

Appendix 1 – Recommended Amendments to the Subdivision Chapter

KEY

Red Underlined – Recommended Additions from Section 42a Report

~~Red Strikethrough~~ – Recommended Deletions from Section 42a Report

Green Underlined – Recommended Additions from Supplementary Evidence

~~Green Strikethrough~~ – Recommended Deletions from Supplementary Evidence

SUBDIVISION - SUB

This chapter contains provisions that have legal effect. They are identified with a  to the right hand side of the provision.

Overview

Subdivision is the legal process of creating new titles to parcels of *land*. *Subdivision* can be fundamental to enabling growth and industry. The council will support *subdivision* that is well designed, is located in the appropriate locations anticipated by the District Plan, with the appropriate capacity for servicing, and integrated transportation.

The District Plan recognises a fundamental relationship between *subdivision* and subsequent land use and a need to ensure that the *subdivision* of *land* creates *allotments* suitable for their intended use. Although *subdivisions* are not land use activities, the use of *land* and the *subdivision* of *land* are linked in terms of potential *effects*, including on character and amenity, and cannot be easily separated.

Subdivision determines patterns of land use. Therefore, *subdivision* has a transformative influence on land use and the *effects* of land use on the *environment*. For this reason, the District Plan controls *subdivision* in order to influence land use decisions, considering the future activities, character and amenity, as well as *infrastructure* provision and site constraints.

It is important that the design and layout of a *subdivision* responds to any constraints on the ability for the *allotments* to be developed. Constraints may include natural, cultural, historical or ecological features, contamination or *natural hazard* risk within or adjoining the *site*, and the ability to service the *allotments*, without compromising or adversely impacting other *infrastructure*.

Subdivision design must address appropriate transport *access*, connections to electricity and communications networks, and reticulated water, *stormwater* and *wastewater* services in areas where these are available. Larger-scale *subdivision* can also require new *roads*, reserves, and

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network *infrastructure* to be designed and developed. It is important that *subdivisions* of previously undeveloped areas are planned and designed to integrate with surrounding neighbourhoods, and *transport network* and *infrastructure* network.

The *subdivision* of *land* nearby, and adjacent to, *rivers* raises opportunities for public and customary access to and along *rivers* through creation of *esplanade strips* and *esplanade reserves*.

Objectives

- SUB-O1 To facilitate the orderly *subdivision* and development of *land*.
- SUB-O2 Ensure *subdivision* achieves patterns of land development that are compatible with the purpose, function, character and qualities of each zone.
- SUB-O3 *Infrastructure* required to serve the *subdivision* of land is provided in an integrated, efficient and co-ordinated manner.
- SUB-O4 *Subdivisions* are designed and developed in a way that:
1. protects significant ~~physical~~, natural and physical resources, and ecological, historical and cultural features, values and resources,
 2. ~~recognises and provides for the underlying relationships between Ngāi Tahu and the natural environment~~ maintains or enhances mahinga kai values, and protects wāhi tapu from inappropriate access or disturbance; and
 3. responds to the physical characteristics and constraints of the *site* and surrounding environment.
- SUB-O5 *Esplanade reserves* and *esplanade strips* are created through *subdivision* for the purposes stated in section 229 of the Resource Management Act 1991 ~~to contribute to the protection of ecological values and cultural values, provide natural hazard mitigation, and provide for public access to and along rivers.~~

Policies

- SUB-P1 Enable *subdivision* that creates *allotments* that can accommodate anticipated land use and are consistent with the purpose, character, and qualities of the applicable zone.
- SUB-P2 Require size and shape of new *allotments* created, and the provisions for *access* and *infrastructure*, to be suitable for the location and future use of the *land*.

