
Part 5: Section 32 Evaluation

The following section provides an evaluation of Proposed Plan Change 10, as required by section 32 of the Resource Management Act 1991.

1.1 Issues and Options for Changing the District Plan

The current provisions clearly seek to ensure that when subdivisions are created, the actual and potential effects of consequential future land uses can be appropriately considered and addressed through the consent process, supported by appropriate policy guidance and assessment criteria.

There are two key drivers behind the proposed plan change:

1. Whether the structure of the Subdivision Chapter Rules (Section 11.2) (including any consequential changes on other Sections in the District Plan) could be revised to improve their workability, legibility and ease of use; and
2. Whether the subdivision rules (including associated provisions) could be amended deleted, or added to, to more effectively manage the consequential effects of subdivision to achieve the objectives in the District Plan.

Taking each component in turn, the principal options for subdivision of land in the District Plan is discussed below, with the comparative advantages and disadvantages of each option identified.

1.2 Rules Format

Issues

As identified above, there are a number of implementation and administration difficulties in applying the current provisions. These difficulties are isolated to the Subdivision Chapter. Therefore, it is proposed to restructure and re-write the rules section for subdivision based on a comparable chapter in the District Plan, as well as incorporating 'best practice' approaches to writing rules for District Plans.

Options

1. *Utilise the Format of a Comparable Chapter*

Section 14B 2 (Signs) is considered a comparable chapter, as it contains the same activity status sections as subdivision, and more clearly differentiates between Standards and Terms, Matters of Control, Matters of Discretion and Assessment Criteria. This approach would have the advantage of Plan users being familiar with a similar structure and its application.

2. *Complete Reformatting*

Another option is to prepare a complete new structure for the rules based on current best practice in New Zealand. This option would ensure the rules are clear and well structured, and avoid interpretation issues arising. However, this option may introduce a structure that differs from the other chapters in the District Plan, resulting in potential confusion for Plan users.

3. *Hybrid – Part Re-Write*

A third option is a hybrid, where the structure is based on an existing chapter's, while the actual provisions are written consistent with best practice techniques. This approach would have the advantage of Plan users being familiar with the overall layout of the chapter, as well as ensuring the specific rules are drafted in a clear manner. A disadvantage with this approach is the wording of the specific rules would be inconsistent with the other chapters in the District Plan. However, this disadvantage can be reduced by re-drafting the provisions based on best practice, recognising the overall format, terminology and style of the District Plan.

Recommendation

It is recommended that the hybrid option be used for re-formatting the rules section for the Subdivision Chapter, including separating the Standards and Terms, Matters of Control, Matters of Discretion and Assessment Criteria into distinct parts. The rules would need to be re-drafted, drawing on best practice as it best fits into the overall format, terminology and style of the Operative District Plan.

Example of Recommended Rule Format

Permitted Activity

- List all permitted activities

Permitted Activity Standards and Terms

- List all standards and terms for permitted activities

Controlled Activity

- List all controlled activities

Controlled Activity Standards and Terms

- List all standards and terms for controlled activities

Controlled Activity Matters of Control

- List all matters of control for controlled activities

Controlled Activity Assessment Criteria

- List all assessment criteria for controlled activities

Restricted Discretionary Activity

- List all restricted discretionary activities

Restricted Discretionary Activity Standards and Terms

- List all standards and terms for restricted discretionary activities

Restricted Discretionary Activity Matters of Discretion

- List all matters of discretion for restricted discretionary activities

Restricted Discretionary Activity Assessment Criteria

- List all assessment criteria for restricted discretionary activities

For full (unrestricted) discretionary and non-complying activities, the format could follow that of above, or, given the broader nature of discretion and issues for these types of consents, the Plan may simply rely on statutory direction.

1.3 Subdivision and Earthworks

Issues

The current objectives in the Plan seek to ensure earthworks are designed to maintain the natural features that contribute to the City’s landscape. The existing “exclusion” rule not requiring compliance with the minimum land use standards for earthworks undertaken as part of a subdivision is resulting in significant change to the natural features and landscape around the City.

Options

1. *Do Nothing*

Given the above, the do nothing option is not considered an effective or efficient option.

