be constructed at the time of the development, and the manner of their construction. This is to ensure that while the future development potential of the land is compromised, some services may be commensurate with the impact of the proposed development.

Method of Implementation

The District plan identifies one suburban zone with a degree of flexibility in terms of chosen forms of development. Council will ensure that, at the time of resource consent application for subdivision, consideration was given to the extent the proposal allows the future use and development of the site.

Principal Reasons

It is not Council’s intention to require that all subdivisions of land yield the maximum number of lots practicable. Council accepts that development of a
low intensity will occur within the Suburban Zone, and that this may be an efficient use of resources. If however, consideration is not given at the time of subdivision to the future development potential of the land, this would significantly reduce the opportunity for the sustainable management of the suburban land resource.

C6.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

C6.2.1 That allotments created are suitable for their intended use.

C6.2.2 That allotments created are of a size and shape that do not preclude alternative future land use options and do not result in the unsustainable management of resources.

C6.2.3 That the proposed subdivision will not result in a pattern of land development which could cause uneconomic demands on infrastructural and/or community services.

C6.2.4 That small and inappropriate agricultural certificates of title are permitted to be re-constituted to reflect appropriate and actual topographical and land use boundaries.
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