

Section 42A Officer’s Report

Hearing Stream 7: Other Topics

Topic: Subdivision

Prepared by: Hamish Wesney
Planner, Boffa Miskell (for Hutt City Council)

Reviewed by: Kathleen Haylock
Principal Policy Planner
Hutt City Council

Report Date: 15 September 2026

Date of Hearing: 14, 15, 16 October 2026

1 Contents

1	Contents.....	2
2	Introduction	5
2.1	Authors.....	5
2.2	Declaration of Interests.....	6
2.3	Supporting evidence.....	7
2.4	Procedural issues.....	7
2.5	Relevance of PDP exemption for Subdivision chapter	7
2.5.1	Integration with the Operative District Plan	11
2.6	Implications for submissions on the Subdivision Chapter	12
2.7	Relationship between Subdivision chapter and other chapters of the Proposed District Plan	13
3	Subdivision	14
3.1	Chapter Summary	14
3.2	Statutory and Policy Context	15
3.3	Submissions and further submissions.....	16
3.4	Key resource management issues	17
3.5	Discussion of submissions and recommendations	18
3.5.1	Provisions not in contention.....	18
3.5.2	General – Permitted use pathway for subdivision and earthworks	19
3.5.3	General – Assessing subdivision and new building on “load factor” on stormwater infrastructure and properties downstream	20
3.5.4	General – Subdivision and building of dwellings on properties on Crowther Road, Moores Valley	21
3.5.5	General – References to external documents.....	23
3.5.6	General – High Trip Generating Activity.....	24

3.5.7	Introduction	25
3.5.8	SUB-O2 (Subdivision design)	26
3.5.9	SUB-O3 (Servicing of allotments)	28
3.5.10	SUB-P4 (Subdivision design and layout)	30
3.5.11	SUB-P6 (Transport Network)	31
3.5.12	SUB-P7 (Servicing and access)	32
3.5.13	SUB-P9 (Subdivision for infrastructure)	36
3.5.14	SUB-P10 (Subdivision in residential zones)	37
3.5.15	SUB-P11 (Subdivision in rural zones)	39
3.5.16	SUB-P22 (Subdivision of land in natural hazard risk areas)	40
3.5.17	SUB-P24 (Subdivision of land with access from highly constrained roads)	41
3.5.18	SUB-P25 (Subdivision of land within the National Grid Subdivision Corridor)	45
3.5.19	New Subdivision Policy	47
3.5.20	SUB-R4 (Subdivision that creates any vacant allotments)	48
3.5.21	SUB-R5 (Subdivision that creates a new allotment for infrastructure)	50
3.5.22	SUB-R12 (Subdivision within the Fault Location Area)	51
3.5.23	SUB-R13 (Subdivision within the Liquefaction Hazard Overlay)	52
3.5.24	SUB-R14 (Subdivision within the Low Flood Hazard Overlay)	54
3.5.25	SUB-R15 (Subdivision within the Medium Flood Hazard Overlay)	56
3.5.26	SUB-R16 (Subdivision within the High Flood Hazard Overlay)	60
3.5.27	SUB-R17 (Subdivision within the Low Tsunami Hazard Overlay)	60
3.5.28	SUB-R18 (Subdivision within the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay)	63
3.5.29	SUB-R19 (Subdivision within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay)	67
3.5.30	SUB-R20 (Subdivision within the Slope Assessment Overlay)	70
3.5.31	SUB-R23 (Subdivision of land in the Highly Constrained Roads Overlay)	72

3.5.32	SUB-R24 (Subdivision of land within the National Grid Subdivision Corridor Overlay)	75
3.5.33	SUB-R25 (Subdivision of land within the Gas Transmission Pipeline Corridor)	77
3.5.34	SUB-S1 (Allotment size) – General Rural Zone.....	77
3.5.35	SUB-S1 (Allotment size) – Rural Lifestyle Zone.....	79
3.5.36	SUB-S4 (Water supply)	81
3.5.37	SUB-S5 (Wastewater disposal)	83
3.5.38	SUB-S6 (Stormwater management)	84
3.5.39	SUB-S8 (Telecommunications)	85
3.5.40	Shaftesbury Grove	88
3.5.41	Stratton Street.....	92
4	Mechanical issues, minor and consequential amendments	97
5	Summary of recommendations.....	98
6	Conclusion.....	100
7	Appendix 1: Recommended amendments to the Proposed District Plan.....	101
8	Appendix 2: Recommended decisions on submissions on the Subdivision Chapter ..	102

2 Introduction

- (1) This report is the Officers Report for the Hearing #7 Other Topics – Subdivision for the Proposed Lower Hutt District Plan (the PDP).
- (2) This report is prepared under section 42A of the Resource Management Act 1991 (the RMA) to:
 - a. Assist the Hearing Panel in making their recommendations on the submissions and further submissions on the Subdivision chapter of City of Lower Hutt District Plan, and
 - b. Provide submitters with information on how their submissions/further submissions have been evaluated by the reporting officer(s) for this hearing stream, and their recommendations to the Hearing Panel.
- (3) This report considers submissions/further submissions received by Council in relation to the Subdivision chapter, and concludes with recommendations with respect to decisions requested by submitters for the chapter.
- (4) The Hearing Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information provided to them, including evidence provided to them by submitters.

2.1 Authors

- (5) My name is Hamish Philip Joseph Wesney. I am a Consultant Planner at Boffa Miskell, who is assisting Hutt City Council (HCC) with the District Plan Review/PDP. My role with the District Plan Review/PDP has been assisting with the review and preparation of specific chapters. I was not involved in the review or preparation of the Subdivision chapter. Also, during 2019 – 2021, I had a part-time secondment to the HCC Policy Planning Team, assisting with the initial scoping and work programme for the District Plan Review.
 - (6) I hold the qualification of Bachelor of Resource and Environmental Planning with First Class Honours from Massey University. I am a Full Member of the New Zealand Planning Institute.
-

- (7) I have approximately 25 years' experience in planning and resource management, working for both a local authority and a consultancy. For the first four years I was employed as a planner with the Horowhenua District Council, undertaking a variety of planning tasks, including processing numerous land use and subdivision resource consent applications and alterations and outline plans for designations. For the past 21 years, I have been a consulting planner, and have been involved in advising a wide range of clients, including local authorities, corporate entities, central government, and individuals on various projects. In particular, I have been involved in reviewing and drafting a number of district plans including the Wairarapa Combined District Plan, New Plymouth District Plan, Horowhenua District Plan, and South Taranaki District Plan.
- (8) Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- (9) Other than where I state that I am relying on the advice of another person, this evidence is within my areas of expertise. I have not omitted to consider material facts known to us that might alter or detract from the opinions that I express.
- (10) Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinion. Where I have set out opinions in my evidence, I have given reasons for those opinions.

2.2 Declaration of Interests

- (11) Boffa Miskell also provides policy advice and assistance to Transpower New Zealand Ltd with reviewing and submitting on RMA planning documents. Therefore, in preparing this Section 42A report, where provisions have been submitted on by Transpower, those evaluations and recommendations (which refer to first person) are authored by Nathan Geard, Policy Planning Manager, Hutt City Council.

2.3 Supporting evidence

- (12) Other than the s32 evaluation reports for these chapters, there is no additional supporting documents or evidence for this report.

2.4 Procedural issues

- (13) At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings, or expert witness conferencing in relation to the Subdivision chapter.

2.5 Relevance of PDP exemption for Subdivision chapter

- (14) As set out in the s42A report for Hearing Stream #1, Hutt City Council sought an exemption to allow the majority of the PDP to continue through the Schedule 1 process following the 'Plan Stop' mechanism introduced in the Resource Management (Consenting and Other System Changes) Amendment Act.
- (15) On 15 January 2026, the Minister Responsible for RMA Reform, Hon Chris Bishop, approved the exemption in full, enabling most PDP chapters to proceed to hearings and decisions.
- (16) As a result, the PDP is exempted from the plan stop requirements, with the exception of the following parts:
- Historical and Cultural Values chapters, schedules and overlays,
 - Natural Environmental Values chapters, schedules and overlays,
 - Non-hazard parts of the Coastal Environment chapter and associated schedules and overlays (including coastal natural character), and
 - Parts relating to Highly Productive Land.
- (17) In this report, I refer to this as the "plan stop exemption" or "Council's plan stop exemption".
- (18) In accordance with the Resource Management (Consenting and Other System Changes) Amendment Act and the Minister's exemption decision,

Council is statutorily required to withdraw those parts of the PDP that are not covered by the exemption.

- (19) For the most part, this was completed and publicly notified on 15 January 2026.
- (20) However, not all provisions that related to these parts of the PDP were withdrawn at that time. In particular, provisions in several district-wide chapters address matters that are outside the scope of the exemption (that ultimately need to be withdrawn) alongside matters that are in scope of the exemption (that need to be retained). A decision was made to not undertake the partial withdrawals of those chapters as it would have resulted in a rewrite of the chapters, and risked confusion for plan users and people involved in the PDP process.
- (21) For the Subdivision chapter, the objectives, policies and rules of the chapter were drafted to interact with a number of PDP chapters that have since been withdrawn. I have therefore reviewed the Subdivision chapter to identify provisions, or parts of provisions, that relate to matters outside the scope of the exemption and which will ultimately need to be withdrawn from the PDP. Table 1 below lists the provisions of the Subdivision chapter which are considered out of scope in their entirety. These are provisions which wholly relate to chapters, overlays or other notations or schedules which have been withdrawn.

Table 1: Provisions in the Subdivision Chapter considered wholly outside the scope of the plan stop exemption

Withdrawn topic	Subdivision Chapter provisions not within scope of the exemption
Heritage chapters and overlays	SUB-P16 – Subdivision of land containing Heritage Buildings or Heritage Structures SUB-P17 – Subdivision of land within Heritage Areas SUB-R7 – Subdivision of land containing heritage buildings or

	heritage structures, or land within heritage areas
Sites and Areas of Significance to Māori chapter, overlays and schedules	SUB-P15 – Subdivision of land containing a Site or Area of Significance to Māori SUB-R6 – Subdivision of land containing a Category 1 or 2 Site or Area of Significance to Māori
Outstanding Natural Features and Landscapes	SUB-P19 – Subdivision of land within Outstanding Natural Features and Landscapes SUB-R9 – Subdivision of land within Outstanding Natural Features and Landscapes
Natural Character Chapter – Coastal and riparian margins	SUB-P20 – Subdivision of land containing coastal margins or riparian margins SUB-R10 – Subdivision of land within coastal margins and riparian margins
High, Very High and Outstanding Coastal Natural Character Areas	SUB-P21 – Subdivision of land within the Coastal Environment SUB-R11 – Subdivision of land within High and Very High Coastal Natural Character Areas
Highly productive land	SUB-P23 – Subdivision of highly productive land SUB-R22 – Subdivision of highly productive land
Public access	SUB-O4 – Esplanades

	SUB-P8 – Esplanade requirements SUB-S9 – Esplanade reserves and esplanade strips
--	---

- (22) In addition, I have reviewed the remaining provisions in the Subdivision chapter to identify any that are partially not in scope of the plan stop exemption. Table 2 below lists these provisions, including a rationale for why the listed aspect of the provision is not in scope. Appendix 1 of this report includes a marked-up version of the chapter which shows these changes in full alongside changes recommended in response to submissions.
- (23) I note a few of the PDP provisions to be withdrawn relate to esplanade requirements. I consider consequential amendments are required to ensure subdivision applications continue to be assessed against the applicable operative district plan esplanade provisions. Simply removing all references to esplanade requirements from the subdivision framework could create an unintended policy and assessment gap.

Table 2: Provisions in the Subdivision Chapter considered partially not in scope of the plan stop exemption

Provisions of the Subdivision chapter partially not in scope of the exemption.	Reason provision is partially out of scope
SUB-O2 – Subdivision design Clause 4: 4. Provide for and protect identified natural environment, historical and cultural values.	Clause 4 relates to identified elements of the natural environment, and cultural and historic heritage. These parts of the PDP are outside the scope of the plan stop exemption, and relevant schedules and overlays have been withdrawn.
SUB-P11 – Subdivision in rural zones Clause 2: <i>2. Does not result in the fragmentation of highly productive</i>	Clause 2 relates to highly productive land. This subject matter in the PDP is outside the scope of the plan stop exemption and have been withdrawn.

<i>land in a way that diminishes the productive capacity of the land,</i>	
SUB-R1 – Boundary adjustments SUB-R3 – Unit title subdivision SUB-R4 – Subdivision that creates any vacant allotments References to SUB-S9: Esplanade reserves and esplanade strips and SUB-P8: Esplanade requirements	SUB-P8 and SUB-S9 relate to public access. This subject matter in the PDP is outside the scope of the plan stop exemption and is to be withdrawn.

2.5.1 Integration with the Operative District Plan

- (24) Given the above, the Proposed District Plan is no longer a complete replacement of the Operative District Plan. As a result, the parts of the Operative District Plan that are equivalent to the parts of the Proposed District Plan that are not in scope of the plan stop exemption will need to be retained. These retained provisions will ultimately need to be integrated with the Proposed District Plan.
- (25) I note that this means the final Integrated District Plan will not be able to give effect to all higher order documents. However, this is an inevitable consequence of the plan stop provisions of the RMA and the scope of Council's plan stop exemption.
- (26) Council officers anticipate that integration will happen at the same time that Council makes its decisions on the Proposed District Plan. This will involve some reformatting of the Operative District Plan provisions to conform to the National Planning Standards and ease this integration (to the extent Council is able to undertake this reformatting without the need for a Schedule 1 process).
- (27) In addition, there may need to be further plan changes in the future to improve the integration and implementation of higher order documents, but this will depend on what is enabled by relevant legislation at the time.
- (28) With regard to the Subdivision chapter, the equivalent chapter of the Operative District Plan is Chapter 11. Chapter 11 contains issues, objectives, policies, rules and standards for managing subdivision based on zoning and

district-wide matters. Specific provisions in Chapter 11 relating to subdivision involving heritage, cultural or natural values will be retained as these subject areas fall outside the scope of the plan stop exemption. These provisions include:

- *Section 11.1.4: Special Areas* (objectives and policies relating to coastal environment, ecological and heritage matters), and
- *Section 11.2.4: Discretionary Activities* (rules relating to historic heritage, sites of significance to Māori, coastal environment).

(29) These provisions manage the effects of subdivision on heritage, cultural, and natural values. To the extent these matters are no longer addressed through the Proposed District Plan, the Operative District Plan provisions will remain relevant and will need to be retained within the Integrated District Plan.

2.6 Implications for submissions on the Subdivision Chapter

(30) A number of submission points on the Subdivision chapter seek changes that relate to Proposed District Plan provisions identified above which are outside the scope of the plan stop exemption.

(31) As set out in the s42A report for Hearing Stream #1, the Council has obtained legal advice¹ on the implications of the exemption and withdrawal on submitters and the remaining Proposed District Plan process. The legal advice concludes that:

- Submission points on withdrawn provisions fall away, because the Hearing Panel has no jurisdiction to grant any relief relating to provisions that no longer exist.
- Submitters who only submitted on withdrawn provisions do not need to be heard, as there is nothing the Panel can lawfully consider or determine.

¹ <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/proposed-district-plan-hearings/hearing-stream-1>

- (32) This report focuses on the provisions and associated submission points that are still within scope of the plan stop exemption.
- (33) Any submission relief requesting amendments to withdrawn provisions, or dependent on their reinstatement, cannot be recommended or granted under Schedule 1. For completeness, these submissions have been included in Appendix 2 of this report, with an officer recommendation of 'No recommendation'.

2.7 Relationship between Subdivision chapter and other chapters of the Proposed District Plan

- (34) The Subdivision chapter sets out objectives, policies, and rules for subdivision across the district, including provisions for specific subdivision types, zones, overlays, and other planning notations. Where land is subject to an overlay or planning notation, subdivision must comply with both the general subdivision provisions and any location-specific requirements set out in the subdivision and other PDP chapters. For example, other district-wide provisions, such as earthworks may also apply, with requirements varying according to the relevant zone, overlay, or spatial layer.
- (35) In preparing this report and assessing the submissions, recommendations contained in previous hearing streams, particularly the Rural Zones, Transport, Infrastructure, Three Waters and Natural Hazards chapters, have also informed the assessment of submissions where there is a close relationship between those provisions and the subdivision framework. The recommendations in this report seek to maintain consistency and integration across those chapters where appropriate.
- (36) The Hearings Panel's recommendations arising from submissions on other hearing topics may require consequential amendments to the Subdivision Chapter to maintain consistency and alignment with any changes recommended elsewhere in the Proposed District Plan.

3 Subdivision

3.1 Chapter Summary

- (37) The Subdivision chapter sets out objectives, policies, and rules for subdivision throughout the district, including provisions relating to specific subdivision types, zones, overlays, and other planning notations. Where subdivision enables the creation of new allotments, the Subdivision chapter has regard to and implements other relevant objectives and policies that guide the anticipated future use and development of those allotments.
- (38) The chapter includes four objectives, being:
- SUB-O1: Subdivision,
 - SUB-O2: Subdivision design,
 - SUB-O3: Servicing of allotments,
 - SUB-O4: Esplanades.
- (39) The chapter includes nine general subdivision policies, five subdivision zone policies and 12 subdivision overlays and other specified location policies.
- (40) The chapter includes five general subdivision rules, three rules related to subdivision in historical and cultural value overlay, three rules related to subdivision in natural environment overlays and coastal natural character overlays, nine rules related to subdivision in natural hazard overlays and coastal hazard overlays and five rules related to subdivision in other overlays and precincts.
- (41) The chapter includes 9 standards, being; allotment size (SUB-S1), legal and physical access (SUB-S2), roads (SUB-S3), water supply (SUB-S4), wastewater disposal (SUB-S5), stormwater management (SUB-S6), power supply (SUB-S7), telecommunications (SUB-S8) and esplanade reserves and esplanade strips (SUB-S9).

