

Subdivision



Background

Subdivision is the process of dividing a site or building into one or more additional sites or units or changing an existing boundary location. The way in which land is subdivided is important as it determines the character of development and can have impacts on adjoining or adjacent sites and determines the future use of the land.

In the urban context, it is critically important to ensure land zoned for subdivision development is supported by infrastructure and that environmental impacts and natural hazard risks are managed prior to development occurring. Conversely in the rural context, it is important to ensure the productive potential of the rural zone is given primacy and is protected.

How does this topic fit into the National Planning Standards?

Subdivision is one of the chapter topics identified in the National Planning Standards, which must include all relevant subdivision rules for the respective zones across the District. Subdivision rules will be provided for in the draft District Plan for both urban and rural environments, including: residential, commercial and industrial rural and rural residential zones.

The National Planning Standards do not direct what the minimum or average allotment sizes for subdivision need to be in the District Plan. These thresholds will be determined through the development of the District Plan and be shaped by public feedback during drafting and formal submissions, once the Proposed District Plan is notified.

What is the legislation relevant to this topic and higher order directives (i.e. RMA, LGA, NPS, NES, RPS, Regional Plan)

- Resource Management Act 1991 sections (i.e. s218)

- Local Government Act 1974 and 2002 sections
- National Policy Statements (i.e. Coastal Policy Statement)
- Northland Regional Policy Statement
- Proposed Regional Plan for Northland

Do our iwi environmental plans address this topic? Is this a topic of significant interest to iwi?

Subdivision is a matter of interest to iwi, as it has impacts on the way in which land is developed. There are two iwi management plans relevant to the Kaipara District. They are as follows:

- **Te Uri o Hau Kaitiakitanga o te Taiao Te Uri o Hau Environmental Management Plan**
- **Te Roroa Iwi Environmental Policy Document 2009**

Both documents refer to subdivision and development and aim to ensure that any adverse effects from subdivision are managed and mitigated to ensure protection of the environment where the subdivision occurs.

What are the relevant provisions from the Operative District Plan?

Appendix 1 summarises the existing subdivision provisions within the Operative District Plan.

What are the key issues with the existing operative district plan provisions or new considerations which have emerged since the operative provisions were drafted?

- The current rule framework is complex and confusing.
- The district plan needs to direct good subdivision design outcomes to accommodate the purpose and function of the relevant zone. This may include urban design guidance and infrastructure requirements.
- Subdivision densities need to reflect the desired outcomes for towns and villages (as already identified in the Council adopted spatial plans).
- Infrastructure must be planned for in an integrated way to ensure cohesion between different land parcels.
- Avoid land from being landlocked from future development.
- Consideration of the management of earthworks during subdivision, particularly large scale residential, commercial or industrial developments.
- Consideration of non-serviced areas ensuring primacy is given to the productive potential of the land and its site suitability for building platforms and non-residential development.
- Council should secure esplanade reserves and strips where subdivision occurs on lots with frontages to waterways and the coastline.

What needs to change in the Proposed District Plan (if anything does need to)?

- As required by the National Planning Standards, a separate chapter on subdivision is to be included in the next District Plan under “District-wide Matters”. This chapter will include a separate objective and policy framework setting direction as to the outcomes sought from subdivision and rules for the different zones (i.e. urban subdivision, rural subdivision).
- Subdivision provisions could provide for boundary adjustments, general subdivision, environmental benefit subdivision and other types of subdivision.
- New provisions to ensure subdivisions are designed and located to suit the role and function of the particular zone.
- Requirements for the management of earthworks relating to subdivision need to be provided.
- Subdivision design should achieve high levels of amenity.
- Subdivision design will need to ensure connected and integrated infrastructure is provided.
- Access and linkages to open spaces and recreational areas is provided for in residential zones.
- Development of subdivision design and stormwater guidelines.

Moving Forward

Does this topic require technical expertise or further work to be undertaken in order to assist with plan development and the s32 evaluation? If yes, do we know what the costs potentially are?

Urban Zones

With regards to subdivision densities, the minimum and average lot sizes have largely been signalled through the recently adopted Kaipara spatial plans. For example, the ‘Urban Area’ spatial plans signal 300 – 600m² lot sizes for high density development and 500 – 1000m² for medium density development. However, the district plan review provides a fresh opportunity for the public to direct the subdivision outcomes for particular areas and to either adopt the signalled lot size densities as rules in the District Plan or signal a new preferred option. Further work is anticipated with regards to determining lot size densities in conjunction with the availability of services and infrastructure and ensuring that the land to be zoned for smaller lot densities is suitable for development of the recommended sizes.

Rural Zones

Additional work is required to define the rural zones, as per the National Planning Standards. This work needs to be undertaken by a planning expert using available information, such as the Kaipara Kai report, which includes soils classifications and discusses the key land use activities across the District. Once Council obtains some direction as to how we define the rural zones, we can then investigate what the subdivision options are for the rural zones. With much stronger directives such as the National Policy Statement on Highly Productive Land (NPS – HPL) which is likely to be released during late 2021, and

the need to maintain and protect our primary industries across the District, a more restrictive subdivision regime to the current rules is possible, in order to reduce fragmentation of productive land.

Additional information will be required in respect to rural residential zoning and where Council might choose to zone these areas for lifestyle development. As demand for rural-residential development increases, it is crucial to ensure additional zoning does not undermine existing rural activities or jeopardise future urban development. Further investigation of the number of rural residential properties will need to be undertaken to determine where land is best zoned for this purpose and what the lot densities should be to ensure the most efficient use of rural land.

What are the key public messages in respect to the key issues and Council's way forward in the District Plan review (summarise into bullet points)?

- Council want to know what subdivision densities the public consider are appropriate for each zone to ensure Kaipara District Council's policy and rule framework is as enabling as it can be for the types of activities our communities want to promote and encourage development in. For example boundary adjustments, smaller lot sizes in towns, where infrastructure is available and large lot sizes in rural areas.
- Where does Council need to restrict subdivision development? For example, zones where we want to protect and maintain particular values (i.e. the rural zone for activities associated with primary production).
- What other types of subdivision activities should Council promote? For example environmental benefit lots, incentivised subdivision.