This section has rules that have legal effect.

SUB - Subdivision

The purpose of the Subdivision chapter is to assist the Council to carry out its functions under the Resource Management Act relating to the control of subdivision.

Subdivision involves the division of an allotment or building into multiple allotments, or the alteration of existing boundaries. Subdivision often results in a change in land ownership arrangements and is a factor that often determines future development potential for newly created allotments.

The way a site is subdivided, can influence the future use and development of the land, which in turn can influence the values and character of a site and have an impact on adjacent sites. Subdivision can also affect the natural and physical environment and introduce long-term development patterns.

Poorly designed subdivisions can limit neighbourhood connectivity and cohesion, entailing longer travel times, greater reliance on private vehicle transport and associated increases in greenhouse gas emissions. In contrast, well-connected subdivisions can promote greater uptake of active and public transport modes.

Where buildings and activities are lawfully established prior to subdivision, the subdivision process may be little more than a formalisation of new property or unit boundaries to provide for separate ownership. Where subdivision and related residential development are assessed concurrently, a comprehensive understanding of the resulting pattern, scale, and density of development is enabled. Therefore, the District Plan provides a more enabling framework for combined subdivision and land use applications.

Where subdivision precedes land use, the new sites need to be designed to ensure that they are of a size, shape and orientation that are fit-for-purpose and that existing and future activities can be accessed and adequately serviced, either by reticulated services or on-site services including water supply, wastewater disposal, stormwater management, telecommunications and power supply.

Subdivisions adjoining rivers, lakes, and the coastal marine area will generally require the establishment of esplanade reserves or esplanade strips to provide opportunities for public access to these features. Esplanade reserves and esplanade strips also help to maintain or enhance a range of values, including conservation values associated with ecological characteristics of surface water and the coast, and can assist with natural hazard mitigation.

The partitioning of Māori land is exempt from the subdivision provisions of the Resource Management Act, and is primarily controlled by the Te Ture Whenua Māori Act 1993 and administered by the Māori Land Court.

How this chapter works

This chapter includes objectives, policies, and rules that relate to subdivision generally as well as policies and rules that relate to specific types of subdivision and subdivision in specific zones, overlays, and other planning notations.

The general subdivision policies (SUB-P1 to SUB-P9) and rules (SUB-R1 to SUB-R5) apply to all subdivision applications, including those that affect land subject to overlays and other planning notations. The zone-specific and topic-specific policies (SUB-P10 to SUB-P27) and related rules (SUB-R6 to SUB-R25) apply to subdivisions of land subject to the applicable overlay. They apply *in addition to* the general subdivision provisions.

For the avoidance of doubt, subdivision of land subject to an overlay or other planning notation must comply with the relevant general rules as well as the overlay/planning notation specific rules. Where multiple rules apply, the activity status for the subdivision is the more onerous activity status.

The Financial Contributions chapter contains a subdivision rule that relates to and triggers the need for financial contribution where subdivision creates any vacant allotments.

Objectives

SUB-O1	Subdivision
Subdivision results in a well-functioning environment that enables all people and communities to provide for their social, economic, and cultural wellbeing while safeguarding the life-supporting capacity of the environment.	

SUB-O2	Subdivision design
Subdivision results in development patterns and allotments that: 1. Maintain or enhance Lower Hutt's compact urban form, 2. Are compatible with the purpose, scale, and intensity anticipated for the underlying zone, 3. Enable appropriate future use and development of land and buildings, 4. Provide for and protect identified natural environment, historical and cultural values, and 5. Manages the risk from natural hazards.	
SUB-O3	**Servicing of allotments**
Development enabled through subdivision is adequately serviced and supported by infrastructure and the transport network.	
SUB-O4	**Esplanades**
Lower Hutt’s network of esplanade reserves and esplanade strips is progressively increased and contributes to the maintenance, enhancement and protection of public access, ecological values, amenity values, and recreational values.	

Policies

General subdivision

SUB-P1	Benefits of subdivision
Recognise the benefits of subdivision in providing sufficient residential and business development capacity, facilitating a variety of development forms and activities, and contributing to housing affordability.	
SUB-P2	**Boundary adjustment**
Control boundary adjustments to ensure that: 1. The boundary adjustment will enhance the efficient use of land, 2. The size, design, and layout of the resulting allotments is sufficient to accommodate existing activities and buildings on the site or proposed development of the site, and 3. The nature and scale of resulting development potential is compatible with the planned purpose and character of the underlying zone.	
SUB-P3	**Update of cross-lease titles and unit titles**
Control the update of cross-lease titles and unit titles to ensure that: 1. The size, design, and layout of covenant areas are sufficient to accommodate existing activities and buildings on the site and proposed development of the site.	
SUB-P4	**Subdivision design and layout**
Provide for subdivision and the creation of new allotments where: 1. The subdivision reflects the intended pattern of development of the underlying zone, 2. The subdivision is consistent with the anticipated purpose, character, and density of development of the underlying zone, 3. The allotments are of a size and dimension that is sufficient to accommodate the intended activities and development forms for the underlying zone, and 4. The design and layout encourage the efficient use of renewable electricity and other natural and physical resources and deliver well-connected, resilient communities through development patterns and sustainable designs.	
SUB-P5	**Integration of subdivision and development**
Provide for the efficient integration of subdivision and associated use and development by encouraging joint applications for subdivision and land use.	
SUB-P6	**Transport network**
Provide for subdivision where: 1. The safe and efficient functioning of the transport network is maintained, taking into account the capacity and safety of the network, 2. It provides for a variety of travel modes that reflect the planned purpose, character, and amenity values of the zone, and 3. It encourages walking, cycling, and public transport opportunities and enhances neighbourhood and network connectivity and safety.	
SUB-P7	**Servicing and access**