3.2 Statutory and Policy Context

- (42) The broader statutory and policy context set out in the section 32 evaluation report for the Subdivision chapter remains relevant. However, since notification of the PDP there have been changes to national and regional direction that are relevant to the assessment of submissions on the Subdivision chapter.
- (43) Since notification of the PDP, the National Policy Statement for Natural Hazards 2025 (NPS-NH) has come into force. As noted in the Natural Hazards s42A report, the NPS-NH introduces a nationally consistent framework for managing natural hazard risk associated with subdivision, use and development through a risk-based and proportionate approach. The NPS-NH applies to flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami hazards, and is particularly relevant to subdivision provisions that enable the creation of new allotments and development opportunities within identified hazard areas.
- (44) As discussed in the Hearing 1: Opening Hearing s42A report and subsequent legal advice from Mr Stephen Quinn, it is appropriate for hearing panels to have regard to relevant changes in national direction that have occurred since notification of the PDP. Given the direct relevance of the NPS-NH to subdivision and natural hazard risk management, the NPS-NH has informed the assessment of submissions relating to subdivision within natural hazard overlays and the broader natural hazard framework in the Subdivision chapter.
- (45) Since notification of the PDP, Proposed Change 1 to the Regional Policy Statement for the Wellington Region (RPS) has also progressed. While a number of provisions have become operative, other provisions remain subject to appeals and the resolution process is ongoing. Accordingly, where relevant, this report has had regard to both the operative provisions of the RPS and the relevant provisions of Proposed Change 1, recognising their current legal status.

3.3 Submissions and further submissions

- (46) A total of 105 submission points were received in relation to the Subdivision chapter from 64 submitters. The submissions address a broad range of matters, including the overall subdivision framework, subdivision within natural hazard areas, infrastructure servicing, transport, rural subdivision, telecommunications, and subdivision within specific overlays and corridors.
- (47) The main themes raised in submissions are:
- the role and scope of the subdivision chapter and its relationship with other chapters of the PDP;
 - subdivision in rural areas, including minimum allotment sizes and the distinction between the General Rural Zone and Rural Lifestyle Zone;
 - the management of subdivision within natural hazard overlays and corridors;
 - infrastructure servicing requirements, including water supply, wastewater, stormwater, telecommunications and power supply;
 - transport effects of subdivision, including subdivision within the Highly Constrained Roads Overlay and high trip generating activities;
 - subdivision within the National Grid Subdivision Corridor;
 - subdivision design, servicing and access;
 - esplanade requirements; and
 - site-specific subdivision provisions, including the proposed Shaftesbury Grove Development Precinct.
- (48) A significant proportion of submissions seek either greater flexibility for subdivision and development or, alternatively, stronger restrictions in areas subject to natural hazard, infrastructure or transport constraints. Many submissions also seek amendments to ensure consistency between the Subdivision chapter and recommendations arising from the Rural Zones, Transport, Infrastructure, Three Waters and Natural Hazards hearing streams.
- (49) Further submissions generally support or oppose primary submissions on these same matters and do not raise any materially new resource management issues beyond those identified in the primary submissions.

3.4 Key resource management issues

(50) Having reviewed the submissions and further submissions, I consider the key resource management issues for consideration in this hearing are:

- The extent to which the Subdivision chapter appropriately manages the effects of subdivision while avoiding duplication of matters more appropriately addressed through other PDP chapters, including the Rural Zones, Transport, Infrastructure, Three Waters, Earthworks and Natural Hazards chapters.
- Whether the subdivision framework provides an appropriate balance between enabling development and ensuring that new allotments are suitably designed, serviced and connected to infrastructure and the transport network.
- Whether the notified rural subdivision framework, including minimum allotment size standards, appropriately maintains the distinction between the General Rural Zone and Rural Lifestyle Zone and manages rural land fragmentation, rural character and reverse sensitivity effects.
- Whether the subdivision provisions appropriately manage natural hazard risk through a risk-based approach that is integrated with the Natural Hazards chapter and the National Policy Statement for Natural Hazards 2025.
- Whether the subdivision provisions appropriately manage the effects of subdivision on the transport network, particularly within the Highly Constrained Roads Overlay and in relation to development that may generate significant additional traffic demand.
- Whether the servicing standards for water supply, wastewater, stormwater, power supply and telecommunications provide an appropriate and effective framework for ensuring that new allotments can be adequately serviced.
- Whether the subdivision provisions applying to nationally and regionally significant infrastructure corridors appropriately manage reverse sensitivity effects and maintain the safe operation, maintenance, upgrading and development of that infrastructure.

- Whether amendments are required to ensure the Subdivision chapter remains consistent with recommendations from other hearing streams and the Minister's decision on the plan stop exemption.

3.5 Discussion of submissions and recommendations

- (51) This section provides analysis of the submission points on the Subdivision chapter and my recommendations on decisions requested by submitters on this topic.
- (52) The submission points are discussed in the same order as the provisions appear in the Subdivision chapter of the PDP.

3.5.1 Provisions not in contention

- (53) Some provisions only received submissions in support. These provisions and submissions are summarised in Table 3.

Table 3: Provisions in the Subdivision Chapter which received submissions in support only

Provision	Submission in support
SUB-P26 – Subdivision of land within the Gas Transmission Pipeline Corridor	Clarus (474.62).
SUB-R1 – Boundary adjustments	Connexa, Chorus, FortySouth and Spark (311.88) FENZ (374.50a)
SUB-R3 – Unit title subdivision and subdivision that does not result in the creation of any new vacant allotments	Connexa, Chorus, FortySouth and Spark (311.89) FENZ (374.50b)
SUB-S2 – Legal and physical access	FENZ (374.52)

SUB-S3 – Roads	FENZ (374.53) NZTA (385.64)
----------------	--------------------------------

- (54) These submission points are recommended to be accepted.

3.5.2 General – Permitted use pathway for subdivision and earthworks

Submissions

- (55) R Swain and K Weber-Swain (317.2e), A Robinson and R Robinson (380.2e) and Sensible Solutions for Eastbourne (383.2e) request a permitted use subdivision and earthworks pathway. Kris Connell (F3.6) supports the submission from A Robinson and R Robinson.

Assessment

- (56) As discussed in the Residential Zones Section 42A Report for Hearing Stream #3, these submissions generally seek a less restrictive framework to facilitate additional development opportunities within Eastbourne. However, subdivision differs from land use activities in that it creates new allotments and permanently alters the pattern of land ownership and development potential. For this reason, subdivision is treated separately under the RMA and must be expressly authorised by a district plan rule or resource consent under section 11 of the Act.
- (57) I consider a permitted activity pathway for subdivision would be inappropriate. Subdivision can give rise to a range of site-specific effects that require assessment, including the suitability of allotments for their intended use, servicing, access arrangements, natural hazard exposure, infrastructure capacity, ecological effects, and the efficient integration of subdivision with the surrounding environment. These matters can vary significantly between sites and are not readily addressed through a permitted activity framework.
- (58) The PDP subdivision framework is designed to ensure that new allotments are appropriately serviced and capable of accommodating anticipated development, while managing adverse effects and ensuring consistency with the objectives and policies of the relevant zone and overlay chapters. In my view, retaining a resource consent pathway for subdivision is necessary to

enable these matters to be properly assessed and does not unnecessarily constrain development. I note under Rule SUB-R4 subdivision of land creating vacant allotments is a controlled activity provided compliance is achieved with minimum standards. I consider controlled activity status is the most appropriate activity status for subdivision as it provides certainty consent would be granted, though enables site-specific assessment and conditions to be imposed to address matters I have referred to above.

- (59) Accordingly, I consider the notified approach remains appropriate and no permitted activity pathway for subdivision should be introduced.

Recommendation

- (60) Reject Submission 317.2e by R Swain and K Weber-Swain, Submission 380.2e by A Robinson and R Robinson, Further Submission F3.6 by Kris Connell and Submission 383.2e by Sensible Solutions for Eastbourne.

3.5.3 General – Assessing subdivision and new building on “load factor” on stormwater infrastructure and properties downstream

Submissions

- (61) D Engel (475.4) requests that subdivisions and new buildings be judged based on their load factor on stormwater infrastructure as well as on properties downstream.

Assessment

- (62) I understand the relief sought to be directed at ensuring new subdivision and development does not increase stormwater runoff or place additional pressure on stormwater networks and properties located further downstream.
- (63) I support the intent of the submission but do not support the relief sought.
- (64) The concerns raised by the submitter are already addressed through the PDP's integrated stormwater management framework. In particular, Standard SUB-S6 in the Subdivision chapter requires all subdivisions and stormwater systems to be designed to achieve hydraulic neutrality. This requirement is intended to ensure that subdivision does not increase the rate or volume of

stormwater runoff to the receiving environment or downstream network. The standard also requires appropriate stormwater servicing and includes assessment matters that consider the adequacy of stormwater management solutions, adverse flooding effects on other properties, and effects on the effective functioning of publicly owned stormwater networks.

- (65) These subdivision requirements are supported by the provisions of the Three Waters chapter in the Proposed District Plan, which address the stormwater effects of use and development. Collectively, the Subdivision and Three Waters chapters provide a framework for managing stormwater effects at both the subdivision and development stages, and at both the site and catchment scale. In my view, this framework appropriately addresses the potential effects of subdivision and development on stormwater infrastructure and downstream properties, including the matters identified by the submitter.
- (66) I do not support introducing an additional requirement to assess development based on a "load factor". The term is not defined and its intended application is uncertain. Further, I consider the effects of concern are more appropriately addressed through the existing hydraulic neutrality requirements and stormwater assessment criteria, which provide a clear and established basis for assessing stormwater effects.
- (67) Accordingly, I am satisfied that the PDP already contains an appropriate and effective framework for managing the stormwater effects of subdivision and development, including effects on stormwater infrastructure and downstream properties, and no amendment is required.

Recommendation

- (68) Reject Submission 475.4 by Dieter Engel.

3.5.4 General – Subdivision and building of dwellings on properties on Crowther Road, Moores Valley

Submissions

- (69) C and J Riley (230.1b) requests that subdivision and building of dwellings on properties on Crowther Road proposed to be in the General Rural Zone are

enabled in a way comparable to other properties on Crowther Road and with smaller properties in Wainuiomata.

Assessment

- (70) My reading of the submission is that it is primarily directed at the zoning of properties at 41, 43, 65, 69, 89, 107 and 115 Crowther Road and seeks their rezoning from the General Rural Zone to the Rural Lifestyle Zone.
- (71) The ability to subdivide land and establish additional dwellings is primarily determined by the zoning and density framework that applies to the land. The submitters' concerns regarding the ability to further subdivide and develop their properties were considered through the Rural Zones hearing process as part of their request to rezone the relevant properties from General Rural Zone to Rural Lifestyle Zone.
- (72) Since the preparation of the Rural Zones section 42A report, further evidence was provided and considered through the hearing process. In the Rural Zones Officer Right of Reply Statement², it was recommended that submission point 230.1a be accepted and that the properties at 41, 43, 65, 69, 89, 107 and 115 Crowther Road be rezoned from General Rural Zone to Rural Lifestyle Zone. This recommendation was based on an assessment of the existing land use pattern, the characteristics of the area, and the requirements of the National Policy Statement for Highly Productive Land.
- (73) I consider the rezoning process, rather than amendments to the Subdivision chapter, is the appropriate mechanism for addressing the submitters' concern. The Subdivision chapter provides district-wide subdivision controls that are intended to apply across zones and does not determine the underlying development density anticipated for a particular area. Should the rezoning of the Crowther Road properties to Rural Lifestyle Zone be adopted, the applicable subdivision and residential development framework would follow from that zoning outcome.
- (74) Accordingly, I do not consider any amendment to the Subdivision chapter is necessary in response to this submission.

² <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/proposed-district-plan-hearings/hearing-stream-3>

Recommendation

- (75) Reject Submission 230.1b by Claudia and John Riley.

3.5.5 General – References to external documents

Submissions

- (76) Go Architecture Ltd (331.10) requests amendments so that references in provisions to external documents, include the following:

or in accordance with any approved methods that may be added in subsequent revisions of these documents.

Assessment

- (77) I do not support this submission. While external technical standards, guidelines, and industry documents may be revised over time, the PDP should provide certainty regarding the requirements that apply. The content and requirements of future revisions are unknown and cannot be assessed through the current plan-making process. Future revisions may introduce standards, methodologies, or requirements that are inappropriate in the Lower Hutt context, or impose costs and obligations that have not been evaluated through the PDP's policy framework.
- (78) Automatically incorporating future amendments or additional methods by reference would create uncertainty for plan users and decision-makers and could alter the operation of the PDP without appropriate scrutiny through a statutory plan-making process. In my view, the PDP should only reference documents and requirements that have been assessed through the plan-making process. I also note that material incorporated by reference forms part of the District Plan and has legal effect under clause 30 of Schedule 1 of the RMA. Clauses 31 and 33 of Schedule 1 further provide that amendments, replacements, expiry, or revocation of incorporated material do not automatically alter the legal effect of the plan, and instead require a plan variation or plan change process. The relief sought would therefore be inconsistent with the statutory framework for incorporation by reference in district plans. I consider the Schedule 1 approach provides transparency, certainty, and consistency in the administration of the Plan.

Recommendation

- (79) Reject Submission 331.10 by Go Architecture Ltd. No amendment is recommended.

3.5.6 General – High Trip Generating Activity

Submissions

- (80) Wellington Regional Council (452.70) seeks to insert a new row for subdivision in Transport Table 8: High trip generating activity thresholds as follows: the subdivision of land which under this Plan has the capacity to accommodate 20 residential units. This submission is opposed by Te Kārearea Ltd (F40.11).

Assessment

- (81) As discussed in the Transport s42A report, the transport reporting officer identified that there is currently no equivalent high trip generating activity threshold for subdivision and recommended that consideration of this submission be deferred to the Subdivision hearing stream. I agree that subdivision has the potential to generate cumulative transport effects by creating additional development opportunities and future vehicle trips.
- (82) However, I do not support the specific relief sought. Unlike the activities currently captured by TR-Table 8, the future use, development intensity, and access arrangements associated with vacant lot subdivision are often unknown at the time of subdivision. As a result, it is difficult to meaningfully assess whether a subdivision will function as a high trip generating activity, or to undertake the type of Integrated Transport Assessment generally required for high trip generating activities.
- (83) I also note that the transport effects of vacant lot subdivision are already addressed through the subdivision rule framework. Rule SUB-R4 (Subdivision that creates any vacant allotments) includes SUB-P6 (Transport network) and SUB-P7 (Servicing and access) as matters of control or discretion. Accordingly, the effects of a subdivision on the transport network are already able to be considered through the resource consent process for subdivisions creating vacant allotments. This provides a mechanism for assessing transport effects at the subdivision stage, while recognising that the ultimate scale and nature of future development may not yet be known.

- (84) While a vacant lot subdivision that creates a significant number of allotments may eventually generate substantial traffic effects, those effects are likely to occur progressively as allotments are developed. In many cases, the nature and scale of those effects will be more appropriately assessed once greater certainty exists regarding the future development and access arrangements. The subdivision chapter and the High Trip Generating Activity provisions in the Transport chapter together provide a framework for addressing transport effects at the subdivision and subsequent development stages.
- (85) Accordingly, while I acknowledge the issue identified by the submitter, I am not satisfied that introducing a new subdivision threshold based on the theoretical capacity of land to accommodate 20 residential units is the most effective or efficient response. In my view, the existing subdivision and transport frameworks provide the more appropriate mechanism for managing transport effects.

Recommendation

- (86) Reject submission point 452.70 by Wellington Regional Council and accept the further submission F40.11 by Te Karearea Ltd.

3.5.7 Introduction

Submissions

- (87) Transpower (504.58) have requested the following amendment to the “How this chapter works” section of the Introduction:

How this chapter works

...

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. Policies and rules relating to subdivision within the National Grid Subdivision Corridor are contained in this chapter.

Assessment

- (88) I do not support the relief sought. The purpose of the introductory text is to provide a high-level explanation of how the chapter functions rather than identify individual overlays, precincts, or topic-specific provisions. The existing wording already explains that the general subdivision provisions apply to all subdivision applications and that zone-specific and topic-specific policies and rules apply where relevant in addition to the general provisions.
- (89) In my view, specifically identifying the National Grid Subdivision Corridor in the introductory text is unnecessary and would create inconsistency in the advice provided in the introductory text as other overlay and topic-specific subdivision provisions contained within the chapter are not individually referenced. The existing wording is sufficient to direct plan users to the relevant provisions and provides a more concise and consistent explanation of the chapter's operation.

Recommendation

- (90) Reject submission point 504.58 by Transpower.

3.5.8 SUB-O2 (Subdivision design)

Submissions

- (91) HNZPT (248.52) supports Objective SUB-O2, particularly Clause 4, which relates to providing for and protecting identified natural environment, historical and cultural values. Wellington Tenth Trust and the Palmerston North Māori Reserve Trust (F30.1) made a further submission supporting the entire HNZPT original submission.
- (92) Petone Historical Society (496.36) support Objective SUB-O2 in part, and request that Clause 4 of the objective (relating to providing for and protecting identified natural environment, historical and cultural values) be retained or enhanced.
- (93) M Rachlin (232.25) opposes Objective SUB-O2, and requests that the objective be deleted. The submitter's reasons relates to how the objective relates to natural hazard risk.

- (94) Natural Hazards Commission (327.61) requests the following amendment to Objective SUB-O2:

Subdivision results in development patterns and allotments that:

...

5. ~~Manages~~ Avoids or mitigates the risk from natural hazards to as low as reasonably practicable.

- (95) Michael Rachlin (F4.1) made a further submission opposing this submission from the Natural Hazards Commission.

Assessment

- (96) I acknowledge submission point 248.52 by HNZPT and submission point 496.36 by Petone Historical Society, both of which support the retention of clause 4 of SUB-O2 relating to identified natural environment, historical and cultural values.
- (97) As discussed elsewhere in this report, clause 4 is to be withdrawn because it falls outside the scope of the Minister's exemption decision. Consequently, it is not appropriate to retain or further amend this part of the objective through this hearing process. Given this withdrawn status, no recommendation is made on these submission points.
- (98) I acknowledge M Rachlin's concerns about SUB-O2 being unnecessary because the PDP contains objectives relating to subdivision in the Natural Hazards and Coastal Environment chapters (232.25). However, SUB-O2 is a district-wide subdivision objective that guides the design and layout of subdivision regardless of whether land is subject to a natural hazard overlay or located within the Coastal Environment. It therefore serves a distinct purpose within the Subdivision chapter.
- (99) Further, clause 5 of SUB-O2 is consistent with the objective of the National Policy Statement for Natural Hazards 2025, which requires that natural hazard risk associated with subdivision, use and development be managed using a risk-based proportionate approach. The inclusion of natural hazard risk management within a district-wide subdivision objective assists in giving effect to this direction and ensures natural hazard risk is considered as part of subdivision design.

