

## Appendix 1 - Current Operative Kaipara District Plan Subdivision Provisions

Residential Zone			
Provision	Zone/Overlay	Summary of Rule	Activity Status
<b>Rule 13.11.1</b> <b>General Residential Subdivision</b>	Residential Zone	<ul style="list-style-type: none"> <li>Minimum net site area of <b>600m<sup>2</sup></b>, where connected to reticulated wastewater infrastructure.</li> <li>Minimum net site area of <b>3,000m<sup>2</sup></b> where <u>not</u> connected to reticulated wastewater infrastructure.</li> <li>Needs to comply with Performance Standards.</li> <li>Not within an Outstanding Natural Landscape.</li> </ul>	Controlled
	Overlay Areas	<ul style="list-style-type: none"> <li>Minimum net site area of <b>1,000m<sup>2</sup></b>, where connected to reticulated wastewater infrastructure.</li> <li>Minimum net site area of <b>3,000m<sup>2</sup></b> where <u>not</u> connected to reticulated wastewater infrastructure.</li> <li>Needs to comply with Performance Standards</li> <li>Not within an Outstanding Natural Landscape.</li> </ul>	Controlled
<b>Rule 13.11.2</b> <b>Boundary Adjustment</b>	Residential Zone	<ul style="list-style-type: none"> <li>The boundaries of two or more adjacent allotments are adjusted.</li> <li>No additional allotments will be created</li> <li>Net site area of the boundary is the same as or does not differ by more than <b>10%</b> of the net site area as it existed prior to the adjustment.</li> </ul>	Controlled
<b>Rule 13.11.3</b> <b>Preservation of Natural and Cultural Heritage</b>	Residential Zone	<ul style="list-style-type: none"> <li>Permanent physical and legal protection of the feature is achieved.</li> <li>Lot created must contain either an historic site; an area of significance to Maori or a heritage feature, a Notable Tree.</li> <li>Minimum net site area of <b>375m<sup>2</sup></b>, where reticulated wastewater infrastructure is available with the exception of the lot containing the mapped site or feature.</li> <li>Minimum net site area of <b>3,000m<sup>2</sup></b> where <u>no</u> connection to reticulated wastewater infrastructure.</li> </ul>	Controlled
	Overlay Areas	<ul style="list-style-type: none"> <li>Permanent physical and legal protection of the feature is achieved.</li> <li>Lot created must contain either an historic site; an area of significance to Maori or a heritage feature, a Notable Tree.</li> <li>Minimum net site area of <b>750m<sup>2</sup></b>, where reticulated wastewater infrastructure is available with the exception of the lot containing the mapped site or feature.</li> <li>Minimum net site area of <b>3,000m<sup>2</sup></b> where no connection to reticulated wastewater infrastructure.</li> </ul>	Controlled
<b>Rule 13.12.1</b> <b>Integrated Development (for up to 10 lots)</b>	Residential Zone	<ul style="list-style-type: none"> <li>Where connection to reticulated wastewater infrastructure is available the number of total lots shall be at least <b>1 lot per 500m<sup>2</sup></b> with a minimum net site area of <b>375m<sup>2</sup></b>.</li> <li>Where connection to reticulated wastewater infrastructure is <u>not</u> available the number of lots shall be an average of at least <b>1 lot per 3,000m<sup>2</sup></b> with a minimum net site area of <b>2,000m<sup>2</sup></b> per lot.</li> <li>Where connection to reticulated wastewater infrastructure is not available but a private wastewater system is proposed to be established to service all lots in the subdivision, the number of lots shall be an average of at least <b>1 lot per 500m<sup>2</sup></b> with a minimum net site area of <b>375m<sup>2</sup></b> per lot.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul>	Restricted Discretionary
	Overlays	<ul style="list-style-type: none"> <li>Where connection to reticulated wastewater infrastructure is available the number of total lots shall be at least <b>1 lot per 900m<sup>2</sup></b> with a minimum net site area of <b>750m<sup>2</sup></b>.</li> <li>Where connection to reticulated wastewater infrastructure is not available the number of lots shall be an average of at least <b>1 lot per 3,000m<sup>2</sup></b> with a minimum net site area of <b>2,000m<sup>2</sup></b> per lot.</li> <li>Where connection to reticulated wastewater infrastructure is not available but a private wastewater system is proposed to be established to service all lots in the subdivision, the number of lots shall be an average of at least <b>1 lot per 900m<sup>2</sup></b> with a minimum net site area of <b>750m<sup>2</sup></b> per lot.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul>	Restricted Discretionary