Require all allotments created by any subdivision to be adequately serviced as follows:

1. Require new infrastructure and upgrades to existing infrastructure to meet the relevant Council engineering standards.
2. Require sufficient infrastructure capacity to accommodate development in accordance with the planned purpose of the zone.
3. Where upgrades to existing infrastructure or new infrastructure are required ensure that the upgraded or new infrastructure have sufficient capacity to accommodate future development and densities anticipated by the underlying zone.
4. Require new roads and new vehicle access to sites to meet minimum design standards to:
    a. Allow for safe and efficient traffic movements,
    b. Provide for pedestrian amenity, and
    c. Safely accommodate the intended number of users.
5. Require suitable access and connections to reticulated water supply, wastewater, and stormwater networks in urban areas that meet the requirements of the Wellington Water Regional Standard for Water Services v3, December 2021.
6. Where reticulated services are not available require allotments to be of sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, including water supply for fire-fighting purposes.
7. Require the provision of suitable connections to telecommunications and electricity.

SUB-P8	Esplanade requirements

1. Require the provision of esplanade reserves and esplanade strips for subdivisions adjacent to the coastal marine area, rivers, and lakes to maintain and enhance:
    a. Public access to and along the coastal marine area, rivers, and lakes,
    b. Ecological, amenity, and recreational values, and
    c. Natural hazard resilience.
2. Only allow for the reduction or waiver of any esplanade reserve or esplanade strip requirements, where it can be demonstrated that:
    a. Safe public access to and along the coastal marine area, rivers, and lakes and recreational use is already possible and can be maintained for the future,
    b. The ecological values and landscape features of the land adjoining the coastal marine area, river, or lake will not be adversely affected,
    c. Any scheduled historic heritage places and sites and areas of significance to Māori will not be adversely affected,
    d. The reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long-term effects of climate change,
    e. A full-width esplanade reserve or esplanade strip is not required to maintain the natural character and amenity of the coastal environment, and
    f. A reduced width in certain locations is offset by an increase in width in other locations which would result in a positive public benefit.

SUB-P9	Subdivision for infrastructure

Control the creation of allotments for the purposes of infrastructure to ensure that:

1. Any allotments are of a sufficient size, design, and layout to accommodate its required use,
2. There is adequate access to any proposed allotments, and
3. Infrastructure with sufficient capacity is provided to service any proposed allotment.

Subdivision - Zones

SUB-P10	Subdivision in residential zones

Provide for subdivision in residential zones where:

1. The subdivision enables flexibility, innovation, and choice for future development, and
2. Allotments are of a size, shape, and orientation that is compatible with the nature, scale, and intensity anticipated for the underlying zone.

SUB-P11	Subdivision in rural zones

Provide for subdivision in rural zones where the resulting allotments are of a size, shape, and orientation that:

1. Preserves the predominant open character of the rural zones and contributes to a compact urban form,
2. Does not result in the fragmentation of highly productive land in a way that diminishes the productive capacity of the land,
3. Can accommodate a residential unit in a position that manages effects on the privacy and amenity of residential units on neighbouring allotments, having regard to the permitted activity standards for new buildings and land use for the zone, and
4. Does not increase the risk of reverse sensitivity effects arising on existing lawfully established activities.

SUB-P12	Subdivision in commercial and mixed use zones

1. Manage subdivision in commercial and mixed use zones to ensure that it:
    a. Enables flexibility for future development,
    b. Uses service lanes where available, and
    c. Can be serviced without adverse effects on pedestrian amenity on identified Active Street Frontage Overlay A, Active Street Frontage Overlay B, and Active Street Frontage Overlay C frontages.
2. Manage subdivision in the City Centre Zone — Riverbank Precinct to ensure that it enables development that supports and has direct access to the stop bank promenade.

SUB-P13	Subdivision in industrial zones

Manage subdivision in industrial zones to ensure that the resulting allotments are of a size and shape that can accommodate industrial activities provided for by the underlying zone provisions and protect the business development capacity of the zone for industrial purposes in future.

SUB-P14	Subdivision in open space and recreation zones

Provide for subdivision in open space and recreation zones where the resulting allotments are of a size and shape that allows for the activities anticipated by the underlying zone.