- (100) I acknowledge the Natural Hazards Commission concerns that the word 'avoid' should be an explicit option in SUB-O2 subclause 5, as avoidance can be an important response to natural hazard risk in some circumstances. However, I do not support the requested amendment to the wording of subclause 5. SUB-O2 is a high-level district-wide objective intended to provide overarching direction on subdivision design. In this context, the term "manages" is intentionally broad and provides flexibility for a range of risk management responses, including avoidance where appropriate, as well as mitigation and other measures.
- (101) More detailed direction on the management of specific natural hazards, including circumstances where avoidance is the preferred or required response, is provided through SUB-P22 and the hazard-specific policies and rules in the Natural Hazards chapter. In my view, replacing "manages" with "avoids or mitigates" would narrow the range of available responses and unnecessarily duplicate the more detailed direction provided elsewhere in the PDP. Accordingly, I consider the notified wording remains the most appropriate approach.

Recommendation

- (102) Reject submission point 232.25 by M Rachlin and submission point 327.61 by Natural Hazards Commission and further submission point F4.1 by Michael Rachlin and retain objective SUB-O2 as notified.

3.5.9 SUB-O3 (Servicing of allotments)

Submissions

- (103) Connexa, Chorus, FortySouth and Spark (311.85), FENZ (374.47) and NZTA (385.59) support Objective SUB-O3.
- (104) Enviro NZ (323.38) support Objective SUB-O3 in part, and request the following amendment:
- Development enabled through subdivision is adequately serviced and supported by infrastructure (including additional infrastructure) and the transport network.*
- (105) WRC (452.121) support Objective SUB-O3 in part, and request the following amendment:

Development enabled through subdivision is adequately serviced and supported by infrastructure, prioritising the use of green infrastructure where practicable, and the transport network.

- (106) Natural Hazards Commission (F15.47) support this submission from WRC.

Assessment

- (107) I acknowledge submission point 311.85 by Chorus, FortySouth and Spark, submission point 374.47 by FENZ and submission point 385.59 by NZTA in support of Objective SUB-O3.

- (108) I acknowledge submission point 323.38 by Enviro NZ seeking the inclusion of "additional infrastructure". The submitter notes that the National Policy Statement on Urban Development defines additional infrastructure to include community infrastructure and other infrastructure necessary to support a well-functioning urban environment. However, I do not support the amendment. Objective SUB-O3 is a high-level objective that seeks to ensure development enabled through subdivision is adequately serviced and supported by infrastructure and the transport network. In my view, the amendment is unnecessary because the objective is focused on the servicing of allotments rather than the broader concept of a well-functioning urban environment. To the extent that community infrastructure and other components of a well-functioning urban environment are relevant to subdivision outcomes, these matters are already addressed through the wider PDP framework, including SUB-O1. The addition of "additional infrastructure" would not materially alter the outcome sought by SUB-O3 and is therefore unnecessary.

- (109) Similar to above, I acknowledge submission point 452.121 by WRC seeking to prioritise the use of green infrastructure where practicable. Objective SUB-O3 is intended to provide high-level direction that subdivision is adequately serviced by infrastructure and the transport network. The objective is not intended to prescribe particular infrastructure solutions. Whether green infrastructure, traditional engineered infrastructure, or a combination of approaches is appropriate will depend on the characteristics of the site and the nature of the development. In my view, the notified wording provides sufficient flexibility to enable the use of green infrastructure where appropriate without requiring it to be prioritised in all circumstances.

Recommendation

- (110) Accept submission point 311.85 by Chorus, FortySouth and Spark, submission point 374.47 by FENZ and submission point 385.59 by NZTA.
- (111) Reject submission point 323.38 by Enviro NZ and submission point 452.121 by WRC and further submission F15.47 by Natural Hazards Commission and retain objective SUB-O3 as notified.

3.5.10 SUB-P4 (Subdivision design and layout)

Submissions

- (112) WRC (452.124) supports Policy SUB-P4 in part, and requests the following amendment:

Provide for subdivision and the creation of new allotments where:

...

5. The design and layout maintains or enhances neighbourhood connectivity and pedestrian permeability.

Assessment

- (113) I support this submission. The purpose of SUB-P4 is to provide guidance on achieving well-designed subdivision outcomes. Maintaining or enhancing neighbourhood connectivity and pedestrian permeability supports safe and efficient movement, access to services and public open spaces, and an integrated urban environment. The amendment is also consistent with the wider PDP policy framework, including INFSD-O5 and UDSD-O2, which seek accessible, connected, walkable and well-functioning urban environments. I therefore consider the proposed amendment is consistent with the intent of SUB-P4 and provides clearer direction on the subdivision design outcomes sought.

Recommendation

- (114) Accept submission point 452.124 by WRC and amend SUB-P4 as follows:

...

5. The design and layout maintains or enhances neighbourhood connectivity and pedestrian permeability.

Section 32AA Evaluation

- (115) This amendment is both efficient and effective in achieving the objectives of the PDP. The amendment provides clearer policy direction regarding the design outcomes sought from subdivision and reinforces the importance of creating connected and accessible neighbourhoods. Improved connectivity and pedestrian permeability can support safe and efficient movement, improve access to services, facilities and public open spaces, and contribute to a more integrated urban environment.
- (116) The amendment is also consistent with the wider PDP framework, including INFSD-O5 (Accessibility) and UDSD-O2 (Outcomes for Well-Functioning Urban Environments), which seek urban environments that are accessible, connected, walkable and supported by a range of transport options. The amendment therefore improves integration between the Subdivision chapter and the strategic direction provisions of the PDP.
- (117) The costs associated with the amendment are expected to be low, as it does not introduce any new regulatory requirements or activity status changes. Rather, it provides additional guidance regarding the subdivision design outcomes sought by the policy. The benefits include improved clarity for plan users and decision-makers and better alignment with the broader urban development and transport outcomes of the PDP.

3.5.11 SUB-P6 (Transport Network)

Submissions

- (118) FENZ (374.48) supports Policy SUB-P6.
- (119) NZTA (385.60) supports Policy SUB-P6 in part, and requests the following amendment:

Provide for subdivision where:

1. *The safe and efficient functioning of the transport network is maintained, taking into account the existing capacity and safety of the network.*

Assessment

- (120) I acknowledge submission point 374.48 by FENZ in support of Policy SUB-P6.

- (121) NZTA seek an amendment to the wording of SUB-P6 to refer to the 'existing' capacity and safety of the network. In my view the proposed amendment is unnecessarily restrictive and does not reflect the forward-looking nature of the district plan provisions. While the existing capacity and safety of the transport network are relevant considerations, subdivision proposals should also be assessed having regard to planned transport infrastructure and network improvements that are intended to support future growth and development.
- (122) Limiting consideration to the existing network could have unintended consequences, particularly for larger or staged subdivision proposals. In some cases, the transport network may not have sufficient capacity to accommodate the full development at the time a subdivision application is considered, but planned upgrades may be programmed to coincide with, or occur prior to, the delivery of development. Where adequate transport infrastructure can be provided through planned improvements and associated mitigation measures, I consider it appropriate for these future network conditions to be taken into account.
- (123) Accordingly, I consider the notified wording provides greater flexibility to assess both current and future transport network capacity and safety and is therefore the more appropriate approach.

Recommendation

- (124) Accept submission point 374.48 by FENZ.
- (125) Reject submission point 385.60 by NZTA and retain SUB-P6 as notified.

3.5.12 SUB-P7 (Servicing and access)

Submissions

- (126) FENZ (374.49) support Policy SUB-P7 and request it be retained as notified.
- (127) Connexa, Chorus, FortySouth and Spark (311.86), Enviro NZ (323.39), NZTA (385.61) and WRC (452.125) support Policy SUB-P7 in part, and each request a different amendment to the policy, as shown below:

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 or Network Utility Standards, as relevant [Connexa et al.].*

...

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.~~ Provide for pedestrian safety and the safe and efficient movement of vehicles and other road users [WRC].*

d. *Accommodate solid waste management collection [Enviro NZ].*

e. *Avoid effects being generated on the operation of the existing road network [NZTA].*

...

8. *In discussion with the network utility providers, provide allotments for infrastructure service providers as necessary [Connexa et al.].*

(128) Kāinga Ora - Homes and Communities (F26.59) oppose the submission from NZTA (385.61).

Assessment

(129) I acknowledge submission point 374.49 by FENZ in support of Policy SUB-P7.

(130) Connexa et al seek reference to 'network utility standards' in SUB-P7 subclause 1 (311.86). I support the intent of the submission in part. I agree that subdivision should provide for all infrastructure necessary to service new allotments, including infrastructure operated by network utility providers. However, I do not support a specific reference to "Network Utility Standards". The term lacks certainty and may create ambiguity regarding which standards apply. The detailed requirements of network utility operators are addressed through separate regulatory, operational, and servicing processes. In my view, the existing reference to Council engineering standards provides a clear and certain framework, while allowing infrastructure provider

requirements to be addressed through the relevant consenting, design, and approval processes.

- (131) In addition to the above, Connexa et al seek a new clause requiring consultation with network utility providers and the provision of allotments for infrastructure service providers. I do not support this amendment. Discussions regarding infrastructure servicing requirements and any associated land requirements are addressed through subdivision design, infrastructure planning, and network utility provider processes. Further, suitable telecommunications connections are already provided for through SUB-P7.7 and the associated subdivision servicing standards. The proposed clause is therefore unnecessary.
- (132) SUB-P7 subclause 4 (a) requires new roads and vehicle accessways to allow for safe and efficient traffic movements. WRC seeks amended wording that refers to pedestrian safety and the safe and efficient movement of vehicles and other road users. I agree with the intent of the submission. While the wording sought would duplicate matters already addressed through clause 4(a), I consider it appropriate that the policy more explicitly recognises the safety and amenity of pedestrians and other road users. This is consistent with the wider strategic and transport framework of the PDP, including INFSD-O5 (Accessibility), UDSD-O2 (Outcomes for Well-Functioning Urban Environments), and the Transport chapter objective, which seek accessible, connected and multi-modal transport networks. I therefore recommend amending clause 4(b) to refer to the safety and amenity of pedestrians and other road users.
- (133) Enviro NZ seeks an addition of "accommodate solid waste management collection" in clause 4 (323.39). I do not support this amendment. SUB-P7.4 is directed at the design and functional performance of roads and vehicle accessways. While waste collection vehicles are users of the transport network, specific servicing requirements for waste collection are more appropriately addressed through subdivision design and the access and road standards in the Subdivision chapter, including SUB-S2 (Legal and physical access) and SUB-S3 (Roads), together with the relevant Transport chapter provisions. I consider the existing requirements relating to safe and efficient traffic movements and safely accommodating the intended number of users are sufficiently broad to encompass service vehicles, including waste

collection vehicles. Accordingly, a specific reference to solid waste management collection is unnecessary.

- (134) NZTA seek that effects being generated on the operation of the existing road network are avoided (385.61). The focus of SUB-P7 subclause 4) relates to design and functional performance of the access and new roads. The additional wording sought by NZTA would broaden the scope of the policy beyond design standards and introduce more general effects based tests relating to the wider roading network. Such effects are more appropriately addressed through SUB-P6, which specifically addresses the safe and efficient functioning of the transport network. The proposed amendment is therefore unnecessary.

Recommendation

- (135) Accept in part submission point 374.49 by FENZ.
- (136) Reject submission point 311.86 by Connexa, Chorus, FortySouth and Spark.
- (137) Accept in part submission point 452.125 by WRC and amend clause 4 (b) as follows:

...“Provide for the safety and amenity of pedestrian and other road users
amenity”

- (138) Reject submission point 323.39 by Enviro NZ.
- (139) Reject submission point 385.61 by NZTA and accept further submission point F26.59 by Kāinga Ora – Homes and Communities.

Section 32AA Evaluation

- (140) The amendment to SUB-P7.4(b) is a minor refinement that improves the effectiveness of the policy. The amendment provides clearer direction on the outcomes sought through subdivision design by explicitly recognising the needs of pedestrians and other road users, while remaining consistent with the existing intent of the policy to achieve safe and efficient access arrangements.
- (141) The amendment also improves alignment between the Subdivision chapter and the wider PDP framework, including INFSD-O5 (Accessibility), UDSD-O2 (Outcomes for Well-Functioning Urban Environments), and the Transport chapter objective, which collectively seek connected, accessible and multi-

modal transport networks. In doing so, it better reflects the range of users that new roads and accessways are intended to accommodate.

- (142) The costs associated with the amendment are considered to be negligible, as it does not introduce any additional regulatory requirements, assessment matters, or activity status changes. Rather, it provides greater clarity regarding the design outcomes sought by the policy. The benefits include improved policy guidance for applicants and decision-makers and greater consistency with the transport and strategic direction provisions of the PDP.

3.5.13 SUB-P9 (Subdivision for infrastructure)

Submissions

- (143) Connexa, Chorus, FortySouth and Spark (311.87), Powerco (414.53) and Clarus (474.61) support Policy SUB-P9.
- (144) The Natural Hazards Commission (327.62) request the following amendment to Policy SUB-P9:

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

...

4. *Infrastructure is resilient to natural hazards and climate change.*

Assessment

- (145) I acknowledge submission point 311.87 by Connexa, Chorus, FortySouth and Spark, submission point 414.53 by Powerco and submission point 474.61 by Clarus.
- (146) The Natural Hazards Commission seeks the addition of a new clause requiring infrastructure to be resilient to natural hazards and climate change (327.62). While I agree that infrastructure resilience is an important planning consideration, I do not support the proposed amendment.
- (147) SUB-P9 is focused on the creation of allotments for infrastructure purposes and ensuring these allotments are appropriately configured and located to enable the effective operation of infrastructure. The resilience of infrastructure assets to natural hazards and climate change is a broader

infrastructure planning matter that is addressed elsewhere in the PDP. The resilience of infrastructure is generally addressed in the infrastructure chapter. For example INF-P3 Planning and delivery of infrastructure (3) *“Ensuring that infrastructure is resilient or adaptable to impacts of natural hazards and climate change.”*

- (148) Natural hazard considerations associated with subdivision are also specifically addressed through SUB-P22 (Subdivision of land in natural hazard risk areas), which requires a risk-based approach to the management of subdivision on land affected by natural hazards. SUB-P22 directs consideration of the sensitivity of activities and the likelihood and consequences of natural hazard events. I consider this is the most appropriate policy framework through which natural hazard effects associated with subdivision are addressed.
- (149) In my view, the amendment would duplicate policy direction already provided in both the Infrastructure and Subdivision chapters and is therefore unnecessary. The existing PDP framework provides a more comprehensive and integrated approach to infrastructure resilience and natural hazard management than a subdivision-specific policy relating solely to the creation of infrastructure allotments.

Recommendation

- (150) Accept submission point 311.87 by Connexa, Chorus, FortySouth and Spark, submission point 414.53 by Powerco and submission point 474.61 by Clarus.
- (151) Reject submission point 327.62 by Natural Hazards Commission.

3.5.14 SUB-P10 (Subdivision in residential zones)

Submissions

- (152) The Natural Hazards Commission (327.63) request the following amendment to Policy SUB-P10:

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, and*

3. *Subdivisions are resilient to natural hazards and climate change.*

Assessment

- (153) SUB-P10 is focused on ensuring subdivision in residential zones creates allotments that are capable of accommodating the type, scale, and intensity of development anticipated by the underlying zone. The policy is directed towards the form and functioning of subdivision within residential environments and complements the wider residential zone framework.
- (154) While resilience to natural hazards and climate change is an important planning consideration, these matters are addressed elsewhere in the subdivision policy framework. In particular, SUB-P22 specifically addresses the subdivision of land affected by natural hazards and requires a risk-based approach to managing subdivision based on the sensitivity of activities and the hazard posed to people, property and wellbeing.
- (155) I consider SUB-P22 is the most appropriate policy through which natural hazard considerations are addressed, as it applies specifically to land affected by natural hazards and provides targeted policy direction on the management of subdivision risk. Introducing a similar requirement into SUB-P10 would unnecessarily duplicate the natural hazard policy framework and blur the distinction between the purpose of the residential subdivision provisions and the natural hazards provisions.
- (156) Accordingly, I consider the notified policy framework already appropriately addresses natural hazard and climate change resilience and no amendment to SUB-P10 is required.

Recommendation

- (157) Reject submission point 327.63 by the Natural Hazards Commission.

3.5.15 SUB-P11 (Subdivision in rural zones)

Submissions

- (158) DMAC Homes (29.8) and Z Willis and J Seneti-Davey (52.8) oppose Policy SUB-P11, and request the following amendment:

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.*

Assessment

- (159) The submitters seek the deletion of clause 2 of SUB-P11, which I support. As discussed elsewhere in this report, clause 2 is to be withdrawn as a consequence of the Minister's decision on provisions that fall outside the scope of the plan stop exemption. Deletion of clause 2 is therefore appropriate and consistent with the recommended amendments to the PDP.

Recommendation

- (160) No recommendation on submission 29.8 by DMAC Homes and Submission 52.8 by Z Willis and J Seneti-Davey as this provision is to be withdrawn.

3.5.16 SUB-P22 (Subdivision of land in natural hazard risk areas)

Submissions

- (161) The Natural Hazards Commission (327.65) and WRC (452.126) support Policy SUB-P22. The Natural Hazards Commission requests that guidance is developed to ascertain what likelihood and consequence is deemed to require a more restrictive risk-based approach. Natural Hazards Commission (F15.48) further submitted in part on the WRC submission (452.126) on the basis of the guidance being developed.
- (162) M Rachlin (232.26) opposes Policy SUB-P22 and requests the policy be deleted.