2. *Remove “Exclusion” Rule for Subdivisions*

A second option is to remove the “exclusion” rule for earthworks carried out as part of a subdivision. This option would mean any subdivision would need to comply with the minimum land use performance standards for earthworks. If the proposed earthworks exceeded these standards, a land use resource consent would be required, which based on best practice, would need to be applied for and assessed at the same time as part of any associated subdivision proposal. A variation to this option is to only remove the exclusion from parts of the land use standards, such as ground level modifications or quantity.

3. *Specific Earthworks Standards for Subdivision*

A third option is to introduce specific earthworks standards for subdivision proposals. These standards could be higher or lower than the existing land use standards. An advantage of this option is that the standards would be specifically targeted at managing earthworks undertaken as part of a subdivision proposal. There is potential for conflict to arise between the subdivision and land use standards with this option, if the standards were more or less onerous, earthworks may be undertaken prior to or after the subdivision phase. Therefore, incremental changes to the landscape may occur with this option, rather than being assessed as an overall whole.

Analysis

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|-------------------|---|--|--|
| Do Nothing | Excluding earthworks undertaken as part of a subdivision from complying with the minimum land use standards limits Council’s ability to effectively and efficiently manage the effects from these earthworks. The exclusion rule is resulting in the failure to achieve the | <ul style="list-style-type: none"> ▪ Allows landform modification to facilitate land development and subdivision. ▪ Provides flexibility in how subdivisions are designed and constructed. | <ul style="list-style-type: none"> ▪ Some significant land modification can occur, resulting in adverse effects on landscape values and natural features. |

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|--|--|---|--|
| | objectives in the Plan. | | |
| Delete “Exclusion” for Subdivision Earthworks | Applying the same earthworks standards to land use activities and subdivision would ensure a consistent approach. The effects of earthworks are similar, irrespective of why they are being undertaken. This approach would be an effective and efficient method for managing the effects of earthworks. However, it could be potentially inefficient, as it could require land use consents for essential works carried out as part of a subdivision (e.g. installation of infrastructure). | <ul style="list-style-type: none"> ▪ Protects the city’s landscape and natural features from significant change. ▪ Certainty about the extent of works permitted for both land uses and subdivisions. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some areas may be restricted from being developed/subdivided. |
| Targeted Earthworks Standards for Subdivision | Targeted standards for earthworks undertaken as part of subdivision would enable the level and extent of earthworks to be effectively managed. However, if the subdivision earthworks standards differed significantly from the land use earthworks standards, there is potential for the standards to become ineffective, as parties will use the more favourable/lenient standards. | <ul style="list-style-type: none"> ▪ Protects the city’s landscape and natural features from significant change. ▪ Certainty about the extent of works permitted for subdivisions. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some areas may be restricted from being developed/subdivided. |

The above analysis identifies the need to amend the current provisions. Removing the “exclusion” rule for subdivision completely could prove ineffective, as minor earthworks associated with the installation of infrastructure may trigger the need for resource consent. Therefore, the most effective and efficient option is the inclusion of targeted standards for subdivision.

Recommendation

It is recommended that specific provisions be inserted into the Plan to manage earthworks undertaken as part of a subdivision. These earthworks would be assessed as part of the subdivision consent application. The cross-reference with the land use standards would be inserted to avoid any inconsistencies between the land use and subdivision earthworks standards.

1.4 Rural Allotment Shapes

Issues

One of the objectives for subdivision is to ensure that subdivided land can be used or developed for its intended purpose, with a supporting policy requiring minimum design standards to be met.

Unlike other zones, in the General Rural and Rural-Residential Activity Areas, there is no specific standard requiring minimum shape factor or a suitable building platform. A few recent subdivision proposals have highlighted the inability of Council to manage subdivision in the rural environment that results in a “ribbon development” form of subdivision (i.e. multiple development extending along the edges of roads) and/or lots that cut up hillsides into narrow strips of allotments.

In other cases, lots may be formed in unusual shapes that effectively create two or more areas available for development, connected by thin strips, setting a basis for a future additional subdivision/development.

These forms of development are often not desirable as it can detract from the amenity values and character of rural areas or do not promote good rural land management. Therefore, more effective methods may be required to manage this issue.