<b>Rule 13.13.1</b> <b>Integrated Development (for more than 10 lots)</b>	Residential (excluding overlay areas)	<ul style="list-style-type: none"> <li>Where connection to reticulated wastewater infrastructure is available the number of total lots shall be at least <b>1 lot per 500m<sup>2</sup></b> with a minimum net site area of <b>375m<sup>2</sup></b>.</li> <li>Where connection to reticulated wastewater infrastructure is <u>not</u> available the number of lots shall be an average of at least <b>1 lot per 3,000m<sup>2</sup></b> with a minimum net site area of <b>2,000m<sup>2</sup></b> per lot.</li> <li>Where connection to reticulated wastewater infrastructure is <u>not</u> available but a private wastewater system is proposed to be established to service all lots in the subdivision, the number of lots shall be an average of at least <b>1 lot per 500m<sup>2</sup></b> with a minimum net site area of <b>375m<sup>2</sup></b> per lot.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul>	Discretionary
	Overlays	<ul style="list-style-type: none"> <li>Where connection to reticulated wastewater infrastructure is available the number of total lots shall be at least <b>1 lot per 900m<sup>2</sup></b> with a minimum net site area of <b>750m<sup>2</sup></b>.</li> <li>Where connection to reticulated wastewater infrastructure is not available the number of lots shall be an average of at least <b>1 lot per 3,000m<sup>2</sup></b> with a minimum net site area of <b>2,000m<sup>2</sup></b> per lot.</li> <li>Where connection to reticulated wastewater infrastructure is <u>not</u> available but a private wastewater system is proposed to be established to service all lots in the subdivision, the number of lots shall be an average of at least <b>1 lot per 900m<sup>2</sup></b> with a minimum net site area of <b>750m<sup>2</sup></b> per lot.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul>	Discretionary
<b>Rule 13.13.2</b> <b>Subdivision of a site within an Outstanding Natural Landscape</b>	Residential Zone	<ul style="list-style-type: none"> <li>Needs to meet rules 13.11 or 13.12 but does not provide for the permanent physical and legal protection of Outstanding Natural Landscapes as stated in Rule 13.12.1.</li> </ul>	Discretionary

Business Zones (Commercial, Industrial)			
Provision	Zone/Overlay	Summary of Rule	Activity Status
<b>Rule 14.11.1</b> <b>General Business Subdivision</b>	Commercial Zone (not in an overlay)	<ul style="list-style-type: none"> <li>Where connected to reticulated wastewater infrastructure is available the minimum net site area <b>250m<sup>2</sup></b>.</li> <li>Complies with Performance Standards in 14.10 and 14.13.</li> </ul>	Controlled
	Industrial Zone (not an overlay)	<ul style="list-style-type: none"> <li>Where connected to reticulated wastewater infrastructure is available the minimum net site area <b>500m<sup>2</sup></b>.</li> <li>Complies with Performance Standards in 14.10 and 14.13.</li> </ul>	
	Industrial and Commercial Zones in an Overlay	<ul style="list-style-type: none"> <li>Where connected to reticulated wastewater infrastructure is available the minimum net site area <b>1,000m<sup>2</sup></b>.</li> <li>Complies with Performance Standards in 14.10 and 14.13.</li> </ul>	
<b>Rule 14.11.2</b> <b>Boundary Adjustment</b>	Commercial and Industrial Zone	<ul style="list-style-type: none"> <li>Minimum net site area of any proposed allotments is <b>250m<sup>2</sup></b> in the Commercial Zone or <b>500m<sup>2</sup></b> in the Industrial Zone, where sites can be connected to reticulated wastewater infrastructure.</li> <li>Minimum net site area of any proposed allotments is <b>2,000m<sup>2</sup></b> where sites are not connected to reticulated wastewater infrastructure.</li> <li>No additional allotments will be created.</li> <li>Net site area of any proposed allotment created by the boundary adjustment is the same as or does not differ by more than 10% of the net site area of that allotment as it existed prior to the boundary adjustment.</li> <li>Complies with Performance Standards in 14.10 and 14.13.</li> </ul>	Controlled