Assessment

- (163) I acknowledge submission point 327.65 by The Natural Hazards Commission and submission point 452.126 by WRC.
- (164) The Natural Hazards Commission also requests that guidance be developed to assist in determining what levels of likelihood and consequence warrant a more restrictive risk-based approach. I acknowledge the intent of this request. However, I do not consider additional guidance is required. SUB-P22 establishes a risk-based approach that is implemented through the natural hazard-specific provisions of the PDP, and further direction is provided through the National Policy Statement for Natural Hazards 2025. No amendment to SUB-P22 is required in response to this aspect of the submission.
- (165) M Rachlin opposes SUB-P22 and requests that the policy be deleted (232.26). I acknowledge the submitter's concern that natural hazard matters are addressed elsewhere in the PDP, including the Natural Hazards and Coastal Environment chapters. However, I do not support deletion of SUB-P22.
- (166) SUB-P22 is a subdivision-specific policy that provides direction on how subdivision of land affected by natural hazards is to be assessed. It requires a risk-based approach based on the sensitivity of activities and the likelihood and consequences of natural hazard events. In doing so, it provides a clear policy framework for subdivision decisions and complements the natural

hazard provisions elsewhere in the PDP. This is important because subdivision creates new allotments and development opportunities independently of any subsequent land use or development, and therefore natural hazard risks need to be considered at the point additional development potential is created.

- (167) Further, SUB-P22 addresses the National Policy Statement for Natural Hazards 2025, which requires that natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based and proportionate approach. I therefore consider that SUB-P22 serves a distinct purpose within the subdivision policy framework and is necessary to ensure natural hazard risk is appropriately considered when creating new allotments.

Recommendation

- (168) Accept submission point 327.65 by The Natural Hazards Commission and submission point 452.126 by WRC, and further submission F15.48 by the Natural Hazards Commission.
- (169) Reject submission point 232.26 by M Rachlin.

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

Submissions

- (170) NZTA (385.62) support Policy SUB-P24 in part, and request the following amendment:

Subdivision of land with access from highly constrained roads or a Limited Access Road

Only allow subdivision of land in the Highly Constrained Road Overlay with access from a highly constrained road or a Limited Access 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.*

For any subdivision resource consent application made that is accessed from a Limited Access Road, NZTA will be considered an affected person in accordance with Section 95E of the RMA and notified of the application, where written approval is not provided.

- (171) The Policy Planning team of Hutt City Council (440.41a) oppose Policy SUB-P24 in part, and request the following amendment:

Only allow subdivision of land in the Highly Constrained Roads 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~~ subdivision will not enable an increase in motor vehicle trips on the highly constrained roads, or*
- 2. ~~Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development~~ It can be demonstrated that additional motor vehicle trips which are enabled by the subdivision will not worsen the safe operation of the road, or*
- 3. Improvements are made to the highly constrained road to ensure additional trips which are enabled by the subdivision are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements.*

Assessment

- (172) SUB-P24 addresses subdivision of land accessed from roads that are already subject to significant physical and operational constraints and where additional transport demand may create adverse safety and efficiency effects. The policy is intended to align with, and complement, the Highly Constrained Roads Overlay framework in the Transport chapter. The Transport s42A report for Hearing Stream #6 concludes that the overlay is appropriately directed at roads where existing constraints limit safe operation and where there are limited opportunities for future upgrades. It also concludes that additional development should only occur where additional vehicle trips can be safely accommodated or suitable improvements can be made.
- (173) I do not support NZTA's proposed amendments relating to Limited Access Roads. As concluded in the Transport s42A report, access to Limited Access

Roads is managed through the Government Rooding Powers Act 1989 and associated NZTA processes, and there is no need for the PDP to separately regulate those roads. Similarly, whether NZTA is an affected person for notification purposes is determined under the statutory tests in the RMA and is not appropriately directed through a district plan policy.

- (174) I support the amendments sought by the Policy Planning Team of Hutt City Council. The equivalent land use controls for activities within the overlay are contained within the Transport chapter, particularly TR-P6. I agree that the subdivision and transport provisions should adopt a consistent policy approach to managing additional vehicle trips generated by development.
- (175) The amendments sought align SUB-P24 with the approach recommended in the Transport chapter by focusing on whether additional vehicle trips enabled by subdivision can be accommodated safely and efficiently, or whether improvements to the highly constrained road are required. This provides a clearer and more integrated framework across the PDP and ensures that the subdivision provisions are consistent with the assessment of subsequent land use activities within the Highly Constrained Roads Overlay.
- (176) Accordingly, I support the amendments sought by the Policy Planning Team and recommend that SUB-P24 be amended to align with the Highly Constrained Roads Overlay provisions in the Transport chapter.

Recommendation

- (177) Reject Submission 385.62 by NZTA.
- (178) Accept Submission 440.41a by the Policy Planning Team of Hutt City Council.
- (179) Amend SUB-P24 as follows:

Only allow subdivision of land in the Highly Constrained Roads 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~~ subdivision will not enable an increase in motor vehicle trips on the highly constrained roads, or*
- 2. ~~Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development~~ It can be*

demonstrated that additional motor vehicle trips which are enabled by the subdivision will not worsen the safe operation of the road, or

3. Improvements are made to the highly constrained road to ensure additional trips which are enabled by the subdivision are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements.

Section 32AA Evaluation

- (180) The recommended amendments to SUB-P24 are more effective than the notified wording because they provide clearer policy direction regarding the outcomes sought for subdivision accessed from highly constrained roads. In particular, the amendments identify that subdivision should only be enabled where additional vehicle trips will not worsen the safe operation of the road, or where improvements are undertaken to ensure additional trips can be accommodated safely and efficiently. This establishes a clearer relationship between subdivision and the transport effects anticipated from future development.
- (181) The amendments also improve integration between the Subdivision and Transport chapters. The recommended wording aligns SUB-P24 with the approach taken in TR-P6 and the wider Highly Constrained Roads Overlay framework, ensuring that subdivision and subsequent land use activities are assessed against a consistent policy direction. This reduces the potential for inconsistent outcomes between the subdivision and land use stages of development.
- (182) The costs associated with the amendments are considered to be low. The amendments do not introduce a new policy approach, but rather provide greater clarity regarding how transport effects are to be assessed within the overlay. The benefits include improved consistency across the PDP, greater certainty for plan users and decision-makers, and a clearer framework for managing the effects of additional traffic on roads that are already subject to significant constraints.

3.5.18 SUB-P25 (Subdivision of land within the National Grid Subdivision Corridor)

Submissions

(183) Transpower (504.59) request the following amendment to Policy SUB-P25:

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

...

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:*

...

f. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid; and

g. The outcome of any consultation with, and technical advice from, Transpower.

Assessment

(184) SUB-P25 is intended to manage the effects of subdivision within the National Grid Subdivision Corridor, including avoiding reverse sensitivity effects and ensuring the safe and efficient operation, maintenance, upgrading, and development of the National Grid. This is consistent with the approach adopted elsewhere in the PDP, which recognises the national significance of the National Grid and seeks to protect it from inappropriate subdivision, use, and development.

(185) I support the inclusion of a matter relating to the nature and location of proposed vegetation within the vicinity of the National Grid. Vegetation can affect access to transmission assets, maintenance activities, and the safe and efficient operation of the National Grid, and planting vegetation may be a significant part of a large-scale development that involves subdivision. Explicit recognition of this matter will improve the effectiveness of the policy and aligns with the broader National Grid protection framework within the PDP.

(186) I also support Transpower's proposed amendment relating to technical advice and outcomes of consultation with them. Under SUB-R24, notice of any resource consent application made under the rule must be served on Transpower. As a consequence, Transpower is provided with an opportunity to review subdivision proposals and provide technical input relevant to the operation, maintenance, upgrading, and development of the National Grid. In my view, where such advice is provided, it is appropriate that it may be taken into account when assessing an application.

(187) I note that the consultation is not a mandatory requirement under the RMA when preparing an application for a subdivision consent, and I think that it is inappropriate for a provision in a district plan to direct applicants to consult in general or with specific parties (although I agree that it is often a good idea to do so). However, I am satisfied that the wording requested by Transpower would not require consultation with them, but ensure that if consultation takes place, a decision maker can consider the outcome and technical advice resulting from that consultation.

Recommendation

(188) Accept Submission 504.59 by Transpower.

(189) Amend SUB-P25 as follows:

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

...

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.

...

f. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid; and

g. The outcome of any consultation with, and technical advice from, Transpower.

Section 32AA Evaluation

- (190) The recommended amendments to SUB-P25 add two additional matters for consideration when assessing subdivision within the National Grid Subdivision Corridor. These amendments improve the effectiveness of the policy. The inclusion of vegetation as a specific matter recognises that vegetation can affect access to transmission assets, ongoing maintenance activities, and the safe and efficient operation of the National Grid. Explicit recognition of this matter assists decision-makers in considering potential effects on nationally significant infrastructure when assessing subdivision proposals.
- (191) Adding the reference to technical advice provided by Transpower and outcomes from consultation with them also improves the efficiency and effectiveness of the subdivision framework. As applications under SUB-R24 are required to be served on Transpower, the amendment recognises that any technical advice provided through that process may be relevant to understanding and managing effects on the National Grid. This provides greater clarity to plan users and decision-makers regarding the matters that may be taken into account when assessing subdivision within the corridor.
- (192) The amendments do not impose any significant additional costs on applicants. Rather, they improve the clarity of the assessment framework and assist in ensuring subdivision outcomes are consistent with the objective of protecting the safe and efficient operation, maintenance, upgrading, and development of the National Grid.
- (193) The recommended amendments are also consistent with the wider National Grid provisions of the PDP and the National Policy Statement on Electricity Transmission, which seek to manage reverse sensitivity effects and protect nationally significant electricity transmission infrastructure.

3.5.19 New Subdivision Policy

Submissions

- (194) Federated Farmers of New Zealand (410.56) request a new policy to read as follows:

Compensation will be payable for esplanades reserves and strips vested in accordance with Section 237E and 237F of the RMA, unless agreed otherwise.

Assessment

- (195) I do not make a recommendation on this submission point.
- (196) As discussed elsewhere in this report, provisions relating to public access, including esplanade reserves and esplanade strips, are to be withdrawn as a consequence of the Minister's decision on provisions outside the scope of the plan stop exemption. The relief sought by the submitter relates directly to the establishment of esplanade reserves and esplanade strips and is therefore associated with a topic that is no longer being progressed through the PDP.

Recommendation

- (197) No recommendation is made on submission point 410.56 by Federated Farmers of New Zealand.

3.5.20 SUB-R4 (Subdivision that creates any vacant allotments)

Submissions

- (198) Connexa, Chorus, FortySouth and Spark (311.90) and FENZ (374.50c) support Rule SUB-R4.
- (199) The Policy Planning team of Hutt City Council (440.42) oppose Rule SUB-R4 in part, and request the following amendment to the rule title:
- Subdivision that creates any vacant allotments (other than allotments solely for infrastructure)*

Assessment

- (200) I acknowledge submission point 311.90 by Connexa, Chorus, FortySouth and Spark and submission point 374.50c by FENZ.
- (201) I support submission point 440.42 by the Policy Planning Team of Hutt City Council. The amended title more accurately reflects the scope and intent of the rule. The amendment recognises that allotments created solely for infrastructure purposes have a different function and planning purpose from vacant allotments intended for future use and development.
- (202) This distinction is already reflected elsewhere in the subdivision rule framework. Rule SUB-R4 applies to subdivision that creates vacant allotments,

whereas Rule SUB-R5 provides a separate activity pathway for subdivision that creates new allotments for infrastructure, with assessment focused on SUB-P9 (Subdivision for infrastructure). Infrastructure allotments are typically created to accommodate network utilities, reserves, access, or other public works and do not generally generate the same development potential or land use expectations as conventional vacant allotments. The amendment therefore improves the clarity and usability of the rule by better reflecting the distinction between SUB-R4 and SUB-R5 without altering the substantive operation of either rule.

Recommendation

- (203) Accept in part submission point 311.90 by Connexa, Chorus, FortySouth and Spark, submission point 374.50c by FENZ.
- (204) Accept submission point 440.42 by the Policy Planning team of Hutt City Council.
- (205) Amend the title of SUB-R4 as follows:

Subdivision that creates any vacant allotments (other than allotments solely for infrastructure)

Section 32AA Evaluation

- (206) The recommended amendment to the title of SUB-R4 clarifies that the rule applies to the creation of vacant allotments other than allotments created solely for infrastructure purposes.
- (207) The amendment improves the effectiveness and efficiency of the subdivision framework by more accurately reflecting the scope and intent of the rule. The amendment clarifies the distinction between SUB-R4, which applies to the creation of vacant allotments intended for future use and development, and SUB-R5, which provides a separate activity pathway for subdivision that creates allotments solely for infrastructure purposes.
- (208) The amendment does not alter the substantive operation of the rule, create additional regulatory requirements, or change the applicable activity status. Rather, it improves the clarity and usability of the PDP by ensuring plan users can more readily identify which rule applies to a particular subdivision proposal.

- (209) The costs associated with the amendment are negligible, as it is purely a clarification of the rule title. The benefits include improved plan interpretation, reduced potential for uncertainty, and greater consistency between the subdivision provisions.

3.5.21 SUB-R5 (Subdivision that creates a new allotment for infrastructure)

Submissions

- (210) Connexa, Chorus, FortySouth and Spark (311.91) and Powerco Limited (414.54) support Rule SUB-R5.
- (211) The Policy Planning team of Hutt City Council (440.43) oppose Rule SUB-R5 in part, and request the following amendment to the rule title:

Subdivision that creates ~~a new allotment~~ vacant allotments solely for infrastructure

Assessment

- (212) I acknowledge submission point 311.91 by Connexa, Chorus, FortySouth and Spark and submission point 414.54 by Powerco Limited.
- (213) I support submission point 440.43 by the Policy Planning Team of Hutt City Council. The amended title more accurately reflects the scope and intent of the rule and improves consistency with the wider subdivision framework. In particular, the title helps distinguish SUB-R5 from SUB-R4, which applies to the creation of vacant allotments generally. SUB-R5 provides a separate activity pathway for allotments created solely for infrastructure purposes, recognising that these allotments have a different function and planning purpose from allotments intended for future use and development. The amendment therefore improves the clarity and usability of the chapter without changing the substantive operation of the rule.

Recommendation

- (214) Accept in part submission point 311.91 by Connexa, Chorus, FortySouth and Spark and submission point 414.54 by Powerco Limited.
- (215) Accept submission point 440.43 by the Policy Planning team of Hutt City Council.

- (216) Amend the title of SUB-R5 as follows:

Subdivision that creates ~~a new allotment~~ vacant allotments solely for infrastructure

Section 32AA Evaluation

- (217) The recommended amendment to the title of SUB-R5 clarifies that the rule applies to subdivision that creates allotments solely for infrastructure purposes.
- (218) The amendment improves the effectiveness and efficiency of the subdivision framework by more accurately reflecting the purpose and scope of the rule. The amendment clearly distinguishes SUB-R5 from SUB-R4, which applies to the creation of vacant allotments intended for future use and development. In contrast, SUB-R5 applies to allotments created for infrastructure purposes, such as network utilities, reserves, accessways, and other public works.
- (219) The amendment improves the clarity and usability of the PDP by making the distinction between these separate subdivision pathways more apparent to plan users and decision-makers. This assists with interpretation of the subdivision framework and reinforces the intended relationship between SUB-R4, SUB-R5, and SUB-P9 (Subdivision for infrastructure).
- (220) The amendment does not alter the substantive operation of the rule, change activity statuses, introduce additional assessment matters, or impose any additional costs on applicants. The benefits are limited to improved plan readability, consistency, and certainty regarding the application of the subdivision provisions.

3.5.22 SUB-R12 (Subdivision within the Fault Location Area)

Submissions

- (221) The Natural Hazards Commission (327.66) support Rule SUB-R12 in part, and request that it be retained as notified subject to approval of the amendments to Policy NH-P7 requested elsewhere in their submission (which relates to subdivision, use and development in the Fault Location Area).

Assessment

- (222) SUB-R12 provides the subdivision consenting framework for land within the Fault Location Area and is intended to implement the policy direction contained in NH-P7. As discussed in the Natural Hazards s42A report for Hearing Stream #5, the Natural Hazards Commission sought amendments to NH-P7 to clarify the management of subdivision and development within the Fault Location Area. However, the Natural Hazards reporting officer concluded that the notified policy appropriately differentiates between activities that have an operational or functional need to locate within the Fault Location Area and those that do not, and recommended that NH-P7 be retained largely as notified. The reporting officer considered that the relief sought would create a policy gap for activities that do not have an operational or functional need to locate within the Fault Location Area.
- (223) I consider it important that the Subdivision and Natural Hazards chapters operate as an integrated framework. NH-P7 provides the primary policy direction for managing fault rupture risk, while SUB-R12 provides the corresponding subdivision rule framework. Accordingly, subdivision applications within the Fault Location Area should be assessed consistently with the risk-based approach established through NH-P7.
- (224) Given the conclusions reached in the Natural Hazards s42A report, I am satisfied that SUB-R12 remains appropriate and effective. No amendment to the rule is required to achieve the intent of the fault location area policy framework.

Recommendation

- (225) Accept in part Submission 327.66 by the Natural Hazards Commission.

3.5.23 SUB-R13 (Subdivision within the Liquefaction Hazard Overlay)

Submissions

- (226) The Natural Hazards Commission (327.67) supports Rule SUB-R13.

(227) L Skilton (314.75) opposes Rule SUB-R13 in part, and requests the following amendment:

1. Activity status: Controlled

Where:

a. The subdivision will result in building platforms for ~~activities most sensitive~~ activities least sensitive to natural hazards or activities potentially sensitive to natural hazards to natural hazards[sic] located within the Liquefaction Hazard Overlay.

...

2. Activity status: Restricted discretionary

Where:

a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Liquefaction Hazard Overlay.

Assessment

(228) I acknowledge submission point 327.67 by the Natural Hazards Commission in support of SUB-R13.

(229) L Skilton (314.75) seeks to amend SUB-R13 so that subdivision resulting in building platforms for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards within the Liquefaction Hazard Overlay is a controlled activity, while subdivision resulting in building platforms for activities most sensitive to natural hazards remains subject to a restricted discretionary activity status.