Options

1. *Do Nothing*

The do nothing option would continue to rely on the minimum lot size and minimum frontage standards to manage rural subdivision. These standards reflect the character of the rural environment, with a distinction made between areas for rural-residential subdivision and general rural subdivision. However, a variation on this option is to refine the existing standards by either increasing or decreasing the minimum lot size and minimum frontage requirements. This option would require careful consideration, as both increasing and decreasing the lot size and frontage requirements could potentially lead to more inefficient fragmentation of the rural land resource, and are unlikely to address all of the problems identified above.

2. *Introduce Minimum Shape Factor*

A second option is to introduce a minimum shape factor requirement for each lot – for example, each lot (excluding accessways) must be able to contain an area of 12m by 15m suitable for building. This standard would be similar to the existing standards used in the Residential Activity Areas. Within this option, multiple options exist for the size of the shape factor. Given the potential for varied topographical conditions in the rural environment, a larger shape factor would be warranted. In addition, to manage the issue of ribbon development, a relatively large shape factor could be used to avoid rows of dwellings along the road frontage. However, a large shape factor could result in fragmented lot shapes, leading to the inefficient use of the land resource.

3. *Other Minimum Standards*

A third option is to introduce other minimum standards, such as minimum average lot size, buffer areas, or a restriction on the number of new lots. These standards

have the advantages of being targeted as specific effects and the overall pattern of rural subdivision. However, they introduce further regulation, potentially limiting flexible and innovative subdivision designs. Furthermore, they generally do not target the issue of elongated subdivision and/or ribbon development.

A minimum length of frontage can be effective, but in areas with irregular winding roads, such a requirement may not lead to efficiently designed and use lots. Furthermore, a requirement for a relatively long frontage may lead to inefficiently designed allotments.

Another approach maybe to impose a minimum shape proportion to establish a threshold of “skinniness”, beyond which lots that may be excessively elongated are managed as a discretionary activity. For example, a ratio of 25% width to length could be such a threshold, with ‘length’ defined as the longest distance between any two points within a proposed allotment, and with ‘width’ being the widest part of that allotment. Such a ratio would also pick up on proposed subdivision scheme where an accessway is used to connect different parts of a proposed lot.

Analysis

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|--|--|---|---|
| Do Nothing | Minimum lot size and minimum frontage standards provide the basis for subdividing in the rural-residential and rural areas. However, these standards are not particularly effective in managing the shape and overall design of rural lots, especially in areas of varied topography which is common in the rural environment. | <ul style="list-style-type: none"> ▪ Manages the overall density of subdivision, protecting the character and values of the different areas from significant change. ▪ Provides a particular level of certainty for people planning on subdividing if they comply with the minimum standards. ▪ Provides for a certain level of change in the rural environment. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some land may be restricted from being subdivided due to non-compliance with the standards. ▪ Potential effects from poorly designed subdivisions in compliance with the District Plan standards. |
| Adjust the Minimum Lot Size and/or Minimum Frontage Standards | Same as above. | <ul style="list-style-type: none"> ▪ Same as above. | <ul style="list-style-type: none"> ▪ Same as above. |

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|---------------------------------------|--|--|--|
| Introduce Minimum Shape Factor | Shape factors are a specific method used to manage the internal layout of each lot, to ensure the lots have an appropriately sized and shaped area for its future use. Indirectly, the method is also effective at managing the effects on amenity and visual qualities of a subdivision by contributing to the overall subdivision lot layout. Defining the extent of the shape factor is a key to its effectiveness. | <ul style="list-style-type: none"> ▪ Contributes towards the overall protection of the rural character and visual qualities. ▪ Ensure each lot has an area of a minimum size and shape that can be developed for its anticipated future use. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some land may be restricted from being subdivided due to inability to comply with the minimum shape factor standards. |
| Proportional Ratio | A proportional ratio threshold may be one way of assessing overly elongated or unusual shaped allotments | <ul style="list-style-type: none"> ▪ Contributes towards the overall protection of the rural character and visual qualities. ▪ Ensures each lot has an area that can be developed for its anticipated future use. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some land may be restricted from being subdivided due to inability to comply with the proportional ratio standards. ▪ Potentially inflexible standard and may result in adverse effects where the ratio does not “fit” the underlying landform, and uniform shaped lots. |