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- SUB-P3 Ensure *subdivisions* are designed to avoid, remedy or mitigate ~~and manage~~ effects from *site* constraints, including but not limited to topography, the *national grid*, and *significant natural areas*.
- SUB-P4 Significant *natural hazard* risk is avoided and other *natural hazard* risk is managed and mitigated through mitigation measures such as compliance with lot density and minimum floor levels.
- SUB-P5 Ensure *reverse sensitivity effects*, from *subdivision*, on adjacent land uses, including critical infrastructure, the railway network and State Highways, are avoided, remedied or mitigated ~~or managed, including from adjacent land uses, railway lines and States Highways~~.
- SUB-P6 Require works associated with *subdivision* to be carried out in conformity with Council's standards.
- SUB-P7 Ensure *subdivision* is appropriately serviced and integrated with existing or planned *infrastructure* that is provided in ~~an~~ a safe, efficient, integrated and co-ordinated manner by:
1. Ensuring *infrastructure* networks have sufficient capacity to accommodate the additional development, and requiring any necessary upgrades to be completed at the time of *subdivision*;
 2. Requiring *infrastructure* to be installed at the time of *subdivision*, except for on-site *infrastructure* that cannot be determined until the allotment is developed or for *boundary adjustments*;
 3. Requiring *allotments* to connect to the Council's reticulated systems where practicable;
 4. Ensuring that sufficient provision has been made for legal and physical access to each allotment created by the *subdivision*;
 5. In urban areas, require access to and provision for walking and cycling infrastructure through subdivision design;
 6. Requiring *allotments* to have access to a water supply suitable for firefighting;
 7. Requiring all *sites* to have legal and physical *access* to electricity and opportunity for telecommunications;
 8. Encouraging initiatives to reduce water demand and *water* use, such as roof rain water capture and use and *greywater* recycling; ~~and~~
 9. Encouraging *subdivision* layout and orientation which supports energy efficiency and conservation for future land uses;
 10. Ensuring that subdivision designs provide for the treatment and safe disposal of stormwater that does not result in increased flooding and erosion risk; and
 11. Ensuring subdivision designs provide for the integration of social infrastructure, including access to community facilities, public amenities, and open spaces that support the well-being and connectivity of future residents.
- SUB-P8 Recognise there will be certain *subdivision* activities, such as *boundary adjustments*, that will not require the provision of services.
- SUB-P9 Require the undergrounding of all services associated with the development of subdivided *land*, except:

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1. Telecommunications in the General Rural and Rural Lifestyle zones where suitable alternative unreticulated options are available; and
2. Electricity in the General Rural zone, where it is not feasible or practical to underground these services.

- SUB-P10 Encourage *subdivision* design that includes the joint use of *stormwater* and flood management networks with open spaces and *pedestrian/cycling* transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of *wetlands* and waterways.
- SUB-P11 Over time build up connected *esplanade reserves* and *esplanade strips* through requiring *esplanade reserves* and *esplanade strips* to be provided at time of *subdivision* along *rivers* and lakes in accordance with section 230 of the Resource Management Act.
- SUB-P12 Encourage *access strips* to be provided to connect *esplanade reserves* and *esplanade strips* with public open spaces, *roads*, *pedestrian* paths or cycleways.
- SUB-P13 *Subdivision* and development in the General Rural zone preserves and protects the productive capability of rural land and high value soils.
- SUB-P14 Enable infill residential development in the General Residential Zone where it meets density requirements and can accommodate a *residential unit* that can comply with District Plan rules and standards.
- SUB-P15 Encourage ~~Enable~~ comprehensive redevelopment of *sites* in the Medium Density Residential Zone by requiring subdivisions to be cohesive and integrated developments, and only allow ~~avoiding the creation of multiple vacant allotments or~~ undersized *allotments* where they meet the land use density requirements and are specifically designed ~~unless they are created~~ around existing or proposed *residential units*.
- SUB-P16 Ensure that *subdivision* and changes to the use of *land* that result from *subdivision* do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.
- SUB-P17 Enable *subdivision* design that responds to the cultural constraints and characteristics of the *site* through avoiding incompatible development in culturally unsuitable areas, and celebrating culturally important attributes in order to contribute to a unique sense of place.
- SUB-P18 Protect and enhance ~~landscapes, vegetation and indigenous biodiversity that are of a sufficient value that they should be retained~~ outstanding natural landscapes, outstanding natural features, and significant natural areas by ensuring appropriate subdivision design.