(230) SUB-R13 is the subdivision rule that implements NH-P11 (Subdivision, Use and Development in the Liquefaction Hazard Overlay). As discussed in the Natural Hazards s42A report, NH-P11 adopts a risk-based approach to managing liquefaction hazard risk and distinguishes between activities based on their sensitivity to natural hazards. In particular, NH-P11 generally allows for building platforms, new buildings and structures for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards within the Liquefaction Hazard Overlay, while applying additional policy scrutiny to activities most sensitive to natural hazards and a limited range of critical facilities that require post-disaster functionality.

- (231) Consistent with this policy framework, SUB-R13 only applies where subdivision will result in building platforms for activities most sensitive to natural hazards within the Liquefaction Hazard Overlay. The rule ensures that, at the subdivision stage, consideration is given to the matters in SUB-P22 (Subdivision of land in natural hazard risk areas) and NH-P11, where the anticipated activity has a greater sensitivity to liquefaction hazard risk.
- (232) I do not consider it necessary or appropriate to extend the controlled activity pathway to subdivision resulting in building platforms for activities least sensitive to natural hazards or activities potentially sensitive to natural hazards. Such an amendment would substantially broaden the scope of SUB-R13 and would not reflect the risk-based approach established through NH-P11. As noted in the Natural Hazards s42A report, additional controls in relation to liquefaction risk are justified for a limited range of more sensitive activities, rather than applying a more extensive regulatory framework across all categories of development.
- (233) Accordingly, I am satisfied that SUB-R13 appropriately implements the policy direction in NH-P11 and should be retained as notified.

Recommendation

- (234) Accept Submission 327.67 by the Natural Hazards Commission.
- (235) Reject Submission 314.75 by L Skilton.

3.5.24 SUB-R14 (Subdivision within the Low Flood Hazard Overlay)

Submissions

- (236) WRC (452.127 and 452.128) supports Rule SUB-R14. The Natural Hazards Commission (F15.49 and F15.50) support these two WRC submission points.
- (237) The Natural Hazards Commission (327.68) supports Rule SUB-R14 in part, and request that it be retained as notified subject to approval of the amendments to Policy NH-P9 requested elsewhere in their submission (which relates to subdivision, use and development in Flood Hazard Overlays).

Assessment

- (238) I acknowledge submission points 452.127 and 452.128 by WRC in support of SUB-R14.
- (239) The Natural Hazards Commission (327.68) supports SUB-R14, subject to amendments sought elsewhere in its submission to NH-P9 (Subdivision, use and development in the Flood Hazard Overlays).
- (240) SUB-R14 implements the flood hazard management framework established by NH-P9 and SUB-P22. The rule adopts a risk-based approach by distinguishing between activities based on their sensitivity to natural hazards. Subdivision resulting in building platforms for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards within the Low Flood Hazard Overlay is a controlled activity, while subdivision resulting in building platforms for activities most sensitive to natural hazards is a restricted discretionary activity.
- (241) As discussed in the Natural Hazards s42A report, NH-P9 adopts a generally enabling approach within the Low Flood Hazard Overlay. The reporting officer concluded that, given the extent of the Low Flood Hazard Overlay across Lower Hutt and the nature of the hazard, it would be impractical and disproportionate to impose a more restrictive assessment framework. The report notes that floodwaters within the Low Flood Hazard Overlay are, by definition, relatively shallow and slow-moving, and that flood risk can generally be managed through mitigation measures. The reporting officer therefore recommended retaining a policy framework that allows development within the Low Flood Hazard Overlay, subject to appropriate mitigation measures and floor level requirements.
- (242) I consider SUB-R14 appropriately implements this policy approach for subdivision. The rule provides a more enabling pathway (controlled activity status) for subdivision creating building platforms for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards, while retaining a higher level of scrutiny (restricted discretionary activity status) for activities most sensitive to natural hazards,. This approach is consistent with the risk-based framework established through NH-P9 and SUB-P22.
- (243) I consider it important that the Natural Hazards and Subdivision chapters operate as an integrated framework. NH-P9 provides the primary policy

direction for managing flood risk, while SUB-R14 provides the corresponding subdivision rule framework. In my view, the approach adopted in SUB-R14 is consistent with the recommendations in the Natural Hazards s42A report and no amendment to the rule is required.

Recommendation

- (244) Accept submission points 452.127 and 452.128 by WRC and further submission points F15.49 and F15.50 by the Natural Hazards Commission.
- (245) Accept in part submission point 327.68 by the Natural Hazards Commission in so far as retaining SUB-R14 as notified with no amendments to policy NH-P9 contained in the Natural Hazards s42A report that change the basis for this rule.

3.5.25 SUB-R15 (Subdivision within the Medium Flood Hazard Overlay)

Submissions

- (246) WRC (452.129 and 452.130) supports Rule SUB-R15. The Natural Hazards Commission (F15.51 and F15.52) support these two WRC submission points.
- (247) The Natural Hazards Commission (327.69) supports Rule SUB-R15 in part, and request that it be retained as notified subject to approval of the amendments to Policy NH-P9 requested elsewhere in their submission (which relates to subdivision, use and development in Flood Hazard Overlays).
- (248) M Rachlin (232.27) opposes Rule SUB-R15 in part, and requests that it be amended so subdivision within a Medium Flood Hazard Overlay is a restricted discretionary activity with the matter of discretion of Policy NH-P9.5: Subdivision, use and development in the Flood Hazard Overlay.

Assessment

- (249) I acknowledge submission points 452.129 and 452.130 by WRC in support of SUB-R15.
- (250) The Natural Hazards Commission supports SUB-R15, subject to amendments sought elsewhere in its submission to the flood hazard provisions (327.69).

- (251) SUB-R15 implements the flood hazard management framework established through SUB-P22 and recommended Policy NH-Pddd (Subdivision, use and development in the Medium Flood Hazard Overlay). The rule adopts a risk-based approach by distinguishing between activities based on their sensitivity to natural hazards. Subdivision resulting in building platforms for activities least sensitive to natural hazards is a restricted discretionary activity, while subdivision resulting in building platforms for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards is a discretionary activity.
- (252) As discussed in the Natural Hazards s42A report, NH-Pddd establishes a more restrictive management framework for the Medium Flood Hazard Overlay than applies within the Low Flood Hazard Overlay. In particular, NH-Pddd generally allows activities least sensitive to natural hazards, while activities potentially sensitive to natural hazards and activities most sensitive to natural hazards are subject to an "only allow" policy framework where flood risk is appropriately managed through mitigation measures and flood conveyance is maintained. The Natural Hazards reporting officer considered this approach appropriate given the greater consequences associated with flooding for more sensitive activities.
- (253) M Rachlin (232.27) seeks to amend SUB-R15 so that subdivision within the Medium Flood Hazard Overlay is a restricted discretionary activity with assessment focused on the relevant Medium Flood Hazard Overlay policy framework.
- (254) I note that, in the Natural Hazards s42A report, the reporting officer recommends amending NH-R13 (New buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards within the Medium Flood Hazard Overlay and High Flood Hazard Overlay) so that the discretionary activity status becomes a restricted discretionary activity status. The reporting officer's reasoning is that the relevant assessment is confined to the policy framework for development within the flood hazard overlays.
- (255) I consider a similar approach is appropriate for subdivision. While NH-Pddd adopts a more restrictive "only allow" policy framework for activities potentially sensitive to natural hazards and activities most sensitive to natural

hazards, the relevant matters requiring assessment are clearly identified through NH-Pddd and SUB-P22. I therefore consider that a discretionary activity status is broader than necessary to implement the policy framework. A restricted discretionary activity status, with discretion limited to the matters in SUB-P22 and NH-Pddd, will still provide Council with the ability to assess flood risk, the adequacy of mitigation measures, and flood conveyance effects, while providing greater consistency with NH-R13 and the Natural Hazards chapter more generally.

- (256) Accordingly, I consider that a restricted discretionary activity status is sufficient to implement the risk-based approach established through NH-Pddd and provides a more integrated and internally consistent framework across the PDP.

Recommendation

- (257) Accept submission points 452.129 and 452.130 by WRC and further submission points F15.51 and F15.52 by the Natural Hazards Commission.
- (258) Accept in part submission point 327.69 by the Natural Hazards Commission.
- (259) Accept in part submission point 232.27 by M Rachlin.
- (260) Amend SUB-R15 as follows:

SUB-R15	Subdivision within the Medium Flood Hazard Overlay
All Zones	1. Activity status: <i>Restricted discretionary</i> 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 NH-Pddd: Subdivision, use and development in the <u>Medium</u> 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.
-----------	--

Section 32AA Evaluation

- (261) The recommended amendments improve the efficiency and effectiveness of the rule while maintaining the intended flood hazard risk management outcomes. The amendments continue to require resource consent and a detailed assessment of flood risk, mitigation measures, and flood conveyance effects, but more closely align the activity status with the policy framework established by SUB-P22 and NH-Pddd.
- (262) The amendments are also consistent with the recommendations in the Natural Hazards s42A report for the equivalent land use provisions within the Medium Flood Hazard Overlay. By aligning the subdivision and land use frameworks, the amendments provide a more integrated and internally consistent approach to the management of flood hazard risk across the PDP. This assists plan users and decision-makers by ensuring that subdivision and subsequent development are assessed against a similar policy framework.
- (263) The costs associated with the amendments are considered to be low. The amendments do not reduce the requirement to assess flood hazard risk, nor do they alter the matters that must be considered when assessing subdivision proposals. Rather, they provide a more targeted consent pathway by confining assessment to the specific matters relevant to flood hazard risk management. The benefits include improved consistency with the Natural Hazards chapter, greater certainty for plan users, and a more proportionate regulatory response while retaining the ability to assess and manage flood hazard effects.

3.5.26 SUB-R16 (Subdivision within the High Flood Hazard Overlay)

Submissions

- (264) The Natural Hazards Commission (327.70) and WRC (452.131) support Rule SUB-R16. The Natural Hazards Commission (F15.53) support the WRC submission point.

Assessment

- (265) I acknowledge submission point 327.70 by The Natural Hazards Commission and submission point 452.131 by WRC.

Recommendation

- (266) Accept submission point 327.70 by The Natural Hazards Commission and submission point 452.131 by WRC and further submission points F15.53 by the Natural Hazards Commission.

3.5.27 SUB-R17 (Subdivision within the Low Tsunami Hazard Overlay)

Submissions

- (267) The Natural Hazards Commission (327.71) supports Rule SUB-R17 in part, and request that it be retained as notified subject to approval of the amendments to Policy CE-P15 requested elsewhere in their submission (which relates to subdivision, use and development in Coastal Hazard Overlays).
- (268) M Rachlin (232.28) supports Rule SUB-R17 in part, and requests it be amended by:
- a. Deleting Policy SUB-P22 from the matters of control and matters of discretion (which relates to subdivision of land in natural hazard risk areas), and
 - b. Adding Policy CE-P15.7 to the matters of control and matters of discretion (which relates to subdivision, use and development within the Coastal Hazard Overlays).

Assessment

- (269) SUB-R17 implements the policy framework for subdivision within the Low Tsunami Hazard Overlay. The rule adopts a risk-based approach by distinguishing between activities based on their sensitivity to natural hazards. Subdivision resulting in building platforms for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards is a controlled activity, while subdivision resulting in building platforms for activities most sensitive to natural hazards is a restricted discretionary activity.
- (270) The matters of control and discretion require consideration of both SUB-P22 and CE-P15. I consider this is appropriate. SUB-P22 provides district-wide policy direction for the subdivision of land affected by natural hazards and requires a risk-based approach based on the sensitivity of activities and the likelihood and consequences of natural hazard events. CE-P15 complements this by providing hazard-specific policy direction for subdivision, use and development within the Low Tsunami Hazard Overlay.
- (271) As discussed in the Natural Hazards s42A report, the recommended version of CE-P15 adopts a graduated policy framework based on both hazard and activity sensitivity. The reporting officer specifically rejected suggestions that the Low Tsunami Hazard Overlay framework was redundant, noting that there are areas affected by the tsunami overlays that are not captured by the coastal inundation overlays. The report also recognises the long-term nature of tsunami risk and the need to provide for the ongoing use and development of affected areas while managing increases in risk through a risk-based framework.
- (272) I consider SUB-R17 appropriately implements this policy framework for subdivision. The rule provides a more enabling pathway for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards, while requiring a greater level of scrutiny where subdivision would enable activities most sensitive to natural hazards.
- (273) M Rachlin requests to delete SUB-P22 from the matters of control and discretion and replace the reference to CE-P15 with a reference only to CE-P15.7 (232.28). I do not support this relief. Removal of SUB-P22 would create an unnecessary disconnect between the district-wide subdivision framework

and the coastal hazards provisions. Further, while CE-P15.7 specifically addresses activities most sensitive to natural hazards within the Low Tsunami Hazard Overlay, it is only one component of the wider tsunami hazard policy framework. Limiting assessment to CE-P15.7 would not provide for consideration of the full range of relevant policy matters applicable to subdivision within the overlay.

- (274) Accordingly, I am satisfied that SUB-R17 appropriately integrates the Subdivision and Coastal Environment chapters and should be retained as notified.
- (275) However, I note in the Natural Hazards s42A report, the reporting officer recommends amending the title of CE-P15 by replacing “Coastal Hazard Overlay” with “Low Tsunami Hazard Overlay”. As a consequential amendment, I recommend the wording of the matter of control and matter of discretion referring to CE-P15 in SUB-R17 be amended for consistent wording.

Recommendation

- (276) Accept in part submission point 327.71 by the Natural Hazards Commission is addressed through the recommendations on CE-P15 contained in the Natural Hazards s42A report.
- (277) Reject submission point 232.28 by M Rachlin.
- (278) Consequential Amendment to SUB-R17 arising from Natural Hazards s42A Report. Amend the matter of control and matter of discretion in this rule referring to CE-P15 as shown below:

CE-P15: Subdivision, use and development within the Low Tsunami ~~Coastal~~ Hazard Overlay~~s~~

Section 32AA Evaluation

- (279) The recommended amendment to SUB-R17 is consequential in nature and updates the reference to CE-P15 so that it aligns with the amended coastal hazards policy framework recommended through the Natural Hazards hearing process. No substantive change is proposed to the operation, intent, or activity status framework of SUB-R17.
- (280) The amendment improves the effectiveness and usability of the PDP by ensuring consistency between the Subdivision and Natural Hazards chapters.

In particular, the amendment assists plan users and decision-makers by ensuring that the subdivision rule refers to the correct coastal hazard policy framework applying to the Low Tsunami Hazard Overlay. This supports the integrated operation of SUB-P22, SUB-R17 and the corresponding coastal hazard policies.

- (281) The recommended amendment is considered to be efficient as it does not introduce any additional regulatory requirements, assessment matters, or compliance costs. Rather, it is a consequential amendment that improves consistency and reduces the potential for uncertainty or confusion arising from differences in terminology between the Subdivision and Natural Hazards chapters.

3.5.28 SUB-R18 (Subdivision within the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay)

Submissions

- (282) The Natural Hazards Commission (327.72) supports Rule SUB-R18 in part, and request that it be retained as notified subject to approval of the amendments to Policy CE-P15 requested elsewhere in their submission (which relates to subdivision, use and development in Coastal Hazard Overlays).
- (283) L Skilton (314.76) opposes Rule SUB-R18, and requests it be amended so subdivision in the area identified by the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay is a non-complying activity. Kāinga Ora – Homes and Communities (F26.40) oppose this submission from L Skilton.
- (284) The Policy Planning team of Hutt City Council (440.48e) opposes Rule SUB-R18 in part, and requests that the rule is amended where appropriate to refer to a new overlay in the plan for areas of Seaview and Petone where separate treatment for natural hazard risks applies. Seaview Marina Ltd (F14.5) support this submission.

Assessment

- (285) SUB-R18 implements the coastal hazard subdivision framework established through SUB-P22 (Subdivision of land in natural hazard risk areas) and CE-P15 (Subdivision, use and development within the Coastal Hazard Overlays). The rule adopts a risk-based approach by distinguishing between activities based on their sensitivity to natural hazards and, for more sensitive activities, whether they are located within the identified business areas of Seaview and Petone.
- (286) I consider this framework is appropriate as it directly reflects the graduated policy approach established through the coastal hazard provisions. As discussed in the Natural Hazards s42A report, the notified CE-P15 is recommended to be restructured into separate policies for different hazard areas and activity sensitivities, including CE-Pccc (Subdivision, Use and Development within the Medium Coastal Hazard Overlays) and CE-Pddd (Subdivision, Use and Development within the High Coastal Hazard Overlays). The recommended framework distinguishes between activities that are least sensitive, potentially sensitive, and most sensitive to natural hazards, and applies increasing levels of policy direction as the potential consequences of hazard exposure increase.
- (287) In particular, the recommended CE-Pccc provides for activities least sensitive to natural hazards, provides for activities potentially sensitive to natural hazards where coastal hazard risks are appropriately managed, and only allows activities most sensitive to natural hazards outside the Seaview and Petone business areas where specified risk management outcomes are achieved. The Natural Hazards reporting officer concluded that a risk-based approach is appropriate because the coastal hazard overlay framework is intended to manage long-term increases in risk rather than prevent all future development within affected areas. The report also concludes that separate treatment for the Seaview and Petone business areas should be retained to recognise their strategic significance and distinct role within the city.
- (288) L Skilton (314.76) seeks that subdivision within the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay be a non-complying activity. I do not support this relief. The recommended coastal hazard policy framework does not adopt a blanket avoidance approach to development within medium hazard areas. Instead, CE-Pccc provides pathways for

development where coastal hazard risks can be appropriately managed through mitigation measures, risk reduction responses, and tsunami evacuation considerations. A non-complying activity status would therefore be inconsistent with both the notified and recommended coastal hazard policy framework and would undermine the risk-based approach adopted through SUB-P22, CE-Pccc, and the wider Natural Hazards chapter.

- (289) The Policy Planning Team (440.48e) seeks amendments to reflect a new overlay applying to parts of Seaview and Petone where a separate coastal hazard management framework is recommended. I support this relief. As discussed in the Natural Hazards s42A report, a new overlay is recommended to identify those areas currently referenced through the General Industrial Zone in Seaview, Heavy Industrial Zone in Seaview, Metropolitan Centre Zone in Petone, and Seaview Marina Zone provisions (called Regionally Significant Coastal Business Areas Overlay). If adopted, consequential amendments will be required to SUB-R18 to ensure the subdivision framework remains aligned with the final coastal hazard provisions and associated overlay framework.
- (290) Accordingly, I consider SUB-R18 should be retained, subject to consequential amendments required to align the rule with the final recommendations on CE-Pccc, CE-Pddd, and any new overlay applying to parts of Seaview and Petone arising from the Natural Hazards hearing process.

