

Thursday, 24 October 2024

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council
Council Meeting

Kaupapataka

Attachments Volume 4

(Plan Change 5 Recommendations of Hearings Committee)

Te Rā Hui:
Meeting date: **Thursday, 24 October 2024**

Te Wā:
Time: **1.00pm**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

ITEM	SUBJECT	PAGE
10.0	PLAN CHANGE 5 - RECOMMENDATIONS OF THE HEARINGS COMMITTEE	
Attachment 4:	Plan Change 5 – District Plan Tracked Changes Edited Section 30.1 Subdivision and Land Development	3
Attachment 5:	Plan Change 5 - District Plan Tracked Changes Edited Section 33.1	107

30.1 SUBDIVISION AND LAND DEVELOPMENT

30.1.1 INTRODUCTION

Subdivision is the legal mechanism for changing the boundaries, shape, and area, of parcels of land. The definition of the subdivision of land under Section 218 of the Resource Management Act 1991 includes cross-leases, company lease and unit title developments, and long term leases (35 years or more). The Act distinguishes subdivision as a category of activity distinct from land use activities.

While the process of subdivision itself does not directly affect the environment, it establishes the legal framework within which land use occurs and thereby has an indirect but causal link with the adverse effects of resource use and development. Much of the potential for adverse effects, therefore, can be addressed at the subdivision stage. Subdivision is also usually the immediate precursor to further land development, and providing for adequate works and services can be achieved through conditions of subdivision consent.

The Council intends to ensure, at the time of subdivision, that the land involved is suitable for the range of activities allowed by the rules of the District Plan.

Activities, including the development and subsequent use of land, can have positive effects and a range of adverse effects on the environment. Adverse effects which the Plan seeks to manage, include:

- Damaging or destroying the natural environment and/or the quality of natural resources
- Degrading those amenity values of an area which people enjoy
- Increasing the risks posed by natural hazards
- Creating an inefficient use of finite resources
- Limiting the ability of people (including future generations) to have access to and/or make use of natural and physical resources
- Damaging or destroying the heritage values of natural and physical resources
- Adversely affecting people's health and safety

30.1 Subdivision and Land Development

PC5 Tracked Changes as Recommended: 15-Mar-2024

- Degrading the natural character of the coastal environment, wetlands, lakes and rivers and their margins
- Diminishing the value of outstanding natural features and landscapes
- Degrading the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga
- Adversely affecting the integrated, safe, responsive, and sustainable operation of the roading network including the State Highway network.
- Reverse sensitivity, where new sensitive land uses could potentially lead to constraints on the carrying out of existing uses.

30.1.2 ANTICIPATED OUTCOMES

It is anticipated that the following Outcomes will be achieved:

- | | |
|---------------|---|
| SLDAO1 | Achievement of the Objectives and Policies of the various SMA, Zones, and District Wide Activity provisions. |
| SLDAO2 | The provision of sites which are of a sufficient size and shape to be able to accommodate the variety of activities allowed by the SMA, Zones, and District Wide Activity rules. |
| SLDAO3 | The provision of sites which are of a size and shape that enable the maintenance or enhancement of the character or amenity values of the environment including landscape values, and avoid any potential reverse sensitivity issues in the area of which they are located. |
| SLDAO4 | Sites which are capable of being serviced (access, water supply, waste water, stormwater). |
| SLDAO5 | Avoidance of subdivision on land that remains subject to natural hazards or potential natural hazards. |
| SLDAO6 | Avoidance of subdivision where it could accelerate or worsen the risk of natural hazards. |

30.1 Subdivision and Land Development

PC5 Tracked Changes as Recommended: 15-Mar-2024

- SLDAO7** Creation of sites of a size and shape suitable for current and future requirements of public works, network utilities, renewable electricity generation, or other special purposes.
- SLDAO8** Maintenance or enhancement of public health and safety.
- SLDAO9** Achieve flexibility in the size of sites that can be created and the means of achieving the servicing of sites.
- SLDAO10** Provision of a water supply of suitable quality and quantity to meet the needs of likely or potential land uses on the sites, including water for fire control and suppression.
- SLDAO11** Provision of facilities for wastewater disposal and stormwater disposal for new sites.
- SLDAO12** Safe and efficient management of vehicular traffic to and from new sites
- SLDAO13** Provision of access to new sites for pedestrians, cyclists and other non-motorised road users where there is an identified need.
- SLDAO14** Creation of Esplanade Reserves and Strips along and providing access to the District's significant waterbodies.