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- SUB-P19 Recognise that there is an expectation by future landowners that the key *effects* of and resources required by anticipated land uses will have been resolved through the *subdivision* approval process.
- SUB-P20 In relation to Development Areas: Require any *subdivision* to achieve the outcomes sought by the Outline Development Plan for the Development Area.
- SUB-P21 Discourage non-compliance with minimum allotment sizes.
- SUB-P22 Avoid subdivision in the National Grid subdivision corridor where future activities may result in adverse effects on the National Grid, including reverse sensitivity effects, that would compromise the operation, maintenance, upgrading and development of the National Grid.”

Notes

Note 1	Provisions in Other Chapters
	The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua.
Note 2	Gore District Council Subdivision and Land Development Engineering Standards
	The Gore District Council Subdivision and Land Development Bylaw 2019 provides layout and design standards that apply to construction and <i>land</i> development activities. In addition to the requirements of the District Plan, compliance is the required with the provisions and processes of the Bylaw, or any subsequent Council Engineering Code of Practice replacing it.
Note 3	Other Regulations
	The provisions of the National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health which apply where a HAIL activity has been undertaken on the <i>land</i> subject to specified activities and <i>subdivision</i> . In certain circumstances resource consent will be required from the Gore District Council.

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Rules

SUB-R1	<i>Boundary Adjustments</i>
All areas except Development Areas	<i>Subdivision to undertake a boundary adjustment:</i> Activity status: Controlled Where: 1. No additional separately saleable lots are created; 2. The areas of the resultant lots either: a. comply with the minimum lot size requirement for the zone (where applicable), or b. <u>if any existing lots are less than the minimum lot size requirement, the lot is not decreased in size,</u> <u>or</u> c. for zones with no minimum lot size, no lot is created that is smaller than the size of the smallest existing lot; and 3. Lots must be immediately adjoining each other; 4. The <i>site</i> does not contain a <i>historic heritage</i> item or site listed in the Historic Heritage Schedule; 5. The <i>site</i> does not contain a protected tree or group of trees listed in <i>Notable Trees</i> Schedule 6. The <i>site</i> does not contain a Significant Natural Area <u>or highly mobile fauna area</u>, or Outstanding Natural Landscape or Feature; 7. The <i>site</i> does not contain a <i>wastewater</i> treatment facility ~~or water supply treatment facility~~ buffer area; Activity status where compliance is not achieved: ~~Where SUB-R1(1) to (9) are not achieved, the activity is subject to the subdivision rules SUB-R5 to SUB-R13 below:~~ <u>SUB-R1 (1), SUB-R1 (2), SUB-R1 (3): SUB-R7 applies</u> <u>SUB-R1 (4): SUB-R7 and SUB-R10 applies</u> <u>SUB-R1 (5): SUB-R7 and SUB-R11 applies</u> <u>SUB-R1 (6): SUB-R7 and SUB-R14 applies</u> <u>SUB-R1 (7): SUB-R7 applies</u> <u>SUB-R1 (8): SUB-R7 and where relevant SUB-R15 applies</u> <u>SUB-R1 (9): SUB-R8 and SUB-R9 applies dependant on DEV area</u>

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8. The *site* does not contain land within land mapped in the District Plan as being subject to actual or potential inundation;
9. The site is not within development areas DEV1 and DEV2.

Matters of Control:

1. The design and provision of *access*; and
2. The provision, design and construction of *infrastructure* and services; and
3. The requirement for any easements to legalise *access* and services; and
4. The need for a *consent notice*
5. Management of potential reverse sensitivity effects on existing land uses, including critical infrastructure and network utilities.

SUB-R2	Conversion of unit title or cross lease to freehold
All areas	<i>Subdivision</i> to convert an existing cross lease, company lease, or unit title to freehold: Activity status: Controlled Where: 1. Every title or leased area has legal <i>access</i> to a <i>road</i>; 2. Every title or leased area is supplied with a potable water supply; 3. Every title or leased area is supplied with a connection to a reticulated <i>wastewater</i> network, where the <i>site</i> is located in a reticulated <i>wastewater</i> network.