Subdivision - Overlays and other specified locations

SUB-P15	Subdivision of land containing a Site or Area of Significance to Māori

Provide for the subdivision of land containing a Site or Area of Significance to Māori where:
1. Consultation has been undertaken with Mana Whenua,
2. The values identified in SCHED6 - Sites and Areas of Significance to Māori are maintained and protected,
3. Alternative methods, locations, or designs that would avoid or reduce the impact on the values identified in SCHED6 - Sites and Areas of Significance to Māori have been considered, and
4. Practical mechanisms are incorporated to maintain or enhance the ability of Mana Whenua to access and use the site or area of significance.

SUB-P16	Subdivision of land containing Heritage Buildings or Heritage Structures

Provide for the subdivision of land containing Heritage Buildings or Heritage Structures where:
1. Significant historic heritage values are protected,
2. The site associated with the Heritage Building or Heritage Structure is of sufficient size to retain an appropriate setting for the Heritage Building or Heritage Structure after subdivision, and
3. The obstruction of views of the Heritage Building or Heritage Structure from adjoining public spaces resulting from any future land use or development is minimised.

SUB-P17	Subdivision of land within Heritage Areas

Provide for the subdivision of land within Heritage Areas where:
1. The significant historic heritage values of the Heritage Area are protected, and
2. The subdivision and any anticipated development will not detract from the significant historic heritage values associated with Heritage Buildings, Heritage Structures, or contributing buildings within the Heritage Area.

SUB-P18	Subdivision of land containing a Notable Tree

Provide for the subdivision of land containing Notable Trees where:
1. The maintenance of tree health is supported and the potential for interference is minimised, having regard to:
    a. The extent to which the location of new boundaries relative to the Notable Tree and any anticipated development may compromise the health of the tree or increase the risk of interference, and
    b. Whether site access and new utilities can be located outside of the root protection area of the Notable Tree.

SUB-P19	Subdivision of Land within Outstanding Natural Features and Landscapes

Subdivision of land within identified Outstanding Natural Features and Landscapes is managed as follows:
1. Provide for the subdivision of land within identified Outstanding Natural Features and Landscapes located outside of the coastal environment where the subdivision:
    a. Is compatible with the values identified in SCHED4 - Outstanding Natural Features and Landscapes,
    b. Avoids, remedies, or mitigates significant adverse effects on the values and characteristics identified in SCHED4 - Outstanding Natural Features and Landscapes, and
    c. Is designed to protect the values and characteristics identified in SCHED4 - Outstanding Natural Features and Landscapes.
2. Only allow for the subdivision of land within identified Outstanding Natural Features and Landscapes within the coastal environment, where:
    a. Any adverse effects of future use and development enabled by the subdivision on the values identified in SCHED4 - Outstanding Natural Features and Landscapes are avoided.

SUB-P20	Subdivision of land containing coastal margins or riparian margins

Subdivision of land containing coastal margins or riparian margins is managed as follows:

1. Provide for subdivision of land containing coastal margins and riparian margins where the subdivision is designed to minimise the adverse effects of future use and development enabled by the subdivision on the natural character of coastal margins and riparian margins.
2. Only allow for any other subdivision within coastal margins and riparian margins where:
    a. It can be demonstrated that:
        i. There is a functional need or operational need for the subdivision to locate within the coastal margin or riparian margin, and
        ii. There are no reasonably practical alternative locations that are outside of coastal margins or riparian margins or are less vulnerable to change, and
    b. Restoration or rehabilitation planting of indigenous species will be incorporated to mitigate adverse effects on the natural character of coastal margins and riparian margins where appropriate.

SUB-P21	Subdivision of land within the coastal environment

Subdivision of land within the coastal environment is managed as follows:

1. Provide for subdivision of land located within the coastal environment but outside the High, Very High or Outstanding Coastal Natural Character Areas where it:
    a. Consolidates existing urban areas, and
    b. Does not establish new urban sprawl along the coastline.
2. Provide for subdivision of land located within the coastal environment and partly within High or Very High Coastal Natural Character Areas where any anticipated development can be located outside High or Very High Coastal Natural Character Areas.
3. Only allow for any other subdivision of land located within the coastal environment and within High or Very High Coastal Natural Character Areas where:
    a. Any significant adverse effects on the values identified in SCHED5 - Coastal Natural Character Areas are avoided and any other adverse effects on the values identified in SCHED5 - Coastal Natural Character Areas are avoided, remedied, or mitigated, and
    b. It can be demonstrated that:
        i. The values and characteristics of the areas of high coastal natural character areas as identified in SCHED5 - Coastal Natural Character Areas are protected from inappropriate subdivision, considering the extent to which the values and characteristics of the area are vulnerable to change, including the effects of climate change and other natural processes,
        ii. The duration and nature of adverse effects are limited,
        iii. There is a functional need or operational need for the subdivision to locate in the area,
        iv. There are no reasonably practical alternative locations that are outside of the coastal environment or are less vulnerable to change, and
        v. Restoration or rehabilitation planting of indigenous species will be incorporated to mitigate adverse effects on the values identified in SCHED5 - Coastal Natural Character Areas.
4. Avoid subdivision of land located within the coastal environment and within Outstanding Coastal Natural Character Areas unless:
    a. Any adverse effects of future use and development enabled by the subdivision on the values identified in SCHED5 - Coastal Natural Character Areas are avoided.