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|--|---|--|---|
| Other Standards (Minimum Average Lot Size, Buffer Distances, Limiting Number of Lots) | Standards such as a minimum average lot size, buffer distances and limiting the number of lots that can be created all can contribute to the management of subdivision in the rural environment. They can be used to target the specific effects associated with this form of subdivision, resulting in an effective management of the specific effects. However, multiple standards can lead to the inefficient fragmentation of the rural land resource, as a result of attempting to comply with multiple standards. | <ul style="list-style-type: none"> ▪ Contributes towards the overall protection of the rural character and visual qualities. ▪ Ensure each lot has an area of a minimum size and shape that can be developed for its anticipated future use. ▪ Be able to determine on case-by-case basis whether the proposed shape would lead to linear development along road frontages. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some land may be restricted from being subdivided due to inability to comply with the other standards. |

The above analysis does not clearly identify a specific option that can be adopted to address the issue of “ribbon development” per se. Without undertaking a thorough review of the effects currently resulting from subdivision in the rural environment, it is difficult to confidently conclude that the current provisions should be changed. Furthermore, consultation with stakeholders did not reveal any preference for one option over another. Probably some combination of methods would provide the most effective management framework, particularly frontage, shape factor and proportional ratio.

At this stage, the do nothing option is preferred, with reliance placed on both Council and land development sectors to proactively address ways of avoiding unduly skinny subdivisions. This issue could be revisited as part of a broader review of the District Plan at a later date.

Recommendation

It is not recommended to make any specific changes to the Plan at this stage, but the Council should work proactively with the land development sector to avoid this issue being experienced.

1.5 Minor Technical Non-compliances

Issues

Currently, any subdivision proposal involving a non-compliance with the compliance standards for engineering design or site contamination under Rule 11.2.2 (b) and (c) is managed as a full discretionary activity under Rule 11.2.3. As such therefore, there is no direction within the about the scope of the Assessment of Effects on the Environment

This full discretionary activity process also involves a case-by-case determination about notification, with no direction for the Council as to what effects need to be minor in order for an application to be processed on a non-notified basis.

Options

1. *Do Nothing*

Given the above, the do nothing option is not considered an effective or efficient option.

2. *Make proposed non-compliances with the standards for engineering design and site contamination a restricted discretionary activity*

This option would introduce a new rule into the subdivision chapter to specify that proposed non-compliances with the controlled activity standards for engineering design and/or site contamination would be assessed and determined as a restricted discretionary activity. The matters to which the Council's discretion would be restricted would be limited to how a proposal meets the relevant performance objectives and criteria and to how any actual or potential adverse effects from the non-compliance can be avoided, remedied or mitigated.

Analysis

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|--|--|---|--|
| Do Nothing | All non-compliances with the technical standards for engineering design and site contamination would continue to require consent as a full discretionary activity, with consequent uncertainty about the scope of assessment and notification. | <ul style="list-style-type: none"> ▪ Provides open discretion on determining effects | <ul style="list-style-type: none"> ▪ Provides no guidance as to the matters on which often very minor non-compliance should be assessed ▪ Additional costs and uncertainty to applicants and Council |
| Non-compliance as a restricted discretionary activity | There would be explicit direction as to the matters of relevance in assessing and determining applications for non-compliance with the | <ul style="list-style-type: none"> ▪ More certainty as to the matters to be assessed and the process for determining | <ul style="list-style-type: none"> ▪ Some costs involved for very minor matters of non-compliance. |

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|---------|---|---|-------|
| | engineering design an/or site contamination standards for subdivision, making the process more efficient. | resource consent applications ▪ Reduced processing costs | |

The above analysis identifies that a more effective and efficient option is making non-compliance with the engineering design and/or site contamination standards a restricted discretionary activity.

Recommendation

It is recommended that a new restricted discretionary activity be inserted into the Subdivision rules for proposed non-compliances with the engineering design and/or site contamination standards for controlled activities, with the matters of discretion limited to how a proposal meets the relevant performance objectives and criteria and to how any actual or potential adverse effects from the non-compliance can be avoided, remedied or mitigated.