Activity status where compliance is not achieved:

~~Where SUB-R2(1) to (3) are not achieved, the activity is subject to the subdivision rules SUB-R5 to SUB-R13 below.~~

Discretionary

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	Matters of Control: 1. The design and provision of <i>access</i>; and 2. The provision, design and construction of <i>infrastructure</i> and services; and 3. The requirement for any easements to legalise <i>access</i> and services and any necessary <i>consent notices</i>.	
SUB-R3	Alteration to a cross lease plan	
All areas	<i>Subdivision</i> to alter an existing cross lease, company lease, or unit title plan: Activity status: Controlled Where: 1. Every title or leased area has legal <i>access</i> to a <i>road</i>; 2. Every title or leased area is supplied with a potable water supply; 3. Every title or leased area is supplied with a connection to a reticulated <i>wastewater</i> network, where the <i>site</i> is located in a reticulated <i>wastewater</i> network. Matters of Control: 1. The design and provision of <i>access</i>; and 2. The provision, design and construction of <i>infrastructure</i> and services; and 3. The requirement for any easements to legalise <i>access</i> and services and any necessary <i>consent notices</i>.	Activity status where compliance is not achieved: ~~Where SUB-R3(1) to (3) are not achieved, the activity is subject to the subdivision rules SUB-R5 to SUB-R13 below.~~ <u>Discretionary</u>

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SUB-R4	<i>Subdivision</i> resulting in no additional ~~lots~~ <u>records of title</u> created	
All areas except Development Areas	Any <i>subdivision</i>, that does not create any additional Record of Title and is not a <i>boundary adjustment</i>: Activity status: Controlled Where: 1. No additional separately saleable lots or Record of Titles are created; 2. The combined areas of the resultant lots either: a. comply with the minimum lot size requirement for the zone (where applicable), or b. <u>if any existing combined areas are less than the minimum lot size requirement, the combined area is not decreased in size, or</u> c. for zones with no minimum lot size, no title is created that is smaller than the size of the smallest existing title area; and 3. Lots must be immediately adjoining each other or separated by a Legal Road parcel only; 4. The site does not contain a <i>historic heritage</i> item or site listed in the Historic Heritage Schedule; 5. The site does not contain a protected tree or group of trees listed in <i>Notable Trees</i> Schedule 6. The site does not contain a Significant Natural Area <u>or highly mobile fauna area</u>, or Outstanding Natural Landscape or Feature; 7. The <i>site</i> does not contain an ~~wastewater~~ treatment facility ~~or water supply treatment facility~~ buffer area;	Activity status where compliance is not achieved: ~~Where SUB-R4(1) to (9) are not achieved, the activity is subject to the subdivision rules SUB-R5 to SUB-R13 below.~~ <u>SUB-R4 (1), SUB-R4 (2), SUB-R4 (3): SUB-R7 applies</u> <u>SUB-R4 (4): SUB-R7 and SUB-R10 applies</u> <u>SUB-R4 (5): SUB-R7 and SUB-R11 applies</u> <u>SUB-R4 (6): SUB-R7 and SUB-R14 applies</u> <u>SUB-R4 (7): SUB-R7 applies</u> <u>SUB-R4 (8): SUB-R7 and where relevant SUB-R15 applies</u> <u>SUB-R4 (9): SUB-R8 and SUB-R9 applies dependant on DEV area</u> <u>SUB-R4 (10): SUB-R7 applies</u>

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8. The *site* does not contain land within land mapped in the District Plan as being subject to actual or potential inundation;
9. The *site* is not within development areas DEV1 and DEV2.

10. The subdivision does not result in a new vehicular access to a State Highway

Matters of control:

1. The design and provision of *access*; and
2. The provision, design and construction of *infrastructure* and services; and
3. The requirement for any easements to legalise *access* and services; and
4. The need for a *consent notice*.
5. Management of potential reverse sensitivity effects on existing land uses, including critical infrastructure and network utilities.