SUB-P22	Subdivision of land in natural hazard risk areas

1. Take a risk-based approach to the management of subdivision of land affected by natural hazards identified in the District Plan based on:
    a. The sensitivity of activities to the impacts of natural hazards, and
    b. The hazard posed to people's lives and wellbeing and property by considering the likelihood and consequences of differing natural hazard events.

SUB-P23	Subdivision of highly productive land

Provide for the subdivision of land within the Highly Productive Land Overlay where:

1. The subdivision and enabled land use do not compromise the productive capacity of highly productive land, and
2. The subdivision does not result in the fragmentation of highly productive land in a way that diminishes the productive capacity of the land.

SUB-P24	Subdivision of land with access from highly constrained roads

Only allow subdivision of land in the Highly Constrained Road Overlay with access from a highly constrained road where:

1. The additional transport demand created by the subdivision and enabled use and development can be safely and efficiently accommodated, and
2. Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development.

SUB-P25	Subdivision of land within the National Grid Subdivision Corridor

Only allow for subdivision within the National Grid Subdivision Corridor where:

1. The National Grid will not be compromised, and
2. Any reverse sensitivity effects are avoided and any other adverse effects on and from the National Grid Subdivision Corridor, including public health and safety effects, are avoided, remedied or mitigated, taking into account:
    a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid including the ability for continued reasonable access to existing transmission assets for maintenance, inspections, and upgrading,
    b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electrical Safe Distances,
    c. The extent to which the design and layout of the subdivision demonstrates that suitable building platforms for dwellings can be provided outside of the National Grid Yard for each new lot,
    d. The risk to the structural integrity of the National Grid Subdivision Corridor, and
    e. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the National Grid and the potential reverse sensitivity on and amenity and nuisance effects of the National Grid assets.

SUB-P26	Subdivision of land within the Gas Transmission Pipeline Corridor

Only allow for subdivision within the Gas Transmission Pipeline Corridor where:

1. Any adverse effects on and from the Gas Transmission Pipeline Corridor, including public health and safety, are avoided, remedied, or mitigated, taking into account:
    a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the Gas Transmission Pipeline Corridor,
    b. The extent to which the design and layout of the subdivision demonstrates that suitable building platforms for dwellings can be provided outside the Gas Transmission Pipeline Corridor for each new lot,
    c. The risk to the structural integrity of the Gas Transmission Pipeline Corridor, and
    d. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the Gas Transmission Pipeline Corridor.

Rules

General subdivision

SUB-R1		Boundary adjustments
	All Zones	1. **Activity status:** Controlled Where: a. Compliance is achieved with: i. SUB-S1: Allotment size, ii. SUB-S2: Legal and physical access, iii. SUB-S3: Roads, iv. SUB-S4: Water supply, v. SUB-S5: Wastewater disposal, vi. SUB-S6: Stormwater management, vii. SUB-S7: Power supply, viii. SUB-S8: Telecommunications, and ix. SUB-S9: Esplanade reserves and esplanade strips, and b. The boundary adjustment will not lead to, or increase the degree of, non-compliance with land use standards of the zone. **Matters of control are limited to:** 1. The matters in: a. SUB-P2: Boundary adjustment, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, d. SUB-P7: Servicing and access, and e. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
	All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-R1.1.

	Matters of discretion are restricted to: 1. The assessment criteria of any infringed standard. 2. The matters in: a. SUB-P2: Boundary adjustment, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, d. SUB-P7: Servicing and access, and e. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
SUB-R2	**Updating of an existing cross-lease title**
All Zones	1. **Activity status:** Controlled Where: a. Compliance is achieved with: i. SUB-S4: Water supply, ii. SUB-S5: Wastewater disposal, and iii. SUB-S6: Stormwater management. **Matters of control are limited to:** 1. The matters in: a. SUB-P3: Update of cross-lease titles and unit titles, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, and d. SUB-P7: Servicing and access. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-R2.1. **Matters of discretion are restricted to:** 1. The assessment criteria of any infringed standard. 2. The matters in: a. SUB-P3: Update of cross-lease titles and unit titles, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, and d. SUB-P7: Servicing and access. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
SUB-R3	**Unit title subdivision and subdivision that does not result in the creation of any new vacant allotments:** • **Around existing lawfully established buildings, or** • **Where land use consent has been granted, or** • **Where the subdivision application is accompanied by a land use application.**
All Zones	1. **Activity status:** Controlled Where: a. Compliance is achieved or any existing or previously approved non-compliance is not increased with: i. SUB-S2: Legal and physical access, ii. SUB-S3: Roads, iii. SUB-S4: Water supply, iv. SUB-S5: Wastewater disposal, v. SUB-S6: Stormwater management, vi. SUB-S7: Power supply, vii. SUB-S8: Telecommunications, and viii. SUB-S9: Esplanade reserves and esplanade strips. **Matters of control are limited to:** 1. The matters in: a. SUB-P1: Benefits of subdivision, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development,