1.6 Esplanade Reserves

Issues

The current objectives in the Plan seek to ensure esplanade reserves are provided to maintain and improve public access to waterbodies, as well as protecting the amenity and ecological values of the waterbodies.

The existing provisions require “up to a maximum width of 20m” for esplanade reserves in respect of lots less than 4 hectares. Similarly, a maximum width is also applied for lots of 4 hectares or greater in area. Therefore, no minimum width is required, resulting in the potential for inappropriately narrow esplanade reserves to be created as a Controlled Activity. The narrow esplanade reserves may not achieve the objective in the Plan of maintaining and improving public access to waterbodies, as well as protecting the amenity and ecological values of the waterbodies.

Options

1. *Do Nothing*

Given the above, the do nothing option is not considered an effective or efficient option.

2. *Specify a minimum and maximum width for esplanade reserves*

A second option would introduce a minimum width requirement that would be assessed in conjunction with the current maximum width. The minimum width would need to be of sufficient distance to achieve the objective in the Plan described above. The minimum width could vary for different Activity Areas, for example, narrower esplanade reserves in the urban areas compared to the rural areas.

This option would mean any esplanade reserves to be created would need to comply with the minimum and maximum widths as part of the subdivision application. If the proposed esplanade reserve did not fit within these parameters, they would be assessed as a discretionary activity.

3. *Specify a set width for esplanade reserves*

A third option is to introduce a set width for all esplanade reserves to be created. This set width could be wider or narrower than the existing maximum width. An advantage of this option is that the set width would provide a high level of certainty to applicants and Council as to the size of the esplanade reserve.

However, the set width may be onerous in some situations, where a narrower esplanade reserve may be more appropriate. Therefore, provision needs to be made for assessing applications that propose narrower esplanade reserves. Detailed criteria would be required for assessing these applications.

Analysis

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|--|---|--|---|
| Do Nothing | Having no minimum width for esplanade reserves limits Council's ability to effectively and efficiently achieve the objectives in the Plan relating to public access to waterbodies and protecting the amenity values and ecological values of these waterbodies. | <ul style="list-style-type: none"> ▪ Provides flexibility in creating esplanade reserves that reflect the individual lot and site characteristics. | <ul style="list-style-type: none"> ▪ Potential loss of public access to waterbodies, or constrained access due to an under-width reserve. ▪ Potential degradation of amenity and ecological values of waterbodies, due to subsequent development in close proximity to the waterbodies. |
| Minimum Width and Maximum Width | Applying minimum and maximum widths for esplanade reserves would create a baseline for the provision of these areas. This approach would be an effective and efficient method for managing public access to waterbodies in most circumstances, except where the minimum width may not achieve the objectives of the Plan. Therefore, in these circumstances, the minimum distance could be potentially inefficient, as it may not require sufficient land for an esplanade reserve. | <ul style="list-style-type: none"> ▪ Provides a level of flexibility in creating esplanade reserves that reflect the individual lot and site characteristics. ▪ Protects the amenity and ecological values of the city's waterbodies to a certain degree. ▪ Certainty about the requirements for esplanade reserves when subdividing. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ The minimum width may require more land than is necessary to provide public access. ▪ The minimum width may be insufficient to protect the amenity and ecological values of waterbodies. |

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|------------------------------------|--|---|--|
| Set Esplanade Reserve Width | A set width would ensure a consistent approach to the provision of esplanade reserves, and would be effective and efficient in achieving the objectives in the Plan. However, it does not distinguish between the differences of waterbodies, and the need for public access, and the protection of the different amenity and ecological values. | <ul style="list-style-type: none"> ▪ Protects the amenity and ecological values of the city's waterbodies to a certain degree. ▪ Provides a high degree of public access to waterbodies. ▪ Certainty about the requirements for esplanade reserves when subdividing. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Limited flexibility and increased uncertainty in reducing the width of the esplanade reserve. ▪ The set width may require more land is necessary to provide public access. |

The above analysis identifies the need to amend the current provisions, as there are significant costs in terms of unsuitable esplanade reserves being created which do not provide appropriate public access to waterbodies. Introducing a minimum width in conjunction with the existing maximum width may also result in unsuitable esplanade reserves being created. Therefore, the most effective and efficient option is introducing a set width for esplanade reserves; with discretion to reduce the widths of specific esplanade reserves through the resource consent process.