SUB-R5

Certification of existing allotments under s226 of the RMA 1991

Applications for certification of allotments on an existing survey plan under section 226(1)(e)(ii)

Activity Status: Controlled

Where;

1. The lots are existing allotments not bound by way of an amalgamation condition or covenant;
2. The *site* does not contain land mapped in the District Plan as being subject to actual or potential inundation;

Activity status where compliance is not achieved:

SUB-R5 (1): SUB-R7 applies

SUB-R5 (2): SUB-R7 and where relevant SUB-R15 applies

SUB-R5 (3): SUB-R7 and SUB-R10 applies

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3. The site does not contain a *historic heritage* item or site listed in the Historic Heritage Schedule;
4. The site does not contain a protected tree or group of trees listed in *Notable Trees* Schedule;
5. The site does not contain a Significant Natural Area or Outstanding Natural Landscape or Feature;
6. The allotments comply with the following:
 - a. SUB-S1 – Minimum Lot Size;
 - b. SUB-S2 – Lot Dimension;
 - c. Existing buildings on site comply with all setback standards, height in relation to boundary and building coverage standards of the relevant zone chapter, as they relate to new title boundaries enabled by s226 certification; and
 - d. Access to each site complies with TRANS-S5, TRANS-S6 and TRANS-S7.
7. Lots within the General Residential Zone, Medium Density Residential Zone, Neighbourhood Centre Zone, Local Centre Zone; Mixed Use Zone Chapter; Town Centre Zone; Light Industrial Zone and General Industrial Zone have water supply and wastewater infrastructure connected to the boundary where available.

Matters of control:

1. The design and provision of access; and
2. The provision, design and construction of services

SUB-R5 (4): SUB-R7 and SUB-R11 applies

SUB-R5 (5): SUB-R7 and SUB-R14 applies

SUB-R5 (6): SUB-R7 applies

SUB-R5 (7): SUB-R7 applies

SUB-R6 Subdivision of land solely to create an allotment that is for the purpose network utilities

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Subdivision to create any site to be used solely for the provision of network utilities

Activity status: Controlled

Where:

1. Other than the site(s) created for network utilities, there are no more sites after the subdivision than existed before the subdivision.

Matters of control:

1. The size, design and layout of lots for the purpose of network utilities.
2. Legal and physical access to and from lots.
3. Where relevant, provision of appropriate infrastructure and services, including water supply (including firefighting water supply), wastewater systems, stormwater control and disposal, telecommunications and electricity.
4. Subdivision design in response to the sites and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and
5. measures to avoid, remedy or mitigate adverse effects: of any natural hazards or other risks; any *historic heritage* or *notable tree*; a Significant Natural Area or Outstanding Natural Landscape or Feature; waterbodies, ecosystems;

Activity status where compliance is not achieved:

SUB-R6 (1):

SUB-R7 applies and where relevant SUB-R10 – SUB-R15

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	<u>existing infrastructure; and on existing or permitted adjoining or adjacent land uses.</u>	
<u>SUB-R5 7</u>	<i>All other subdivision</i>	
All areas except Development Areas	~~Any subdivision, unless provided for in Rules SUB-R1, SUB-R2, SUB-R3, SUB-R4, SUB-R10, SUB-R11, SUB-R12 or SUB-R13 is:~~ <u>SUB-R10, SUB-R11, SUB-R12, SUB-R13, SUB-R14, SUB-R15 may also be applicable in addition to this rule.</u> Activity status: Restricted Discretionary Where: - Standard SUB-S1, SUB-S2 and SUB-S3 are met Matters of discretion: - The suitability of <i>subdivision</i> design, orientation, lot sizes and dimensions. - Internal roading design and provision, including roading connections for future <i>subdivision</i> on <i>adjoining land</i>. - Site <i>access</i>. - Provision for cyclists and <i>pedestrians</i>. - The effects of traffic generation on the safe and efficient operation of the <i>transport network</i>. <i>Earthworks</i>, including the alteration of contours, and retention of existing natural features. - The provision of esplanade reserves and strips. - The adequacy of measures to address the risk of <i>natural hazards</i>.	Activity status where compliance is not achieved: Non-Complying