	d. SUB-P6: Transport network, e. SUB-P7: Servicing and access, and f. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-R3.1. **Matters of discretion are restricted to:** 1. The assessment criteria of any infringed standard. 2. The matters in: a. SUB-P1: Benefits of subdivision, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, d. SUB-P6: Transport network, e. SUB-P7: Servicing and access, and f. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
SUB-R4	**Subdivision that creates any vacant allotments**
All Zones	1. **Activity status:** Controlled Where: a. Compliance is achieved with: i. SUB-S1: Allotment size, ii. SUB-S2: Legal and physical access, iii. SUB-S3: Roads, iv. SUB-S4: Water supply, v. SUB-S5: Wastewater disposal, vi. SUB-S6: Stormwater management, vii. SUB-S7: Power supply, viii. SUB-S8: Telecommunications, and ix. SUB-S9: Esplanade reserves and esplanade strips. **Matters of control are limited to:** 1. The matters in: a. SUB-P1: Benefits of subdivision, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, d. SUB-P6: Transport network, e. SUB-P7: Servicing and access, and f. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with: i. SUB-S2: Legal and physical access, ii. SUB-S3: Roads, iii. SUB-S4: Water supply, iv. SUB-S5: Wastewater disposal, v. SUB-S6: Stormwater management, vi. SUB-S7: Power supply, vii. SUB-S8: Telecommunications, and viii. SUB-S9: Esplanade reserves and esplanade strips. **Matters of discretion are restricted to:** 1. The assessment criteria of any infringed standard. 2. The matters in: a. SUB-P1: Benefits of subdivision, b. SUB-P4: Subdivision design and layout, c. SUB-P5: Integration of subdivision and development, d. SUB-P6: Transport network,

	e. SUB-P7: Servicing and access, and f. SUB-P8: Esplanade requirements. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule where the subdivision application is applied for concurrently with an application for the construction and use of residential units in the Medium Density Residential Zone or High Density Residential Zone. All other applications under this rule are precluded from being publicly notified.
Medium Density Residential Zone High Density Residential Zone	3. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-S1: Allotment size. **Matters of discretion are restricted to:** 1. The assessment criteria of SUB-S1: Allotment size. 2. The matters in: a. SUB-P1: Benefits of subdivision, b. SUB-P4: Subdivision design and layout, and c. SUB-P5: Integration of subdivision and development. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule where the subdivision application is applied for concurrently with an application for the construction and use of residential units in the Medium Density Residential Zone or High Density Residential Zone. All other applications under this rule are precluded from being publicly notified.
All Zones except: Medium Density Residential Zone High Density Residential Zone	4. **Activity status:** Discretionary Where: a. Compliance is not achieved with SUB-S1: Allotment size.
SUB-R5	**Subdivision that creates a new allotment for infrastructure**
All Zones	1. **Activity status:** Controlled Where: a. Any new allotment for infrastructure complies with SUB-S2: Access, and b. Any new allotment not for infrastructure complies with: i. SUB-S1: Allotment size, and ii. SUB-S2: Access. **Matters of control are limited to:** 1. The matters in SUB-P9: Subdivision for infrastructure. **Notification provisions:** Public notification and limited notification are precluded for applications under this rule.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-R5.1. **Matters of discretion are restricted to:** 1. The assessment criteria of any infringed standard. 2. The matters in SUB-P9: Subdivision for infrastructure. **Notification provisions:** Public notification is precluded for applications under this rule.

Subdivision in Historical and Cultural Values Overlays

SUB-R6	**Subdivision of land containing a Category 1 or 2 Site or Area of Significance to Māori**
All Zones	1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The matters in SUB-P15: Subdivision of land containing a Site or Area of

	Significance to Māori.
SUB-R7	**Subdivision of land containing Heritage Buildings or Heritage Structures or land within a Heritage Area**
All Zones	1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P16: Subdivision of land containing Heritage Buildings or Heritage Structures, and b. SUB-P17: Subdivision of land within Heritage Areas.
SUB-R8	**Subdivision of land containing a Notable Tree**
All Zones	1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The matters in SUB-P18: Subdivision of land containing a Notable Tree.

Subdivision in Natural Environment Overlays and Coastal Natural Character Overlays

SUB-R9	**Subdivision of land within Outstanding Natural Features and Outstanding Natural Landscapes**
All Zones	1. **Activity status:** Controlled Where: a. For each proposed allotment that can accommodate a building, the proposed building platform and related access are identified and are located entirely outside of the Outstanding Natural Feature or Outstanding Natural Landscape. **Matters of control are limited to:** 1. The matters in: a. SUB-P19: Subdivision of land within Outstanding Natural Features and Outstanding Natural Landscapes, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SUB-R9.1, and b. The subdivision is located outside the coastal environment. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P19: Subdivision of land within Outstanding Natural Features and Outstanding Natural Landscapes, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	3. **Activity status:** Discretionary Where: a. Compliance is not achieved with SUB-R9.1, and b. The subdivision is located within the coastal environment.
SUB-R10	**Subdivision of land in coastal margins or riparian margins**
All Zones	1. **Activity status:** Controlled Where: a. For each proposed allotment that can accommodate a building, the proposed building platform and related access are identified and are located entirely outside of the coastal margin or riparian margin. **Matters of control are limited to:** 1. The effects on the coastal margin or riparian margin. 2. Any measures proposed to protect, maintain or enhance the natural character values of the coastal margin or riparian margin.