Recommendation

- (291) Accept in part submission point 327.72 by the Natural Hazards Commission.
- (292) Reject submission point 314.76 by L Skilton and accept the further submission point F26.40 by Kāinga Ora – Homes and Communities.
- (293) Accept submission point 440.48e by the Policy Planning Team of Hutt City Council and further submission point F14.5 by Seaview Marina Ltd.
- (294) Amend SUB-R18 to replace references to:
- General Industrial Zone in Seaview;
 - Heavy Industrial Zone in Seaview;
 - Metropolitan Centre Zone in Petone; and
 - Seaview Marina Zone,

- (295) with the new overlay (Regionally Significant Coastal Business Areas Overlay) recommended through the Natural Hazards hearing process for those parts of Seaview and Petone where a separate coastal hazard management framework applies.
- (296) Retain the activity status framework of SUB-R18, including:
- Controlled activity status for subdivision resulting in building platforms for activities least sensitive to natural hazards;
 - Restricted discretionary activity status for subdivision resulting in building platforms for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the new overlay applying to parts of Seaview and Petone; and
 - The restricted discretionary and discretionary activity pathways applying elsewhere in the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay.
- (297) Refer to Appendix 1 of this report for detailed recommended wording.

Section 32AA Evaluation

- (298) The recommended amendments improve the effectiveness of the rule by ensuring consistency between the subdivision framework and the coastal hazard policies that apply within the Medium Coastal Hazard Overlay. The amendments provide greater clarity regarding where the alternative activity status pathway applies and ensure the subdivision provisions align with the final coastal hazard management framework.
- (299) The recommended amendments are efficient because they do not alter the underlying management approach to subdivision within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay. The costs of the amendments are negligible and relate only to updating plan provisions for consistency and usability. The benefits include improved integration between the Subdivision and Natural Hazards chapters, greater certainty for plan users, and a clearer implementation of the intended coastal hazard framework.

3.5.29 SUB-R19 (Subdivision within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay)

Submissions

- (300) The Natural Hazards Commission (327.73) supports Rule SUB-R19.
- (301) L Skilton (314.77) opposes Rule SUB-R19, and requests it be amended so subdivision in the area identified by the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay is a prohibited activity. Kāinga Ora - Homes and Communities (F26.41) oppose this submission from L Skilton.
- (302) The Policy Planning team of Hutt City Council (440.48e) opposes Rule SUB-R19 in part, and requests that the rule is amended where appropriate to refer to a new overlay in the plan for areas of Seaview and Petone where separate treatment for natural hazard risks applies. Seaview Marina Ltd (F14.5) support this submission.

Assessment

- (303) SUB-R19 implements the coastal hazard subdivision framework established through SUB-P22 (Subdivision of land in natural hazard risk areas) and CE-P15 (Subdivision, use and development within the Coastal Hazard Overlays). The rule adopts a risk-based approach by distinguishing between activities based on their sensitivity to natural hazards and, for more sensitive activities, whether they are located within the identified business areas of Seaview and Petone.
- (304) Similar to my assessment of SUB-R18, I consider this framework is appropriate as it directly reflects the graduated policy approach established through the coastal hazard provisions. As discussed in the Natural Hazards s42A report, the notified CE-P15 is recommended to be restructured into separate policies for different hazard areas and activity sensitivities, including CE-Pccc (Subdivision, Use and Development within the Medium Coastal Hazard Overlays) and CE-Pddd (Subdivision, Use and Development within the High Coastal Hazard Overlays). The recommended framework distinguishes between activities that are least sensitive, potentially sensitive, and most

sensitive to natural hazards, and applies increasing levels of policy direction as the potential consequences of hazard exposure increase.

- (305) In particular, the recommended CE-Pddd provides for activities least sensitive to natural hazards, only allows activities potentially sensitive to natural hazards outside the Seaview and Petone business areas where specified risk reduction outcomes are achieved, and avoids activities most sensitive to natural hazards unless operational need, functional need, or specific risk management tests are satisfied. Consistent with the conclusions reached in the assessment of SUB-R18, I consider the subdivision activity status framework should directly reflect the underlying policy framework. In this regard, SUB-R19 appropriately adopts a more restrictive approach than SUB-R18 by applying a non-complying activity status to subdivision enabling activities potentially sensitive to natural hazards and activities most sensitive to natural hazards outside the identified Seaview and Petone business areas.
- (306) The Natural Hazards reporting officer concluded that a risk-based approach remains appropriate within the High Coastal Hazard Overlay, noting that there is not currently an expectation of wholesale retreat from these areas and that the framework should continue to provide for ongoing use, redevelopment, and risk reduction where appropriate.
- (307) L Skilton (314.77) seeks that subdivision within the High Coastal Inundation Hazard Overlay and High Tsunami Hazard Overlay be a prohibited activity. I do not support this relief. For similar reasons to those set out in the assessment of SUB-R18, the recommended coastal hazard policy framework does not adopt a blanket avoidance approach to all subdivision and development within coastal hazard areas. Instead, CE-Pddd provides pathways for subdivision and development where risks can be appropriately reduced, managed, or not increased, particularly where there is an operational or functional need for an activity to locate within the hazard area. A prohibited activity status would therefore be inconsistent with both the notified and recommended coastal hazard policy framework and would undermine the risk-based approach adopted through SUB-P22, CE-Pddd, and the wider Natural Hazards chapter.
- (308) The Policy Planning Team (440.48e) seeks amendments to reflect a new overlay applying to parts of Seaview and Petone where a separate coastal hazard management framework is recommended. I support this relief. For the

same reasons outlined in the assessment of SUB-R18, and as discussed in the Natural Hazards s42A report, a new overlay is recommended to identify those areas currently referenced through the General Industrial Zone in Seaview, Heavy Industrial Zone in Seaview, Metropolitan Centre Zone in Petone, and Seaview Marina Zone provisions (called the Regionally Significant Coastal Business Areas Overlay). If adopted, consequential amendments will be required to SUB-R19 to ensure the subdivision framework remains aligned with the final coastal hazard provisions and associated overlay framework.

- (309) Accordingly, I consider SUB-R19 should be retained, subject to consequential amendments required to align the rule with the final recommendations on CE-Pddd and any new overlay applying to parts of Seaview and Petone arising from the Natural Hazards hearing process.

Recommendation

- (310) Accept submission point 327.73 by the Natural Hazards Commission.
- (311) Reject submission point 314.77 by L Skilton and accept the further submission point F26.41 by Kāinga Ora – Homes and Communities.
- (312) Accept submission point 440.48e by the Policy Planning Team of Hutt City Council and further submission point F14.5 by Seaview Marina Ltd.
- (313) Amend SUB-R19 to replace references to:
- General Industrial Zone in Seaview;
 - Heavy Industrial Zone in Seaview;
 - Metropolitan Centre Zone in Petone; and
 - Seaview Marina Zone,
- (314) with the new overlay (Regionally Significant Coastal Business Areas Overlay) recommended through the Natural Hazards hearing process for those parts of Seaview and Petone where a separate coastal hazard management framework applies.
- (315) Retain the activity status framework of SUB-R19, including:
- Controlled activity status for subdivision resulting in building platforms for activities least sensitive to natural hazards;
 - Restricted discretionary activity status for subdivision resulting in building platforms for activities potentially sensitive to natural hazards

and activities most sensitive to natural hazards within the Regionally Significant Coastal Business Areas Overlay; and

- Non-complying activity status for subdivision resulting in building platforms for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards outside the Regionally Significant Coastal Business Areas Overlay.

(316) Refer to Appendix 1 of this report for detailed recommended wording.

Section 32AA Evaluation

(317) The recommended amendments improve the effectiveness of SUB-R19 by ensuring the rule remains aligned with the recommended coastal hazard policies, particularly CE-Pddd (Subdivision, Use and Development within the High Coastal Hazard Overlays). The amendments provide greater clarity regarding the areas where a distinct coastal hazard management approach applies and ensure the subdivision framework accurately reflects the intended policy response to high coastal hazard risk.

(318) The recommended amendments are efficient because they do not alter the underlying risk-based management approach or the activity status hierarchy within the rule. The existing framework, including the controlled, restricted discretionary and non-complying activity pathways, is retained and continues to reflect the graduated policy approach established through the Natural Hazards chapter.

(319) The costs associated with the recommended amendments are negligible, as they primarily involve consequential changes to maintain consistency between the Subdivision and Natural Hazards chapters. The benefits include improved integration across the PDP, greater certainty for plan users and decision-makers, and a clearer implementation of the coastal hazard management framework applying to high hazard areas.

3.5.30 SUB-R20 (Subdivision within the Slope Assessment Overlay)

Submissions

(320) The Natural Hazards Commission (327.74) supports Rule Sub-R20.

- (321) J Gustafson and P Gentle (6.4) and J Sarich (91.2a) oppose Rule SUB-R20 and request that the rule is deleted.
- (322) Cheow Khong Chng (104.3) opposes Rule SUB-R20 and requests that the rule is either deleted or amended to include an exemption for subdivisions that do not require earthworks.

Assessment

- (323) I acknowledge submission point 327.74 by the Natural Hazards Commission in support of SUB-R20.
- (324) SUB-R20 implements SUB-P22 (Subdivision of land in natural hazard risk areas) and NH-P12 (Subdivision in the Slope Assessment Overlay). As discussed in Section 5.2.16 in the Natural Hazards s42A report, the Slope Assessment Overlay is intended to identify land where further geotechnical assessment is required to determine whether subdivision and development can occur without creating or exacerbating slope instability hazards. The recommended Policy NH-P12 provides for subdivision creating additional building platforms where a geotechnical assessment confirms the site is suitable for subdivision, use and development, the risk from slope instability can be avoided, remedied or mitigated, and the subdivision does not cause land instability on the site or adjoining properties.
- (325) J Gustafson and P Gentle (6.4) and J Sarich (91.2a) seek that SUB-R20 be deleted and Cheow Khong Chng (104.3) seeks that SUB-R20 be deleted or amended to exempt subdivisions that do not require earthworks. Deletion of the rule would remove the subdivision assessment framework for land within the Slope Assessment Overlay and would be inconsistent with the risk-based approach established through SUB-P22 and NH-P12. As noted in the Natural Hazards s42A report, the overlay is not intended to prevent development, but to ensure that site-specific slope instability risks are properly assessed before additional building platforms and development opportunities are created. I consider these matters remain relevant regardless of whether earthworks are proposed as part of the subdivision.
- (326) Accordingly, I consider SUB-R20 appropriately implements SUB-P22 and NH-P12 and should be retained as notified.

Recommendation

- (327) Accept submission point 327.74 by the Natural Hazards Commission.
- (328) Reject submission point 6.4 by J Gustafson and P Gentle.
- (329) Reject submission point 91.2a by J Sarich.
- (330) Reject submission point 104.3 by Cheow Khong Chng.

3.5.31 SUB-R23 (Subdivision of land in the Highly Constrained Roads Overlay)

Submissions

- (331) L Skilton (314.78) opposes Rule SUB-R23, and requests it be amended so subdivision in the area identified by the Highly Constrained Roads Overlay is a prohibited activity. Kāinga Ora – Homes and Communities (F26.42) oppose this submission from L Skilton.
- (332) The Policy Planning team of Hutt City Council (440.41b) opposes Rule SUB-R23 in part, and requests it be amended so subdivision in the area identified by the Highly Constrained Roads Overlay is a non-complying activity.
- (333) NZTA (385.63) supports Rule SUB-R23 in part, and requests the following amendment to the rule title:

Subdivision of land in the Highly Constrained Roads Overlay or accessed from a Limited Access Road.

Assessment

- (334) SUB-R23 is the primary subdivision rule implementing SUB-P24 (Subdivision of land with access from highly constrained roads). SUB-P24 only allows subdivision within the Highly Constrained Roads Overlay where the additional transport demand created by the subdivision and resulting development can be safely and efficiently accommodated, and where any necessary road improvements or upgrades are implemented. Accordingly, the policy framework adopts a restrictive approach to subdivision in these locations.
- (335) As discussed in the assessment of SUB-P24 earlier in this report and in the Transport s42A report for Hearing Stream #6, the roads subject to the Highly Constrained Roads Overlay have significant physical or operational

constraints and limited opportunities for upgrade. Additional subdivision has the potential to enable development that places further pressure on these roads and can adversely affect their safe and efficient operation.

- (336) I support the relief sought by the Policy Planning Team. In my view, the notified discretionary activity status does not appropriately reflect the restrictive policy framework established by SUB-P24. Given that the policy only allows subdivision where the transport effects can be safely accommodated or mitigated through upgrades, a non-complying activity status provides a more appropriate regulatory response. It signals that subdivision within the overlay is generally discouraged unless it can be demonstrated that the outcomes sought by SUB-P24 can be achieved.
- (337) A non-complying activity status is also consistent with the recommended approach in the Transport chapter for activities within the Highly Constrained Roads Overlay (specifically Rule TR-R4) and provides a more integrated framework between the subdivision and transport provisions.
- (338) I do not support L Skilton's request for a prohibited activity status. Neither SUB-P24 nor the recommended transport policy framework adopts an absolute avoidance approach to subdivision within the Highly Constrained Roads Overlay. There may be circumstances where additional transport demand can be safely accommodated or where road improvements can address the effects of subdivision. A prohibited activity status would remove the ability to consider such proposals and would therefore be inconsistent with the policy framework.
- (339) I do not support NZTA's requested amendment to include Limited Access Roads within the scope of SUB-R23. Consistent with the assessment of SUB-P24 and the Transport s42A report, access to Limited Access Roads is managed through the Government Roding Powers Act 1989 and associated NZTA processes. I do not consider it necessary for the PDP to separately regulate those roads through SUB-R23.
- (340) Accordingly, I consider SUB-R23 should be amended to provide a non-complying activity status, consistent with the policy direction in SUB-P24 and the recommendations in the Transport chapter.

Recommendation

- (341) Reject submission point 314.78 by L Skilton and accept the further submission point F26.42 by Kāinga Ora – Homes and Communities.
- (342) Accept submission point 440.41b by the Policy Planning Team of Hutt City Council.
- (343) Reject submission point 385.63 by NZTA.
- (344) Amend SUB-R23 as follows:

SUB-R23	Subdivision of land in the Highly Constrained Roads Overlay
All Zones	1. Activity status: Discretionary <u>Non-complying</u>

Section 32AA Evaluation

- (345) The recommended amendment is more effective than the notified provision because it provides a more appropriate regulatory response to subdivision that may generate additional transport demand on roads with significant physical or operational constraints. The recommended amendment better reflects the restrictive policy direction in SUB-P24 and the corresponding Highly Constrained Roads Overlay provisions in the Transport chapter.
- (346) The recommended amendment is also more efficient because it improves consistency between the subdivision and transport frameworks without introducing new assessment criteria or matters of consideration. The existing policy and assessment framework remains unchanged, but the activity status more accurately reflects the level of scrutiny intended for subdivision within the overlay.
- (347) The costs of the recommended amendment are limited to an increase in the activity status from discretionary to non-complying. However, subdivision proposals that can appropriately address the transport outcomes sought by the PDP continue to have a consent pathway. The benefits include improved policy alignment, greater consistency across the PDP, and a clearer implementation of the Highly Constrained Roads Overlay framework.

3.5.32 SUB-R24 (Subdivision of land within the National Grid Subdivision Corridor Overlay)

Submissions

(348) Transpower (504.60) requests the following amendment to Rule SUB-R24:

1. **Activity status:** *Restricted discretionary*

Where:

- a. *All resulting allotments, other than allotments for roads, accessways, or network utilities, can accommodate building platforms for the principal building or 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."*

Assessment

(349) The purpose of SUB-R24 is to manage the effects of subdivision within the National Grid Subdivision Corridor and to ensure that subdivision does not compromise the safe operation, maintenance, upgrading, and development of the National Grid. The rule also seeks to avoid creating allotments that are constrained by the location of National Grid infrastructure.

(350) I consider the amendment improves the effectiveness of the rule. As notified, the focus on building platforms for sensitive activities may not fully address situations where allotments are created that are incapable of accommodating their anticipated development outside the National Grid Yard. This could result in inefficient subdivision patterns and create pressure for future development within the National Grid Yard, potentially leading to reverse sensitivity effects and constraints on the operation of the National Grid.

(351) The amendment is also consistent with the wider National Grid framework addressed in the Infrastructure s42A report. The land use provisions relating to the National Grid seek to ensure that buildings and activities are appropriately located and designed so that they do not adversely affect the operation, maintenance, or upgrading of the transmission network, while

avoiding the creation of reverse sensitivity effects. While the term "principal building" is not defined in the PDP, I consider its meaning can reasonably be understood in the context of a zone, the anticipated land use activity, and the intended function of the allotment. In my view, the term appropriately distinguishes the primary building reasonably anticipated on an allotment from accessory and minor structures, and provides greater certainty that allotments remain capable of accommodating their anticipated development outside the National Grid Yard.

- (352) I am satisfied that the amendment provides greater certainty that new allotments can be appropriately developed without compromising the National Grid and better gives effect to the intent of the National Grid provisions and the National Policy Statement on Electricity Transmission.

Recommendation

- (353) Accept Submission 504.60 by Transpower.

- (354) Amend SUB-R24, sub-clause (1)(a) as follows:

All resulting allotments, other than allotments for roads, accessways, or network utilities, can accommodate building platforms for the principal building or sensitive activities that are located entirely outside of the National Grid Yard, and

Section 32AA Evaluation

- (355) The recommended amendment is more effective than the notified provision because it provides greater certainty regarding the intended relationship between subdivision and future development within the National Grid Subdivision Corridor. The amendment reduces the potential for allotments to be created that have limited development opportunities outside the National Grid Yard and therefore supports the long-term operation of the National Grid.
- (356) The recommended amendment is efficient because it builds on the existing rule framework and does not introduce any additional consent pathway, activity status change, or assessment matter. The costs of the amendment are negligible and relate principally to the need for applicants to demonstrate that the anticipated primary development can be accommodated outside the National Grid Yard.