Recommendation

It is recommended that the current “up to maximum width of 20m” be replaced with a “set width of 20m” for esplanade reserves on lots less than 4 hectares (Rule 11.2.4(b)). It is also recommended assessment criteria be added providing guidance for assessing applications for reducing the width of any proposed esplanade reserve.

1.7 Miscellaneous

Issues

The following minor wording and referencing corrections and changes have been noted during the administration of the rules in the Subdivision Chapter:

- ▶ Chapter 3 Definitions “Allotment “
- ▶ Issue 11.1.14 Special Areas
- ▶ Rule 11.2.2.1 (a) General Residential: Shape Factor. Revised second sentence
- ▶ Rule 11.2.2.1 (a) Landscape Protection: Replace ‘shape’ with ‘shape factor’
- ▶ Rule 11.2.2.1 (b) (vi) Replace ‘Bylaw for Water Supply’ with ‘Hutt City Council Bylaw 1997 Part 17 Water Supply’
- ▶ Rule 11.2.5 Other Provisions: Amend for each Activity Area and add as Standard for Controlled Activities
- ▶ Rule 11.2.2.1 (b) (vii) Deleted requirement for gas

These corrections and changes do not necessarily alter the intent or purpose of the rules. Rather, they will make the rules clearer and remove potential misinterpretation.

Options

1. *Do Nothing*

There are two options for these changes and corrections. Firstly, the do nothing option, which would leave the current provisions unchanged. As discussed earlier, these current provisions are proving ineffective in achieving the objectives in the Plan, therefore, the do nothing option is not considered appropriate.

2. *Make Minor Corrections/Changes*

The second option is to make the corrections and changes, resolving the interpretation and administration difficulties. These changes would result in improving the effectiveness of the rules, contributing towards achieving the objectives in the Plan.

Analysis

| OPTIONS | EFFECTIVENESS & EFFICIENCY | BENEFITS | COSTS |
|-------------------------------------|--|--|---|
| Do Nothing | The current provisions were written on the basis they were accurate and clear. However, during the implementation and administration of some provisions, difficulties have arisen, making them ineffective and inefficient, due to requiring resource consents in some circumstances, through to not managing the adverse effects as intended. | <ul style="list-style-type: none"> ▪ The current provisions have been in place for over three years, therefore, they are well understood. ▪ Retaining the existing provisions provides certainty for parties who have planned uses, developments and/or subdivision based on them. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring where rules unnecessarily trigger resource consents or create compliance difficulties. ▪ Some adverse effects are degrading the environment where the provisions are not appropriately managing uses, developments and/or subdivisions. |
| Amend the Current Provisions | Amending the current provisions is the most effective and efficient option as it would ensure the original intention of the provisions contribute towards achieving the objectives in the Plan. | <ul style="list-style-type: none"> ▪ Protects the city's environment from the adverse effects of land use, development and subdivision. ▪ Improved certainty and clarity of the provisions. | <ul style="list-style-type: none"> ▪ Costs of compliance and monitoring. ▪ Some land uses, developments and the amended provisions may restrict subdivision. |

Recommendation

It is recommended that the minor corrections and changes previously identified be made to the Subdivision Chapter and any consequential changes.

1.8 Recommendations

Based on the above analysis, it is recommended that a Proposed Plan Change be prepared that includes the following:

1. The Subdivision Chapter be restructured based on a similar format to the Signs rules section (14B 2). Re-draft the provisions based on best practice.
2. At this stage, no change to be made to the Plan to address the creation of unduly 'skinny lots' and unusable rural lots, but that this matter be reviewed at a later stage.
3. Specific standards be introduced for earthworks carried out as part of a subdivision consent.
4. A new restricted discretionary activity rule be inserted in the Subdivision rules to provide for proposed non-compliances with the standards for engineering design and/or site contamination.
5. The "up to maximum width of 20m" for esplanade reserves be changed to a "set width of 20m".
6. Minor corrections and changes be made to the Subdivision Chapter and any consequential changes.