	3. The matters in: a. SUB-P20: Subdivision of land containing coastal margins or riparian margins, b. SUB-P15: Subdivision of land containing a site or area of significance to Māori, c. PA-P1: Appropriate activities within coastal margins and riparian margins, d. PA-P2: Maintenance and enhancement of public access, and e. PA-P3: Restriction of public access.
All Zones	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with SUB-R10.1.
SUB-R11	**Subdivision of land within the coastal environment**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision is outside of High, Very High, or Outstanding Coastal Natural Character Areas. **Matters of control are limited to:** 1. The matters in SUB-P21: Subdivision of land within the coastal environment.
All Zones	2. **Activity status:** Controlled Where: a. The subdivision is within a High or Very High Coastal Natural Character Area, and b. For each proposed allotment that can accommodate a building, the proposed building platform and related access are identified and are located entirely outside of the High or Very High Coastal Natural Character Area. **Matters of control are limited to:** 1. The effects on the identified values of the High or Very High Coastal Natural Character Area. 2. Any measures proposed to protect, maintain or enhance the identified values of the High or Very High Coastal Natural Character Area. 3. The matters in: a. SUB-P21: Subdivision of land within the coastal environment, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and improvement of public access, and d. PA-P3: Restriction of public access.
All Zones	3. **Activity status:** Discretionary Where: a. The subdivision is within a High or Very High Coastal Natural Character Area, and b. Compliance is not achieved with SUB-R11.2.
All Zones	4. **Activity status:** Non-complying Where: a. The subdivision is within an Outstanding Coastal Natural Character Area.

Subdivision in Natural Hazard Overlays and Coastal Hazard Overlays

SUB-R12	**Subdivision within the Fault Location Area**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards located within the Fault Location Area. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. NH-P7: Subdivision, use and development within the Fault Location Area.
All Zones	2. **Activity status:** Discretionary

	Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards located within the Fault Location Area.
All Zones	3. **Activity status:** Non-complying Where: a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Fault Location Area.
SUB-R13	**Subdivision within the Liquefaction Hazard Overlay**
All Zones	1. **Activity status:** Controlled Where a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Liquefaction Hazard Overlay. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. NH-P11: Subdivision, Use and Development in the Liquefaction Hazard Overlay.
SUB-R14	**Subdivision within the Low Flood Hazard Overlay**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards or activities potentially sensitive to natural hazards located within the Low Flood Hazard Overlay. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. NH-P9.
All Zones	2. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Low Flood Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. NH-P9: Subdivision, use and development in the Flood Hazard Overlay.
SUB-R15	**Subdivision within the Medium Flood Hazard Overlay**
All Zones	1. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards located within the Medium Flood Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. NH-P9: Subdivision, use and development in the Flood Hazard Overlay.
All Zones	2. **Activity status:** Discretionary Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the Medium Flood Hazard Overlay.
SUB-R16	**Subdivision within the High Flood Hazard Overlay**
All Zones	1. **Activity status:** Non-complying Where:

	a. The subdivision will result in building platforms for activities least sensitive to natural hazards, activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the High Flood Hazard Overlay.
SUB-R17	**Subdivision within the Low Tsunami Hazard Overlay**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards or activities potentially sensitive to natural hazards located within the Low Tsunami Hazard Overlay. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
All Zones	2. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Low Tsunami Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
SUB-R18	**Subdivision within the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards located within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina Zone	2. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
All Zones except: General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina	3. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards located within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.

Zone	
All Zones except: General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Seaview Marina Zone	4. **Activity status:** Discretionary Where: a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay.
SUB-R19	**Subdivision within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay**
All Zones	1. **Activity status:** Controlled Where: a. The subdivision will result in building platforms for activities least sensitive to natural hazards located within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay. **Matters of control are limited to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina Zone	2. **Activity status:** Restricted discretionary Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay. **Matters of discretion are restricted to:** 1. The matters in: a. SUB-P22: Subdivision of land in natural hazard risk areas, and b. CE-P15: Subdivision, use and development within the Coastal Hazard Overlays.
All Zones except: General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina Zone	3. **Activity status:** Non-complying Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay.

SUB-R20	**Subdivision within the Slope Assessment Overlay**
All Zones	1. Activity status: Restricted discretionary Where: a. The subdivision will result in building platforms for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards located within the Slope Assessment Overlay. **Matters of discretion are restricted to:** 1. The relevant matters in: a. SUB-22: Subdivision of land in natural hazard risk areas, and b. NH-P12: Subdivision in the Slope Assessment Overlay.