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	9. Provision for servicing, including water supply, fire-fighting water supply, wastewater treatment and disposal, <i>stormwater</i> design and disposal, electricity and telecommunications. 10. The provision for, or <i>access</i> to, open space and recreation. 11. Impacts on and <i>access</i> to cultural, natural and ecological value areas. 12. Easements. 13. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3. 14. <i>Reverse sensitivity</i> on adjacent <i>land</i> uses, <i>airports</i>, railway lines and state highways.	
SUB-R6-8	Subdivision in Gore South Development Area	
DEV1 – Gore South Industrial Development Area	Activity status: Restricted Discretionary Where: 1. It is in accordance with the Gore South Industrial Outline Development Plan 2. It is in accordance with standard SUB-S2 and 3. Is in accordance with standard SUB-S4. Matters of discretion: 1. The suitability of <i>subdivision</i> design, orientation, lot sizes and dimensions. 2. Internal roading design and provision, including roading connections for future subdivision on adjoining <i>land</i>. 3. Site <i>access</i>.	Activity status where compliance is not achieved with: SUB-R6(1) and (3): Discretionary SUB-R6(2): Non-Complying

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4. Provision for cyclists and *pedestrians*.
5. The effects of traffic generation on the safe and efficient operation of the *transport network*, including the provision of a *Travel Management Plan* which encourages alternative modes of transport.
6. *Earthworks*, including the alteration of contours, and retention of existing natural features.
7. The provision of *esplanade reserves* and *strips*.
8. The adequacy of measures to address the risk of *natural hazards*.
9. Provision for servicing, including water supply, fire-fighting water supply, wastewater treatment and disposal, *stormwater* design and disposal, electricity and telecommunications.
10. Provision of open space, amenity landscaping, recreation facilities and recreation.
11. Impacts on and access to cultural, natural and ecological value areas.
12. Easements.
13. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.
14. *Reverse sensitivity* on adjacent *land uses*, *airports*, railway lines and state highways.
15. The appropriateness of any staging in relation to the overall Outline Development Plan and existing activities
16. Where relevant the matters of discretion for DEV1-S1 and DEV1-S2.

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SUB-R7 <u>9</u>	Subdivision in Gore West Development Area	
DEV2 – Gore West Residential Development Area	Activity status: Restricted Discretionary Where: 1. It is in accordance with standard SUB-S1; and 2. It is in accordance with standard SUB-S5. Matters of discretion: 1. The suitability of <i>subdivision</i> design, orientation, lot sizes and dimensions. 2. Internal roading design and provision, including roading connections for future subdivision on adjoining land. 3. Site <i>access</i>. 4. Provision for cyclists and <i>pedestrians</i>. 5. The effects of traffic generation on the safe and efficient operation of the <i>transport network</i>. 6. <i>Earthworks</i>, including the alteration of contours and retention of existing natural features. 7. The provision of <i>esplanade reserves</i> and <i>strips</i>. 8. The adequacy of measures to address the risk of <i>natural hazards</i>. 9. Provision for servicing, including water supply, fire-fighting water supply, wastewater treatment and disposal, <i>stormwater</i> design and disposal, electricity and telecommunications.	Activity status where compliance is not achieved with: SUB-R7(1): Non-complying SUB-R7(2): Discretionary

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10. Provision of open space, amenity landscaping, and recreation facilities and recreation.
11. Impacts on and access to cultural, natural and ecological value areas, including the impacts on any wetland.
12. Easements.
13. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.
14. *Reverse sensitivity* on adjacent *land* uses.
15. The appropriateness of any staging in relation to the overall Outline Development Plan and existing activities.
16. The extent the proposal is in accordance with the Outline Development Plan.

Additional matters of discretion for subdivision within Hazard Area 1 and 2:

17. The appropriateness of the *site* for development and proposed *land* use.
18. Whether the appropriate geotechnical data has been provided.
19. The appropriateness of the techniques proposed for remediation and mitigation of the effects of the hazard identified i.e. ground strengthening and if these are supported by a suitably qualified and experienced professional.