- (357) The benefits of the amendment are improved plan clarity, greater certainty for plan users and decision-makers, and better integration between the subdivision and infrastructure provisions relating to the National Grid.

3.5.33 SUB-R25 (Subdivision of land within the Gas Transmission Pipeline Corridor)

Submissions

- (358) Clarus (474.63) support Rule SUB-R25, and request the following amendment:
2. *Activity status: Non-complying*

Where:

- a. *Compliance is not achieved with ~~SUB-R26.1~~ SUB-R25.1*

Assessment

- (359) The amendment sought relates solely to the correction of a cross-referencing error in part 2 of the rule.

Recommendation

- (360) Accept submission point 474.63 by Clarus on Rule SUB-R25 and amend part 2 of the rule to correct the identified cross reference error.

3.5.34 SUB-S1 (Allotment size) – General Rural Zone

Submissions

- (361) K Jackson (168.10), D McCreary (196.9), C Jackson (319.10) Wainuiomata Rural Community Association Inc (364.4) and S Full and A Bason (365.12) request that the minimum allotment standard in SUB-S1 for the General Rural Zone be reduced to 7ha.
- (362) D Surrey (427.6) requests that the minimum allotment standard in SUB-S1 for the General Rural Zone be reduced to either 5ha or 10ha.

Assessment

- (363) The minimum allotment size in SUB-S1 is a fundamental component of the subdivision rule framework for the General Rural Zone and is intended to

implement the wider outcomes sought through the General Rural Zone chapter. The notified 15ha minimum allotment size is not a new requirement introduced through the PDP. Rather, it continues the minimum allotment size that applies under the Operative District Plan. The PDP therefore maintains the existing approach to rural subdivision density within the General Rural Zone.

- (364) As identified in the Rural Zones s32 evaluation report, key issues for Lower Hutt's rural environment include the fragmentation of rural land, the loss of rural character and amenity values, infrastructure servicing constraints, and the management of reverse sensitivity effects between rural production activities and residential activities. The notified General Rural Zone provisions were developed in response to these issues and seek to maintain larger rural holdings and avoid further fragmentation of the rural environment. The 15ha minimum allotment size is an important mechanism for achieving these outcomes.
- (365) The Rural Zones s42A report for Hearing Stream #3, hearing evidence, right reply statement, and rebuttal evidence continue to support the distinction between the General Rural Zone and the Rural Lifestyle Zone. The Rural Lifestyle Zone is the primary location where smaller rural-residential allotments are anticipated, whereas the General Rural Zone is intended to maintain larger allotments capable of supporting rural activities and retaining the predominantly open and productive character of rural areas.
- (366) Reducing the minimum allotment size from 15ha to 7ha, 5ha, or 10ha would represent a significant departure from both the Operative District Plan and the notified PDP. In my view, such a change would substantially increase subdivision opportunities within the General Rural Zone, increase the potential for fragmentation of rural land, diminish the open character of the rural environment, and increase the likelihood of reverse sensitivity effects between rural activities and residential activities. It would also erode the distinction between the General Rural Zone and Rural Lifestyle Zone that underpins the notified rural zoning framework.
- (367) Accordingly, I consider that the notified minimum allotment size of 15ha remains the most appropriate standard for implementing the outcomes sought for the General Rural Zone and should be retained.

Recommendation

- (368) Reject submission points 168.10 by K Jackson, 196.9 by D McCreary, 319.10 by C Jackson, 364.4 by Wainuiomata Rural Community Association Inc, 365.12 by S Full and A Bason, and 427.6 by D Surrey.

3.5.35 SUB-S1 (Allotment size) – Rural Lifestyle Zone

Submissions

- (369) L Earle (12.1) supports the minimum allotment standard in SUB-S1 for the Rural Lifestyle Zone of 1ha, and request it be retained as notified.
- (370) FENZ (374.51) support SUB-S1 insofar as the minimum allotment size for sites in the Rural Lifestyle Zone is 1ha, which should provide a sufficient size to accommodate onsite water supply infrastructure, thereby giving effect to SUB-P7.
- (371) P and J Campion (253.1) and D Surrey (427.3) request that the minimum allotment standard in SUB-S1 for the Rural Lifestyle Zone be reduced to 0.5ha.
- (372) Wainuiomata Rural Community Association Inc (364.3a) and D and P Innes (416.1a) request that the minimum allotment standard in SUB-S1 for the Rural Lifestyle Zone be increased to 2ha. Brookfield Outdoor Education Centre (F41.2) is inferred to further submit in support of the Wainuiomata Rural Community Association Inc submission.
- (373) The Brookfield Board and Scouts Aotearoa (469.2) requests that the minimum allotment standard in SUB-S1 for the Rural Lifestyle Zone be increased, although this submitter does not specify what it should be increased to).

Assessment

- (374) The minimum allotment size of 1ha is a key component of the notified Rural Lifestyle Zone framework and reflects the intended function of the zone. As identified in the Rural Zones s32 evaluation report, the Rural Lifestyle Zone provides opportunities for rural-residential living at a density greater than that anticipated in the General Rural Zone, while maintaining a spacious character and avoiding the urbanisation of rural areas. The notified minimum allotment size forms part of the overall density and development framework

for the zone and supports the intended distinction between the Rural Lifestyle Zone and General Rural Zone.

- (375) The notified 1ha minimum allotment size already represents a more enabling approach than the Operative District Plan, where the equivalent Rural Residential Zone applies a minimum allotment size of 2ha. The notified PDP therefore reflects a deliberate policy decision to provide greater opportunities for rural lifestyle subdivision while still maintaining appropriate rural character outcomes.
- (376) The Rural Zones s42A report, hearing evidence, right of reply statement, and rebuttal evidence continue to support the notified Rural Lifestyle Zone framework, including the 1ha minimum allotment size. That framework was developed having regard to the existing pattern of development in rural lifestyle areas, infrastructure servicing constraints, rural character outcomes, and the need to manage reverse sensitivity effects between rural lifestyle activities and adjacent rural production activities.
- (377) I do not support reducing the minimum allotment size to 0.5ha. Such a reduction would increase subdivision potential and residential density beyond that anticipated by the notified framework and assessed through the Rural Zones s32 evaluation. In my view, this would compromise the low-density residential character anticipated within the Rural Lifestyle Zone, reduce the spacious character that contributes to its mixed rural and residential environment, and increase the potential for reverse sensitivity and infrastructure servicing issues. These outcomes would be inconsistent with the objectives for the Rural Lifestyle Zone (RLZ-O1, RLZ-O2 and RLZ-O3), which seek a low level of built development and provide for small-scale rural activities and low-density residential development within a mixed rural and residential environment.
- (378) I also do not support increasing the minimum allotment size to 2ha or greater. The PDP has already assessed and recommended moving away from the Operative District Plan's 2ha minimum standard in favour of a more enabling 1ha standard. Reinstating a 2ha minimum allotment size, or increasing it further, would reduce subdivision opportunities within areas specifically identified for rural lifestyle development and would be inconsistent with the intended function of the Rural Lifestyle Zone. The notified 1ha standard provides a more appropriate balance between enabling low-density

residential development and maintaining the mixed rural and residential character sought by objectives RLZ-O1, RLZ-O2 and RLZ-O3.

- (379) I note that the notified 1ha minimum allotment size is also consistent with the density anticipated by the associated Rural Lifestyle Zone land use provisions. Maintaining alignment between the subdivision and land use frameworks is important to ensure the PDP operates as an integrated and coherent planning framework.
- (380) Accordingly, I consider the notified minimum allotment size of 1ha remains the most appropriate standard for the Rural Lifestyle Zone and should be retained.

Recommendation

- (381) Accept submission points 12.1 by L Earle and 374.51 by FENZ.
- (382) Reject submission points 253.1 by P and J Champion and 427.3 by D Surrey.
- (383) Reject submission points 364.3a by Wainuiomata Rural Community Association Inc, 416.1a by D and P Innes, and 469.2 by the Brookfield Board and Scouts Aotearoa, and further submission point F41.2 by Brookfield Outdoor Education Centre.

3.5.36 SUB-S4 (Water supply)

Submissions

- (384) FENZ (374.54) supports Standard SUB-S4.
- (385) L Skilton (314.79) requests the following amendment to Standard SUB-S4:
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)~~ relevant Water Board, and ...*
- (386) Survey and Spatial New Zealand (466.4) oppose Standard SUB-S4 in part and requests that cross-references in sub-clause 1(a) to the Regional Standard for Water Services 2021 are removed, and that maximum and minimum water pressure requirements for the point of supply are specified.

Assessment

- (387) FENZ supports Standard SUB-S4 and I recommend that this submission point be accepted. The standard provides an appropriate framework to ensure new allotments are provided with a water supply that can service future development and assist with firefighting requirements, where applicable.
- (388) L Skilton seeks to replace the reference to the Wellington Water Regional Standard for Water Services with a reference to the "relevant Water Board". I do not support this amendment. The Regional Standard for Water Services is a known document containing established technical requirements that have been considered as part of the PDP process. By contrast, the identity of any future "relevant Water Board", and any standards or requirements it may apply, are uncertain and cannot be assessed through the current plan-making process.
- (389) Referencing an unspecified future entity could create uncertainty for plan users and decision-makers and may result in future technical requirements applying through the PDP without being evaluated for their appropriateness. In my view, it is more appropriate to reference the Regional Standard for Water Services directly, as this provides transparency and certainty regarding the requirements that apply, while ensuring any substantive changes to those requirements can be considered through the appropriate statutory or governance processes. Notwithstanding, as a consequential amendment arising from the Section 42A Report on Three Waters for Hearing Stream #6, I agree with the recommendation to delete references to "Wellington Water" as that entity no longer exists. This recommended amendment can be made as a correction under Clause 16, Schedule 1, RMA.
- (390) Survey and Spatial New Zealand seeks the removal of the cross-reference to the Regional Standard for Water Services and requests that minimum and maximum water pressure requirements be specified directly in the PDP. I do not support this submission. The Regional Standard for Water Services contains detailed engineering requirements, including levels of service for water supply, that would be impractical to reproduce within the District Plan. As recognised in the Three Waters Section 42A report for Hearing Stream #6, retaining references to the Regional Standard provides necessary technical detail while avoiding duplication and ensuring consistency across the planning and engineering framework.

- (391) Further, specifying individual pressure requirements within the PDP would require duplication of technical standards that are more appropriately maintained and updated through the Regional Standard. This could create inconsistencies between the District Plan and the engineering standards relied upon by Council and the water service provider. In my view, retaining the reference to the Regional Standard for Water Services is the most efficient and effective approach and provides greater certainty than selectively reproducing technical requirements within the PDP.

Recommendation

- (392) Accept Submission 374.54 by FENZ.
- (393) Reject Submission 314.79 by L Skilton.
- (394) Reject Submission 466.4 by Survey and Spatial New Zealand.

3.5.37 SUB-S5 (Wastewater disposal)

Submissions

- (395) L Skilton (314.80) requests the following amendment to Standard SUB-S5:
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)~~ relevant Water Board.*
 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)~~ relevant Water Board. ...*
- (396) Survey and Spatial New Zealand (466.5) oppose Standard SUB-S5 in part and requests that cross-references to the Regional Standard for Water Services 2021 are removed, and that minimum requirements for a wastewater connection are specified.

Assessment

- (397) L Skilton and Survey and Spatial New Zealand seek amendments to SUB-S5 that are substantively the same as those sought in relation to SUB-S4 (Water supply). Specifically, the submitters seek to replace references to the Regional Standard for Water Services with references to a future "relevant Water Board", or alternatively remove references to the Regional Standard and include detailed technical requirements directly within the PDP.
- (398) For the reasons set out in paragraphs (388) to (391) of this report in relation to SUB-S4, I do not support the relief sought. The identity and requirements of any future "relevant Water Board" are uncertain and cannot be assessed through the current plan-making process. I also consider the Regional Standard for Water Services remains the most appropriate location for detailed engineering requirements and that reproducing those requirements in the PDP would create unnecessary duplication.
- (399) Accordingly, I consider SUB-S5 should be retained as notified.

Recommendation

- (400) Reject Submission 314.80 by L Skilton.
- (401) Reject Submission 466.5 by Survey and Spatial New Zealand.

3.5.38 SUB-S6 (Stormwater management)

Submissions

- (402) L Skilton (314.81) requests the following amendment to Standard SUB-S6.2:
- 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) relevant Water Board.*
- (403) Survey and Spatial New Zealand (466.6) oppose Standard SUB-S6 in part and requests that cross-references to the Regional Standard for Water Services 2021 are removed, and that minimum requirements for a stormwater connection are specified.

Assessment

- (404) L Skilton and Survey and Spatial New Zealand seek amendments to SUB-S6 that are substantively the same as those sought in relation to SUB-S4 (Water supply) and SUB-S5 (Wastewater disposal). Specifically, the submitters seek to replace references to the Regional Standard for Water Services with references to a future "relevant Water Board", or alternatively remove references to the Regional Standard and include detailed technical requirements directly within the PDP.
- (405) For the reasons set out in paragraphs (388) to (391) of this report in relation to SUB-S4, I do not support the relief sought. The identity and requirements of any future "relevant Water Board" are uncertain and cannot be assessed through the current plan-making process. I also consider the Regional Standard for Water Services remains the most appropriate location for detailed engineering requirements and that reproducing those requirements in the PDP would create unnecessary duplication.

Recommendation

- (406) Reject Submission 314.81 by L Skilton.
- (407) Reject Submission 466.6 by Survey and Spatial New Zealand.

3.5.39 SUB-S8 (Telecommunications)

Submissions

- (408) Connexa, Chorus, FortySouth and Spark (311.92) support Standard SUB-S8 in part, but seek that the standard is replaced with the following:

Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Sport and Recreation Zone, Special Purpose Zones:

1. All new allotments must have provision for connections to an open access fibre network to the legal boundary of the allotments.

Rural Zones, Natural Open Space Zone, Open Space Zone:

2. All new allotments must have provision for connection to telecommunications infrastructure. This may be achieved by either:

a. Connections to an open access fibre network to the legal boundary of the allotments; or

b. Provision with any subdivision consent application of written confirmation from a telecommunication network operator confirming that connection to a telecommunications network can be provided to all new allotments and describing how this can be achieved.

3. The written confirmation that connection to a telecommunications network can be achieved which is required under SUBS8.2.b must include that the connection can be achieved to:

a. A broadband mobile and wireless network, including a satellite network, if connection to such a network is available; or

b. A copper VDSL network as a minimum if no broadband mobile or wireless networks are available.

All Zones:

4. At the time of subdivision, sufficient telecommunication network infrastructure and associated ancillary services for telecommunications must be set aside. Any subdivision consent application must include:

a. Identification of the land on any subdivision scheme plans; and

b. Written confirmation that the land identified is sufficient for the intended purpose from a relevant network operator or other suitably qualified and experienced professional."

- (409) Connexa, Chorus, FortySouth and Spark (311.92) also seek that in all instances where the standard is not met, the matters of discretion should be restricted to an alternative provision of telecommunication supply.

Assessment

- (410) Connexa, Chorus, FortySouth and Spark seek amendments to SUB-S8 to better recognise the different forms of telecommunications infrastructure available across Lower Hutt and to ensure all allotments are capable of being serviced by telecommunications infrastructure.
- (411) I agree with the submitter that telecommunications infrastructure is an essential service for new allotments and that telecommunications servicing

arrangements can differ significantly between urban and rural environments. I also agree that the subdivision framework should recognise that different telecommunications technologies may be used to service different areas of the city.

(412) However, I consider the notified standard already achieves these outcomes. SUB-S8 requires open access telecommunications connections with sufficient capacity to service each new allotment, requires fibre connections where they are available, and provides for wireless network capacity where fibre broadband is unavailable. In my view, this appropriately recognises the range of telecommunications technologies currently used throughout Lower Hutt while ensuring all new allotments are capable of being serviced.

(413) The notified approach is also broadly consistent with subdivision provisions in other district plans. For example, the Wellington City District Plan requires provision for fibre optic cable connections to the legal boundary of allotments, while the Kapiti Coast District Plan requires provision to the boundary of each proposed allotment for connection to a telecommunications network. In my view, these provisions demonstrate a common district plan approach of specifying servicing outcomes rather than prescribing detailed telecommunications network requirements.

(414) I do not support the more prescriptive aspects of the relief sought, including requirements for written confirmation from telecommunications operators and the universal requirement to identify and set aside land for telecommunications infrastructure. These matters are more appropriately addressed through network operator requirements, engineering design processes, and subdivision servicing arrangements. Requiring them in all circumstances would introduce an unnecessary level of prescription and complexity.

(415) I also do not support restricting the matters of discretion solely to alternative provision of telecommunications services. The existing matters of discretion appropriately allow consideration of:

- the extent to which the proposed telecommunications supply is sufficient for the development or activity it serves;
- alternative provision of telecommunications services; and
- any site constraints that make compliance impracticable.

- (416) These matters provide a comprehensive and flexible assessment framework and are consistent with the broader infrastructure servicing approach adopted throughout the Subdivision chapter.
- (417) Accordingly, I consider SUB-S8 already provides an appropriate and effective framework for ensuring all new allotments are capable of being serviced by telecommunications infrastructure and should be retained as notified.

Recommendation

- (418) Reject submission point 311.92 by Connexa, Chorus, FortySouth and Spark.

3.5.40 Shaftesbury Grove

Submissions

- (419) The Policy Planning team of the Hutt City Council (440.114, 440.115 and 440.116) request the following new provisions in relations to a new Shaftesbury Grove Development Precinct:

Policy SUB-PXXX: Subdivision of land within the Shaftesbury Grove

Development Precinct

Enable urban development through the subdivision of land in the Shaftesbury Grove Development Precinct in a manner that protects the land's significant ecological values by:

i. Providing for the subdivision of land within the Development Sub-area of the Precinct; and

ii. Only allowing for the subdivision of land in the Non-development Sub-area of the Precinct where the subdivision is required to support or enable development within the Development Sub-area, and the land's significant ecological values are maintained or enhanced.

Rule SUB-RXXX: Subdivision of land within the Shaftesbury Grove Development Precinct

*1. **Activity Status:** Restricted Discretionary*

Where:

a. All earthworks, building platforms, roads, private accesses, and utility structures are identified and located within the Development Sub-area of the Precinct.