<b>Rule 14.12.1</b> <b>Subdivision - Unserviced</b>	Commercial and Industrial (excluding overlays)	<ul style="list-style-type: none"> <li>No minimum site area for sites with <u>no</u> connection to reticulated wastewater infrastructure.</li> <li>Performance Stand 14.13.6 applies</li> <li>Complies with performance standards in section 14.10 and 14.13.</li> </ul>	Restricted Discretionary
Rural Zone			
Provision	Zone/Overlay	Summary of Rule	Activity Status
<b>Rule 12.12.1</b> <b>General Subdivision</b>	Outside Overlay Areas	<ul style="list-style-type: none"> <li>Minimum net site area of <b>12ha</b></li> <li>Complies with performance standards in section 12.10 and 12.15.</li> <li>Allotment is not within an Outstanding Natural landscape</li> </ul>	Controlled
	Inside Overlay Areas (Kai iwi lakes, east coast, west coast, Mangawhai Harbour and Kaipara Harbour Overlays)	<ul style="list-style-type: none"> <li>Minimum net site area of <b>20ha</b></li> <li>Complies with performance standards in section 12.10 and 12.15.</li> <li>Allotment is not within an Outstanding Natural landscape</li> </ul>	Controlled
<b>Rule 12.12.2</b> <b>Preservation of Natural and Cultural Heritage</b>	All Rural Zone (including overlays)	<ul style="list-style-type: none"> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> and an area of at least <b>2,500m<sup>2</sup></b> exclusive of the heritage area being permanently protected</li> <li>Balance lot must be a minimum net site area of <b>4 hectares</b>.</li> <li>Complies with performance standards in section 12.10 and 12.15.</li> <li>Allotment is not within an Outstanding Natural landscape.</li> </ul>	Controlled
<b>Rule 12.12.3</b> <b>Boundary Adjustment</b>	All Rural Zone (including overlays)	<ul style="list-style-type: none"> <li>Between two or more adjacent allotments</li> <li>No additional allotments will be created</li> <li>Net site area is the same as or does not differ by more than <b>15%</b> of the net site area.</li> <li>Resulting titles comply with the minimum lot size as a controlled activity, except where the existing lot size is already non-complying.</li> <li>Complies with performance standards in section 12.10.</li> <li>Allotment is not within an Outstanding Natural landscape</li> </ul>	Controlled
<b>Rule 12.13.1</b> <b>Environmental Benefit</b>	All Rural Zone (including overlays)	<ul style="list-style-type: none"> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> with an area of at least <b>2,500m<sup>2</sup></b> exclusive of the area being protected.</li> <li>Balance lot shall be a minimum net site area of <b>4,000m<sup>2</sup></b>.</li> <li>Complies with performance standards in section 12.10 and 12.15.</li> <li>Allotment is not within an Outstanding Natural landscape.</li> </ul>	Restricted Discretionary
<b>Rule 12.13.2</b> <b>Rural Amenity Lot</b> (for lots existing at date of notification of the Plan)  Rural Amenity Lot is a site of net site area of more than 4,000m <sup>2</sup> but less than 8,000m <sup>2</sup> within the Rural Zone for the purposes of countryside living within the rural area whilst maintaining the rural amenity of the Zone. Rural amenity lots will be located in such a way so as to provide for the continued rural activities and character of the Zone.	All Rural Zone	<ul style="list-style-type: none"> <li>The parent lot existed at the date of notification (21 October 2009)</li> <li>No more than 2 Rural Amenity lots are created per parent site.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> and a maximum of <b>8,000m<sup>2</sup></b></li> <li>If <u>one</u> rural amenity lot is being created in the Rural Zone (without an overlay), the balance shall be a minimum net site area of <b>4ha</b>.</li> <li>If the site is in the Rural Zone with an overlay, the balance lot created shall be a minimum net site area of <b>20ha</b>.</li> <li>If <u>two</u> rural amenity lots are being created and the site is in the Rural Zone (without an overlay) the balance lot shall be a minimum net site area of <b>8ha</b>.</li> <li>Maximum of <b>2 lots</b>.</li> </ul>	Restricted Discretionary