SUB-R8 10 Subdivision and Historic Heritage

**Historic
Heritage**

Activity status: Restricted Discretionary

Activity status where compliance is not achieved: N/A

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Where:

1. The *subdivision* is of a *site* containing a *historic heritage item* or an *archaeological site* listed in a *Historic Heritage Schedule*

Matters of discretion:

1. Any adverse *effects* on each *historic heritage item* or *archaeological site*. These effects include, but are not limited to:
 - (a) whether the size and shape of the *sites* are adequate to contain each *historic heritage item* or *archaeological site* within its setting;
 - (b) whether the size and shape of the *sites* are adequate to maintain *access* to and *maintenance* of the *historic heritage item* or *archaeological site* to protect heritage values; and
 - (c) whether the *historic heritage* values can be retained and protected if the *land* is subdivided.
 - (d) whether there are measures to minimise obstruction of public *access* and/or views of the *heritage item* or *archaeological site* from adjoining public spaces, where relevant and appropriate
 - (e) whether *subdivision* will continue to provide customary *access* to an identified culturally significant *mahinga kai site*.

And where the item or site is listed with Heritage New Zealand Pouhere Taonga:

2. Whether Heritage New Zealand Pouhere Taonga has been consulted, and the outcome of that consultation.

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SUB-R9 11	Subdivision of notable trees	
Notable Trees	Activity status: Restricted Discretionary Where: 1. <i>The subdivision</i> is of <i>land</i> that contains any <i>notable tree</i> or trees within a notable group of trees in TREE-SCHED. Matters of discretion: 1. The location, design and size of <i>allotments</i>, including whether any future <i>buildings</i> or <i>infrastructure</i> have the potential to compromise the integrity, ongoing viability and health and/or values of the <i>notable tree(s)</i> in TREE-SCHED. 2. Whether the <i>subdivision</i> would assist to protect, maintain or enhance the values of the tree. 3. Whether the <i>subdivision</i> will adversely affect the cultural values of a tree(s) or group of trees of significance to Māori communities.	<u>Activity status where compliance is not achieved: N/A</u>
SUB-R12	Subdivision within the National Grid Subdivision Corridor	
	<u>Activity Status:</u> Restricted Discretionary <u>Where:</u> 1. <u>a building platform is identified on the subdivision plan that is all resulting allotments, except allotments for access or a</u>	<u>Activity status where compliance not achieved:</u> <u>Non-complying</u>

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public work, demonstrate that they are capable of locating buildings outside of the National Grid Yard

Matters of discretion:

1. The nature of the consent notice or other mechanism proposed to ensure activities are contained within the buildings platforms are located outside of the National Grid Yard.
2. impacts on the operation, maintenance, upgrade and development of the National Grid, including the ability for continued reasonable access to National Grid transmission lines and structures.
3. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the requirements of NZECP34:2001.
- ~~2.~~ 4. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platform or platforms.
5. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid.
- ~~3.~~ 6. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
4. 7. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid.
8. The outcome of any consultation with Transpower New Zealand Limited.

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SUB-R~~10~~ 13	<i>Subdivision in Natural Open Space zone, Sport and Active Recreation Zone and Camp Columba Zone</i>	
Natural Open Space zone, Sport and Active Recreation Zone and Camp Columba Zone	Activity status: Discretionary	Activity status where compliance is not achieved: N/A
SUB-R~~11~~ 14	<i>Subdivision including any area of an Outstanding Natural Landscape, Outstanding Natural Feature, ~~or~~ Significant Natural Area, or Highly Mobile Fauna Area</i>	
Outstanding Natural Landscape, Outstanding Natural Feature or <i>Significant Natural Area</i>	Activity status: Discretionary SUB-R11 legal effect only applies to Significant Natural Area	Activity status where compliance is not achieved: N/A
SUB-R~~12~~ 15	<i>Subdivision in the Maitava River Floodway</i>	
Maitava River Floodway	Activity status: Non-Complying	Activity status where compliance is not achieved: N/A
SUB-R~~13~~ 16	<i>Subdivision of a Minor Residential Unit off a Residential Unit</i>	
All areas	Activity status: Non-Complying	Activity status where compliance is not achieved: N/A