Subdivision in other overlays and precincts

SUB-21	**Subdivision of land in the Riverbank Precinct of the City Centre Zone**
City Centre Zone — Riverbank Precinct	1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The matters in SUB-P12: Subdivision in commercial and mixed use zones.
SUB-R22	**Subdivision of land within the Highly Productive Land Overlay**
General Rural Zone	1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The confirmation of the presence of Highly Productive Land. 2. The matters in: a. SUB-P11: Subdivision in rural zones, and b. SUB-P23: Subdivision of highly productive land.
SUB-R23	**Subdivision of land in the Highly Constrained Roads Overlay**
All Zones	1. **Activity status:** Discretionary
SUB-R24	**Subdivision of land within the National Grid Subdivision Corridor Overlay**
All Zones	1. **Activity status:** Restricted discretionary Where: a. All resulting allotments, other than allotments for roads, accessways, or network utilities, can accommodate building platforms for sensitive activities that are located entirely outside of the National Grid Yard, and b. Physical access to any National Grid support structures located on the allotments is maintained. **Matters of discretion are restricted to:** 1. The matters in SUB-P25: Subdivision of land within the National Grid Subdivision Corridor. **Notification provisions:** Public notification is precluded for applications under this rule. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited.
All Zones	2. **Activity status:** Non-complying Where: a. Compliance is not achieved with SUB-R25.1.
SUB-R25	**Subdivision of land within the Gas Transmission Pipeline Corridor**
All Zones	1. **Activity status:** Restricted discretionary Where: a. For each proposed allotment that can accommodate a building, other than allotments for access or infrastructure, a proposed building platform and related access are identified which are located entirely outside the Gas Transmission Pipeline Corridor. **Matters of discretion are restricted to:** 1. The matters in SUB-P26: Subdivision of land within the Gas Transmission Pipeline Corridor. **Notification provisions:** Public notification is precluded for applications under this rule. When deciding whether any person is affected in relation to this rule, the Council will give specific consideration to any adverse effects on the owner and operator of the gas transmission network.
All Zones	2. **Activity status:** Non-complying Where: a. Compliance is not achieved with SUB-R26.1

Standards

SUB-S1	Allotment size

The following minimum allotment sizes must be complied with:

Zone	Minimum allotment size	
Residential Zones		
1.	Large Lot Residential	1,000m^2
2.	Medium Density Residential	None • It must be practicable to construct a residential unit on the allotment that complies with the relevant density standards of the zone, or • Land use consent has been granted for the proposed use of the site (including built development), or • The subdivision application must be accompanied by a land use application for the proposed use of the site that will be determined concurrently with the subdivision application.
3.	High Density Residential	
Rural Zones		
4.	General Rural	15ha
5.	Rural Lifestyle	1ha
Industrial Zones		
6.	General Industrial	500m^2
7.	Heavy Industrial	1,000m^2
All other zones		
8.	All other zones	No minimum allotment size

Matters of discretion if the standard is breached:

1. The extent to which anticipated and enabled development is compatible with the planned purpose and character of the underlying zone.
2. Whether the size, shape and other physical characteristics of resulting allotments will enable feasible future development of a nature and scale that is generally anticipated by the relevant Zone provisions.
3. For Residential Zones, the extent to which any adverse effects on privacy or sunlight access for neighbours can be managed by allotment size, shape, orientation and topography or by landscaping, restrictions on future buildings or other mitigation.
4. For Rural Zones, the extent to which clustering of smaller allotments and associated buildings is appropriate to retain the local rural character and the overall maintenance of spaciousness, compared to a more dispersed development pattern.
5. For Industrial Zones, the extent to which the resulting allotments are suitable for future industrial use and the effects of the subdivision on industrial development capacity.

SUB-S2	Legal and physical access

1. Every allotment must have practical, legal and physical access to a formed legal road either directly or by way of a registered right-of-way.
2. Legal and physical access to a formed legal road must be in accordance with the rules and standards of the Transport chapter.
3. In Commercial and Mixed Use Zones:
    a. Where access to a service lane is available, every allotment must have legal access to that service lane, and
    b. Where the Active Street Frontage Overlay A or Active Street Frontage Overlay B applies any vehicle access must be achieved through existing vehicle crossings or new vehicle crossings outside the Active Street Frontage A and Active Street Frontage B frontages.

Matters of discretion if the standard is breached:

1. The matters in TR-P3: Potentially incompatible activities and transport facilities.
2. Additional matters for Commercial and Mixed Use Zones:
    a. The impact on pedestrian amenity and streetscape, and

b. The matters in TR-P4: Incompatible transport facilities.