<b>Rule 12.13.3</b> <b>Small Lot Development</b> (only for 5 hectare lots or less, existing at the date of notification)	All Rural Zone (provided it is not within an overlay area)	<ul style="list-style-type: none"> <li>Parent site must be five hectares or less and held in a separate Certificate of Title as at the date of notification (21 October 2009).</li> </ul>	Restricted Discretionary

		<ul style="list-style-type: none"> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> can be obtained, provided the minimum average lot size of one hectare can be achieved for the overall subdivision.</li> <li>No more than 3 additional lots are created per site.</li> </ul>	
<b>Rule 12.13.4</b> <b>Integrated Development (for up to 10 lots)</b>	Rural (excluding overlay areas)  OR Coast (East and West) and Kai Iwi Lakes overlay areas  OR Kaipara Harbour Overlay  OR Mangawhai Harbour Overlay	<ul style="list-style-type: none"> <li>One lot per 4 hectares of the parent title with a minimum net site area of <b>4,000m<sup>2</sup> per lot</b>.</li> <li>The site is not located within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots obtainable shall be <b>one lot per 12 hectares</b> of the parent title in the Rural Zone.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> per lot.</li> <li>The site is not located within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots obtainable shall be <b>one lot per 6 hectares</b> of the parent title.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> per lot.</li> <li>Site is not located within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots obtainable shall be <b>one per 6 hectares</b> of the parent title.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> per lot.</li> <li>Total lots obtainable shall be <b>one lot per 2 hectares</b> of the parent title.</li> <li>Minimum site area of <b>4,000m<sup>2</sup> per lot</b>, where there has been comprehensive mapping and identification by a suitably qualified ecologist of the valued natural environments on the whole of the site.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul>	Restricted Discretionary
<b>Rule 12.14.1</b> <b>Small Lot Development (only for 5 hectare lots or less, existing at the date of notification of the Plan)</b>	Within an overlay area	<ul style="list-style-type: none"> <li>Parent site must be 5 hectares or less and held in a separate Certificate of Title as of the date of notification (21 October 2009).</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> provided minimum average lot size of one hectare can be achieved for the overall subdivision.</li> <li>No more than <b>2 additional lots</b> are created.</li> <li>Complies with Performance Standards in Section 12.10 and 12.15.</li> </ul>	Discretionary
<b>Rule 12.14.2</b> <b>Integrated Development (for more than 10 lots)</b>	Rural (excluding overlay areas)  OR Coast (East and West) and Kai Iwi Lakes overlay areas  OR Kaipara Harbour Overlay  OR Mangawhai Harbour Overlay	<ul style="list-style-type: none"> <li>No more than one lot per four hectares with a minimum net site area of <b>4,000m<sup>2</sup></b></li> <li>Site not within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots one per 12 hectares.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b> per lot.</li> <li>The site is not within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots one per 6 hectares.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b>.</li> <li>Not within an Outstanding Natural Landscape.</li> </ul> <ul style="list-style-type: none"> <li>Total lots one per six hectares.</li> <li>Minimum net site area of <b>4,000m<sup>2</sup></b>.</li> <li>Total lots <b>one per 2 hectares</b> of the parent title with a minimum net site area of <b>4,000m<sup>2</sup></b> per lot where there has been comprehensive mapping and identification of the valued natural environments on the site.</li> </ul> <p>*All proposed subdivision must comply with the Performance Standards under Rule 12.12 and 12.13.</p>	Discretionary
<b>Rule 14.14.3</b> <b>Subdivision of a site within an Outstanding Natural Landscape</b>	Rural Zone	<ul style="list-style-type: none"> <li>Needs to meet rules 12.12, 12.13 or 12.14 but does not provide for the permanent physical and legal protection of Outstanding Natural Landscapes as stated in Rule 12.13.1.</li> </ul>	Discretionary
<b>Estuary Estates – Table 16.10.5-1</b>	Multiple Zones	Various Activities and Provisions – Refer to Table 16.10.5-1	Various