30.1.3 OBJECTIVES AND POLICIES

OBJECTIVE SLDO1 To enable subdivision of land that is consistent with each of the Objectives and Policies for the various SMA, Zones, Precincts, or District Wide Activities in the District Plan.

Relates to Outcome SLDAO1

ALL DISTRICT PLAN OBJECTIVES AND POLICIES Relates to objectives and policies across all the other sections of the District Plan.

OBJECTIVE SLDO2 To ensure that sites created by subdivision are physically suitable for a range of land use activities allowed by the relevant Section Rules of the District Plan.

Relates to Outcomes

30.1 Subdivision and Land Development

PC5 Tracked Changes as Recommended: 15-Mar-2024

SLDAO2,
SLDAO7 and
SLDAO9

**POLICY
SLDP1** *That standards for minimum and maximum site sizes be established for each SMA/Zone in the District.*

*Relates to
Objective
SLDO2*

Explanation

The subdivision of land should create sites which are of an appropriate size to achieve the scale, density and type of development which is provided for by the Objectives, Policies and Methods for each SMA/Zone. The District Plan establishes minimum site size standards (and in some cases average or maximum site size standards), which ensure that the Objectives, Policies and Methods for the respective Zones can be achieved, while still providing certainty for landowners and sufficient flexibility for them to create sites to suit their particular needs.

**POLICY
SLDP2** *Provide for the subdivision of land to create Conservation Lots for the protection of native bush and other significant natural areas; or cultural features or buildings of recognised heritage significance.*

*Relates to
Objective
SLDO2*

Explanation

Subdivision Rules are included to provide for the creation of a separate title of a site containing a recognised heritage item, or significant areas of indigenous vegetation and/or wildlife habitat (including wetlands), and an associated house site in return for the legal and physical protection in perpetuity of the nominated vegetation or other significant feature. These rules are included in order to achieve the Objectives and Policies of the District Wide Activity; Indigenous Vegetation and Habitats of Indigenous Fauna contained in Section 20.1 of the District Plan, and to achieve the Objectives and Policies outlined in Section 18.1 of the District Plan on Heritage Items and Notable Trees.

**POLICY
SLDP3** *Allow the creation of sites of various sizes and dimensions for special purpose allotments.*

*Relates to
Objective
SLDO2*

Explanation

30.1 Subdivision and Land Development

PC5 Tracked Changes as Recommended: 15-Mar-2024

Subdivision to create sites for special purposes, including public works or network utility operations or renewable electricity generation activities, should be undertaken in a manner which is flexible and reflects the likely public needs associated with them. It is therefore impractical to specify what size or dimension these sites should be because of the highly variable nature of circumstances associated with the purpose of their creation. Applications for subdivisions to create sites for special purposes will therefore be assessed to determine whether the sites will be of sufficient area and dimensions to facilitate their intended use, balanced against the inefficiency of including too much land in a special purpose site.

POLICY *Facilitate the creation of sites around existing dwellings within Stage 2 of*
SLDP4 *Area A, Area B and C of the Brookvale Structure Plan (Appendix 13B, Figure 1) area to create balance areas for these future stages where land efficiencies result.*

Explanation

These areas have been identified as suitable for future residential growth in the Heretaunga Plains Urban Development Strategy (HPUDS) and identified as a future urban growth area in the District Plan. These areas have deferred residential zonings, the uplift for which are aligned with servicing funding provision in the Long Term Plan. It has been identified that the efficient subdivision around existing dwellings and their accessory buildings might be appropriate in certain circumstances. It is impractical to specify what size or dimension these sites should be because of the highly variable nature of circumstances associated with the purpose of their creation. However any subdivisions created for this purpose should not result in an impediment to the implementation of the Brookvale Structure Plan (Appendix 13B, Figure 1), should be readily provided with infrastructure services and should not result in land being incorporated for this need, should result in tight boundaries around existing dwellings and curtilage, and balance areas should be amalgamated to create large balance areas consistent with the staging.

OBJECTIVE **Avoid subdivision in localities where there is a significant risk from**
SLDO3 **natural hazards.**

*Relates to
Outcomes
SLDAO5 and
SLDAO6*