SUB-S3	Roads

1. All new roads and intersections must comply with the rules and standards of the Infrastructure chapter.

Matters of discretion if the standard is breached:

1. The matters in INF-P7: Upgrading and developing the transport network.

SUB-S4	Water supply

1. Where a connection to a publicly owned reticulated water supply systems is available, all new allotments must:
   a. Be provided with a water supply connection at the allotment boundary, that meets the requirements of the Wellington Water Regional Standard for Water Services December 2021 (Chapter 6, Tables 6.1 and 6.2), and
   b. Comply with water supply requirements in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.
2. Where a connection to a publicly owned reticulated water supply systems is not available, all allotments must:
   a. Be provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L, and
   b. Comply with the water supply requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Matters of discretion if the standard is breached:

1. The extent to which the proposed water supply is sufficient for the development or activity it serves.
2. The suitability of the proposed water supply for fire-fighting purposes, including effects on people's health and safety, and on property.
3. Where a publicly owned reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
4. Whether any site constraints make compliance impracticable.
5. Any resulting changes to the level of service provided to other properties in that part of the network.

SUB-S5	Wastewater disposal

1. Where a connection to a publicly owned reticulated wastewater systems is available, all new allotments must be provided with a connection at the allotment boundary that meets the requirements of the Wellington Water Regional Standard for Water Services December 2021 (Chapter 5, section 5.2.3).
2. Where a connection to a publicly owned reticulated wastewater systems is not available, all allotments must be provided with on-site wastewater systems or an approved alternative means to dispose of sewage in a sanitary manner within the net site area of the allotment in accordance with the Wellington Water Regional Standard for Water Services December 2021 (Section 5.2.6).
3. Where a connection to a publicly owned reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.

Matters of discretion if the standard is breached:

1. The extent to which the proposed wastewater disposal solution is sufficient for the development or activity it serves.
2. The extent to which the proposed wastewater disposal solution will result in adverse effects on public health and safety.
3. Whether the proposed wastewater disposal solution may result in contamination of water, groundwater or stormwater, including as a result of wet weather overflows.
4. Where a publicly owned reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
5. Whether any site constraints make compliance impracticable.

SUB-S6	Stormwater management

1. All subdivisions and stormwater systems must be designed to achieve hydraulic neutrality.
2. Where a connection to a publicly owned stormwater management systems is available, all new allotments must be provided with a connection at the allotment boundary, that meets the requirements of the Wellington Water Regional Standard for Water Services December 2021 (Chapter 4 Stormwater, Tables 4.1, 4.2 and 4.3).
3. Where a connection to a publicly owned stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater.

Matters of discretion if the standard is breached:

1. The extent to which the proposed stormwater management solution is sufficient for the development or activity it serves.
2. The extent to which the proposed stormwater management solution results in adverse effects on public health and safety.
3. Whether the proposed stormwater management solution results in adverse flooding effects on other property, including on the effective function of a publicly owned reticulated network.
4. Where a publicly owned reticulated system is not immediately available but is likely to be in the near future, the

appropriateness of temporary systems.
5. Whether any site constraints make compliance impracticable.

SUB-S7	Power supply

1. All new allotments must have provision for electricity connections to the legal boundary of the allotments.

Matters of discretion if the standard is breached:

1. The extent to which the proposed power supply is sufficient for the development or activity it serves.
2. Where any reticulated power supply system is not immediately available but is likely to be in the near future, the appropriateness of temporary supply solutions.
3. Any site constraints that make compliance impracticable.

SUB-S8	Telecommunications

1. Open access telecommunication connections with sufficient capacity must be provided to service each new allotment.
2. All new allotments must have provision for suitable telecommunication connections as follows:
    a. Where a connection to a fixed telecommunication line (fibre broadband) is available, all new allotments must be provided with a connection at the allotment boundary.
    b. Where no connection to a fixed telecommunication line (fibre broadband) is available, sufficient wireless network capacity must be available to serve all new allotments.

Matters of discretion if the standard is breached:

1. The extent to which the proposed telecommunications supply is sufficient for the development or activity it serves.
2. Alternative provision of telecommunications services.
3. Any site constraints that make compliance impracticable.

SUB-S9	Esplanade reserves and esplanade strips

1. Any subdivision involving the creation of an allotment that is partially or entirely adjoining the line of the Mean High Water Springs must provide an esplanade reserve or esplanade strip with a minimum width of 20m (in accordance with section 230 of the Resource Management Act).
2. Any subdivision involving the creation of an allotment that is partially or entirely adjoining or containing a river whose bed has an average width of 3m or more must provide an esplanade reserve or esplanade strip with a minimum width of 20m (in accordance with section 230 of the Resource Management Act).
3. Any subdivision involving the creation of an allotment that is partially or entirely adjoining Lake Kohangapiripiri or Lake Kohangatera must provide an esplanade reserve or esplanade strip with a minimum width of 20m (in accordance with section 230 of the Resource Management Act).

Matters of discretion if the standard is breached:

1. Whether safe public access, recreational use, and natural hazard management:
    a. Are already available and can be maintained for the future, or
    b. Are unable to be achieved irrespective of any reserve or strip being provided due to functional needs, operational needs, physical characteristics of the land, or other practical constraints.
2. Whether any reduction in width is offset by an increase in width in other locations which would result in a net positive public benefit, in terms of public access, recreation, or natural hazard management.
3. The extent to which the land will maintain or enhance the ecological values and natural character, landscape, historic heritage and natural function of the adjacent surface waterbody or area of coast.