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Standards

SUB-S1	Minimum Lot Size	
All areas	1. No lots to be created by <i>subdivision</i>, including balance lots, shall have a ~~net-gross~~ <i>site area</i> less than the minimum specified: (a) General Residential – 400m² (b) Medium Density Residential – 300m² (c) Large Lot Residential – 2000m² (d) Large Lot Residential Precinct 12 – 8000m² (e) Settlement – 2000m² (f) Rural Lifestyle (excluding Gore West Development Area) – 1ha (g) Rural Lifestyle Gore West Development Area - 2000m² provided the average lot size over the whole Rural Lifestyle Gore West Development Area is not less than 1 hectare (h) General Rural – 8ha Except that: (i) This rule does not apply to the Medium Density Zone or General Residential Zone where <i>allotments</i> each contain an existing <i>residential unit</i>. (ii) There is no minimum density for zones not listed above, however <i>site</i> size for all <i>subdivisions</i> is a considered under Rules SUB-R5, SUB-R6 and SUB-R7.	Activity status where compliance is not achieved <u>with</u>: <u>SUB-S1(1) (a) but the minimum lot size exceeds 350m²:</u> <u>Discretionary</u> <u>Where the minimum lot size is less than 350m²:</u> <u>Non-Complying</u> <u>SUB-S1(1) (e) but the minimum lot size exceeds 1000m²:</u> <u>Discretionary</u> <u>Where the minimum lot size is less than 1000m²:</u> <u>Non-Complying</u> <u>Activity status where compliance not achieved with:</u> <u>SUB-S1(b) - SUB-S(1)(h):</u> Non-Complying
SUB-S2	Lot dimensions	
All areas	1. The dimensions of lots in the following zones, other than for <i>access</i>, utilities, reserves or <i>roads</i>, shall be able to accommodate a square of the following dimensions: (a) Medium Density Residential: 12m x 12m	Activity status where compliance is not achieved: Non-Complying

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	(b) General Residential: 15m x 15m (c) Large Lot Residential and Settlement: 30 x 30m (d) Light Industrial and General Industrial: 15m x 15m Except that: (i) This rule does not apply to the Medium Density Zone or General Residential Zone where <i>allotments</i> each contain an existing <i>residential unit</i>. (ii) There are no minimum dimensions for zones not listed above, however <i>site</i> dimensions for all <i>subdivisions</i> is a considered under Rules SUB-R5, SUB-R6 and SUB-R7.	
SUB-S3	Rear Lots	
Town Centre Zone and Local Centre Zone	1. In the Town Centre and Local Centres Zones, no rear Lot shall be created.	Activity status where compliance is not achieved: Non-Complying
SUB-S4	Gore South Development	
DEV1 – Gore South Industrial Development Area	1. A landscape plan is provided with the resource consent for subdivision which shows how landscaping will be provided in accordance with the outline development plan and includes the following: (a) Species and quantity (at least 30% must be species that will grow to at least 2m in height); and (b) Retention of any existing vegetation; and (c) Coverage area; and (d) Density of planting; and (e) Percentage of mix; and (f) Anticipated maximum growth rate and height; and (g) An ongoing weed control and maintenance programme; and	Activity Status when compliance is not achieved: Discretionary

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	2. All necessary roads are laid out and constructed in accordance with the layout shown on the Outline Development Plan; and 3. Existing road access to / from State Highway 1 are permanently closed (except this does not apply to any access to State Highway 1 authorised by a resource consent under SUB-R6 or DEV1-R1).	
SUB-S5	Gore West Development	
DEV2 – Gore West Residential Development Area	1. All necessary roads shall be constructed in general accordance with the layout shown on the Outline Development Plan; and 2. Roads are designed and constructed in accordance with the requirements of the Transport Chapter; and 3. <i>Stormwater</i> provision shall be designed and constructed by the developer such that: (a) downstream flooding from the Council’s Primary Stormwater and Wastewater Network in a 20% AEP rainfall event is not increased, and (b) downstream flooding on any private property in a 1% AEP rainfall event is not increased; and 4. Reticulated water supply provision shall be designed and constructed by the developer to all development lots, other than for <i>access</i>, utilities, reserves or <i>roads</i>; and 5. Reticulated wastewater provision shall be designed and constructed by the developer such that:	Activity Status when compliance is not achieved: Discretionary

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- (a) the overflows of Council's reticulated wastewater network during all 20% AEP rainfall events are not increased.

Except that:

- (i) Standards SUB-S5(3), (4) and (5) do not apply to the Rural Lifestyle zone as onsite service provision is permitted.