Matters of discretion are restricted to:

1. The matters in Appendix SUB-APPXXX

Information requirements:

Applications made under this rule must include the information required by Appendix SUB-APPXXX.

2. **Activity Status:** Discretionary

Where:

a. Compliance is not achieved with SUB-RXXX.1

Information requirements:

Applications made under this rule must include the information required by Appendix SUB-APPXXX.

See Appendix 1 of this report

Assessment

- (420) The Policy Planning Team of Hutt City Council seeks the introduction of policy, rule, and assessment framework provisions for a new Shaftesbury Grove Development Precinct within the Subdivision chapter. These provisions would implement the outcomes of Plan Change 58 for 12 Shaftesbury Grove. M & J Walsh Partnership Ltd also seeks consequential amendments to ensure the PDP reflects the intent and outcomes of Plan Change 58.
- (421) I support the relief sought.
- (422) As discussed in the Residential Zones Section 42A report for Hearing Stream #3, 12 Shaftesbury Grove was the subject of Plan Change 58, which rezoned the site to enable residential development while protecting significant ecological values on the balance of the site. The plan change has since become operative and included a framework that identified a defined development area and a corresponding area where development was to be avoided. The recommended rezoning of the site to the Medium Density Residential Zone and inclusion of a precinct framework in the PDP is intended to carry forward those outcomes.

- (423) I also consider the proposed precinct provisions are within the scope of the Minister's exemption decision. While the provisions refer to the protection and enhancement of significant ecological values, they do not introduce a new district-wide ecological management framework. Rather, they give effect to the existing operative outcomes of Plan Change 58 by identifying where subdivision and development is anticipated within the site and where ecological values are to be maintained. The ecological components of the precinct are therefore ancillary to, and integrated with, the subdivision and development framework established through Plan Change 58 and are not proposed as a standalone biodiversity or ecological protection regime.
- (424) I consider a bespoke subdivision framework is appropriate for this site. The site contains significant ecological values that require ongoing protection, while also providing for residential development in a defined part of the property. The proposed precinct provisions provide a clear and efficient mechanism to manage this outcome by directing subdivision and associated development to the Development Sub-area and limiting subdivision within the Non-development Sub-area to circumstances where it supports development of the site and maintains or enhances ecological values.
- (425) The proposed approach is also consistent with the findings and outcomes of Plan Change 58, avoids the need to reassess matters that have recently been through a plan change process, and improves plan usability by incorporating the operative framework within a single integrated PDP regime. I am satisfied that the proposed policy, rule, and associated matters of discretion provide an appropriate framework to balance urban development and ecological protection at this site.
- (426) Accordingly, I consider the requested provisions for Shaftesbury Grove Development Precinct in the Subdivision chapter are appropriate and should be incorporated into the PDP.

Recommendation

- (427) Accept Submission 440.114, 440.115 and 440.116 by the Policy Planning Team of Hutt City Council and Accept Submission 256.2 by M & J Walsh Partnership Ltd.
- (428) Insert the proposed Shaftesbury Grove Development Precinct provisions into the Subdivision chapter, including:

- Policy SUB-PXXX: Subdivision of land within the Shaftesbury Grove Development Precinct;
- Rule SUB-RXXX: Subdivision of land within the Shaftesbury Grove Development Precinct; and
- Appendix SUB-APPXXX: Matters of discretion and information requirements;

(429) Refer to Appendix 1 for the detailed wording of the recommended provisions.

Section 32AA Evaluation

- (430) The recommended introduction of the Shaftesbury Grove Development Precinct provisions in the Subdivision chapter is necessary to give effect to the outcomes of Plan Change 58 within the Proposed District Plan and provide a coherent framework for the subdivision of land at 12 Shaftesbury Grove. The recommended amendments introduce a policy, rule framework, matters of discretion, and information requirements that are specifically tailored to the characteristics of the site.
- (431) The amendments are effective because they provide a clear mechanism for enabling subdivision and urban development within the identified Development Sub-area, while ensuring the significant ecological values of the Non-development Sub-area are maintained or enhanced. The provisions provide certainty for plan users and decision-makers regarding where subdivision and associated development are anticipated and the matters that must be considered when assessing subdivision proposals.
- (432) The amendments are efficient because they utilise the existing planning framework established through Plan Change 58, rather than requiring a new or more complex assessment regime. The precinct-based approach targets site-specific issues and avoids imposing additional controls on land outside the precinct. The associated costs are limited to the preparation and assessment of resource consent applications for subdivision within the precinct, while the benefits include protection of significant ecological values, certainty regarding development outcomes, and consistency with the operative planning framework established through Plan Change 58.
- (433) I consider the recommended provisions are the most appropriate way to achieve the objectives of the Proposed District Plan because they

appropriately balance urban development opportunities with ecological protection, provide a clear and efficient consenting pathway, and ensure the planning outcomes sought through Plan Change 58 are carried through into the Proposed District Plan. Accordingly, the amendments are considered to be the most appropriate option under section 32AA of the RMA.

3.5.41 Stratton Street

Submissions

- (434) Peter Shaw and Pam Guest (451.2) request that the PDP retains the Operative Plan Change 53 site-specific subdivision controls applying to 190, 236 and 268 Stratton Street, including limits on development yield (maximum allotment numbers), identified no-development areas, and associated subdivision controls intended to protect significant indigenous vegetation, habitat values and tributaries of the Korokoro Stream. Alternatively, they seek the PDP provisions that provide an equivalent level of ecological protection and development control.

Assessment

- (435) I acknowledge the submitters' concerns that the site-specific subdivision provisions introduced through Plan Change 53 were not carried over into the PDP. Those provisions reflected a number of site-specific constraints and values identified through the plan change process, including ecological values, stream corridors, access constraints, and limitations on development yield arising from the characteristics of the site and surrounding transport network.
- (436) A key objective of the PDP has been to simplify and rationalise the district plan framework, including reducing reliance on site-specific provisions where matters can be appropriately managed through district-wide provisions, overlays and more consistent policy frameworks. This was the reason the operative Plan Change 53 provisions were not initially carried over into the PDP.
- (437) However, having considered this submission and the operative planning framework applying to these sites, I consider there is merit in retaining and carrying forward the site-specific subdivision provisions into the PDP. The land to which the provisions apply has not been fully subdivided or developed and

the planning outcomes established through Plan Change 53 have not yet been fully realised. The site-specific constraints and values that informed the plan change process therefore remain relevant to the future subdivision and development of these properties.

(438) I also consider the proposed retention of these provisions is within the scope of the Minister's exemption decision. While aspects of the operative framework relate to ecological values and no-development areas, the provisions are not proposed as a new district-wide ecological management framework. Rather, they form part of an existing site-specific subdivision framework established through Plan Change 53 that manages the location, intensity and form of subdivision and development on these particular sites. The ecological components of the framework are ancillary to, and integrated with, the broader subdivision and development outcomes established through the operative plan change.

(439) Accordingly, I consider it appropriate that the operative subdivision framework arising from Plan Change 53, including the controls relating to development yield and associated site-specific subdivision matters, be retained and incorporated into the PDP so that the planning outcomes established through that process continue to apply until the development of the sites is substantially complete.

Recommendation

(440) Accept Submission 451.2 by Peter Shaw and Pam Guest.

(441) Insert a new Stratton Street Development Precinct into the PDP to carry forward the operative subdivision outcomes established through Plan Change 53 for:

- 190 Stratton Street (SEC 43 Normandale Sett Blk VII D3/922);
- 236 Stratton Street (LOT 1 DP 50184 20B/82); and
- 268 Stratton Street (LOT 2 DP 50184 20B/83).

(442) Insert a new subdivision rule and associated precinct provisions as set out below.

- SUB-RXXX Subdivision within the Stratton Street Development Precinct

- Activity status: Controlled Activity. Where the subdivision complies with the standards for the Stratton Street Development Precinct. Matters of Control are limited to:
 - Subdivision design and layout;
 - Effects on significant ecological values and identified no-development areas;
 - Access and transportation effects;
 - Infrastructure servicing;
- SUB-RXXX Subdivision within the Stratton Street Development Precinct
 - Activity status: Discretionary Activity. Where the subdivision does not comply with the following standards for the Stratton Street Development Precinct:
 - Minimum Size of Allotment, Minimum Frontage, Shape Factor, Number of Allotments, Access and Other but excluding No-development Areas
- SUB-RXXX Subdivision within the Stratton Street Development Precinct
 - Activity status: Non-Complying Activity. Where the subdivision does not comply with the following standards for the Stratton Street Development Precinct:
 - Allotment design relating to no-development areas
- Stratton Street Development Precinct Standards
 - Minimum allotment size: 2ha
 - Minimum frontage: 100m for front allotments, 6m for rear allotments
 - Shape factor: All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.
 - Maximum number of allotments per site after subdivision:
 - 190 Stratton Street (SEC 43 Normandale Sett Blk VII D3/922) – no more than 6 rural residential allotments
 - 236 Stratton Street (LOT 1 DP 50184 20B/82) – no more than 3 rural residential allotments

- 268 Stratton Street (LOT 2 DP 50184 20B/83) – no more than 4 rural residential allotments
- Access: Motor vehicle access to all new allotments must be from Stratton Street.
- No Development Areas: All new building platforms for buildings and structures, new access ways and vehicle tracks, new utility structures and sewage disposal fields must be located outside the no-development areas identified in Appendix Stratton Street Development Precinct. At the time of subdivision, measures for the ongoing protection of areas of significant indigenous biodiversity within the no-development areas from inappropriate use and development must be registered on the certificate of title by way of consent notice.
- Other: Compliance with the permitted activity standards of the zone.
- Stratton Street Development Precinct Appendix
 - Map identifying 'No development areas' – Appendix Subdivision 9 from the Operative District Plan

(443) Refer to Appendix 1 of this report for detailed recommended wording.

Section 32AA Evaluation

(444) The recommended amendments are effective because they provide a clear and certain framework for the future subdivision of the site. The recommended precinct provisions carry forward the planning outcomes established through Plan Change 53 and ensure that subdivision and development continue to occur in a manner that responds to the site-specific constraints identified through that process. The provisions also provide certainty to landowners, neighbours and decision-makers regarding the scale and form of subdivision anticipated for the site.

(445) The recommended amendments are efficient because they utilise an existing planning framework that has already been subject to a plan change process, expert evidence, and hearing consideration. Retaining the established development yield limits and associated subdivision controls avoids the need for those matters to be reassessed through future resource consent processes and provides a targeted response specific to the characteristics of

the site. The costs associated with the recommended amendments are primarily limited to maintaining a site-specific precinct within the PDP, while the benefits include certainty, protection of identified environmental constraints, and retention of outcomes already established through an operative plan change process.

- (446) The recommended precinct framework is also more appropriate than relying solely on the district-wide subdivision provisions. While the PDP generally seeks to rationalise and simplify site-specific provisions, the land subject to Plan Change 53 has not yet been fully developed and the site-specific outcomes established through that process remain relevant. The recommended provisions therefore ensure that the planning framework continues to reflect the particular constraints and development expectations applying to the site.

4 Mechanical issues, minor and consequential amendments

- (447) One Schedule 1, clause 16 (2) of the RMA correction or minor amendment has been identified for the Subdivision chapter.
- (448) The current title of SUB-R18 is "Subdivision within the Medium Coastal Inundation Hazard Overlay and Medium Tsunami Hazard Overlay." The 'and' should be replaced with an 'or' to read, "Subdivision within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay." This is consistent with the approach taken for SUB-R19 'Subdivision within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay.'

5 Summary of recommendations

(449) This report has provided an assessment of submissions received on the PDP related to the Subdivision chapter. The primary amendments to the PDP that I have recommended relate to:

- a. SUB-P7 (Servicing and access), including amendments to improve recognition of pedestrian safety and amenity in subdivision design.
- b. SUB-P11 (Subdivision in rural zones), including the deletion of clause 2 as a consequence of the Minister's decision on provisions outside the scope of the plan stop exemption.
- c. SUB-P24 (Subdivision of land with access from highly constrained roads), including amendments to align the policy with the approach recommended in the Transport chapter for the Highly Constrained Roads Overlay.
- d. SUB-R15 (Subdivision within the Medium Flood Hazard Overlay), including amendments to align the activity status framework with the recommendations in the Natural Hazards chapter.
- e. SUB-R18 (Subdivision within the Medium Coastal Inundation Hazard Overlay or Medium Tsunami Hazard Overlay) and SUB-R19 (Subdivision within the High Coastal Inundation Hazard Overlay or High Tsunami Hazard Overlay), including consequential amendments to align with the recommended coastal hazard framework and the proposed Regionally Significant Coastal Business Areas Overlay.
- f. SUB-R23 (Subdivision of land in the Highly Constrained Roads Overlay), including amending the activity status from discretionary to non-complying to better reflect the policy direction in SUB-P24 and the recommendations in the Transport chapter.
- g. SUB-R24 (Subdivision within the National Grid Subdivision Corridor Overlay), including amendments to ensure resulting allotments can accommodate a principal building or sensitive activity outside the National Grid Yard.

- h. Shaftesbury Grove Development Precinct provisions, including the introduction of a site-specific subdivision policy, rule and assessment framework to implement the outcomes sought for the precinct.
- i. Stratton Street Development Precinct provisions, including new controlled, discretionary and non-complying activity rules and standards for subdivision within the precinct.

(450) These amendments are set out in full in the Subdivision chapter in Appendix 1 to this report.

6 Conclusion

- (451) This report has provided an assessment of submissions received in relation to the Subdivision chapter.
- (452) Section 3 assesses and provides recommendations on the decisions requested in submissions. I consider that the submissions on this topic should be accepted, accepted in part, or rejected, as set out in my recommendations of this report and in Appendix 2.
- (453) I recommend that the provisions be amended as set out in Appendix 1 for the reasons set out in this report.
- (454) I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken in the relevant sections of this report.

Appendix 1: Recommended amendments to the Proposed District Plan

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.	

Commented [HW1]: To be withdrawn: Relates to natural environment, cultural and historic heritage topics.

Commented [HW2]: To be withdrawn: Relates to public access.

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; **and**
5. **The design and layout maintains or enhances neighbourhood connectivity and pedestrian permeability.**

Commented [HW3]: Wellington Regional Council (452.124)

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 the safety and amenity pedestrians and other road users 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.

Commented [HW4]: Wellington Regional Council (452.125)

SUB-P8 Esplanade requirements

Commented [HW5]: To be withdrawn: Relates to public access.

- ~~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

Commented [HW6]: To be withdrawn: Relates to high productive land.

Commented [CN7]: HS1 Minor Correction
Policy Planning team of Hutt City Council (440.3)

- 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.~~

Commented [HW8]: To be withdrawn: Relates to sites areas of significance to Māori.

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.~~

Commented [HW9]: To be withdrawn: Relates to historic heritage topic

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.~~

Commented [HW10]: To be withdrawn: Relates to historic heritage topic

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,	

Commented [HW11]: To be withdrawn: Relates to outstanding natural features and landscapes.

Commented [HW12]: To be withdrawn: Relates to natural character - coastal and riparian margins.

Commented [HW13]: To be withdrawn: Relates to natural character - areas of high, very high and outstanding coastal natural character.

- ~~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-Pxxx Subdivision in the Slope Assessment Overlay

~~Provide for subdivision that creates additional building platforms in the Slope Assessment Overlay where:~~

- ~~1. A geotechnical assessment confirms that the site is suitable for subdivision, use and development, and that the risk from slope instability can be avoided, remedied or mitigated.~~
- ~~2. The subdivision does not cause land instability on the site or adjoining properties.~~

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 subdivision will not enable an increase in motor vehicle trips on the highly constrained roads, or~~
- ~~2. Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development. It can be demonstrated that additional motor vehicle trips which are enabled by the subdivision will not worsen the safe operation of the road, or~~
- ~~3. Improvements are made to the highly constrained road to ensure additional trips which are enabled by the subdivision are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements.~~

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:

Commented [SD14]: Notified NH-P12, moved from Natural Hazards chapter to Subdivision chapter (clause 10 per HS5

Commented [HW15]: To be withdrawn: Relates to highly productive land.

Commented [HW16]: Policy Planning Team of Hutt City Council (440.41a)

Commented [CN17]: HS1 Minor Correction Policy Planning team of Hutt City Council (440.3)

- 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.
- f. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid; and
- g. The outcome of any consultation with, and technical advice from, Transpower.

Commented [NG18]: Transpower NZ (504.59)

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.

SUB-Pxxx	Subdivision of land within the Shaftesbury Grove Development Precinct
-----------------	--

Enable urban development through the subdivision of land in the Shaftesbury Grove Development Precinct in a manner that protects the land's significant ecological values by:

1. Providing for the subdivision of land within the Development Sub-area of the Precinct; and
2. Only allowing for the subdivision of land in the Non-development Sub-area of the Precinct where the subdivision is required to support or enable development within the Development Sub-area, and the land's significant ecological values are maintained or enhanced.

Commented [HW19]: Policy Planning Team of Hutt C Council (440.114, 440.115 and 440.116)

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 infringing 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.

Commented [HW20]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW21]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW22]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

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,

Commented [HW23]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW24]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

	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 (other than allotments solely for infrastructure)
All Zones	1. Activity status: Controlled Where: a. Compliance is achieved with: - SUB-S1: Allotment size, - SUB-S2: Legal and physical access, - SUB-S3: Roads, - SUB-S4: Water supply, - SUB-S5: Wastewater disposal, - SUB-S6: Stormwater management, - SUB-S7: Power supply, - SUB-S8: Telecommunications, and SUB-S9: Esplanade reserves and esplanade strips. Matters of control are limited to: - The matters in: - SUB-P1: Benefits of subdivision, - SUB-P4: Subdivision design and layout, - SUB-P5: Integration of subdivision and development, - SUB-P6: Transport network, - SUB-P7: Servicing and access, and 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-S2: Legal and physical access, - SUB-S3: Roads, - SUB-S4: Water supply, - SUB-S5: Wastewater disposal, - SUB-S6: Stormwater management, - SUB-S7: Power supply, - SUB-S8: Telecommunications, and SUB-S9: Esplanade reserves and esplanade strips. Matters of discretion are restricted to: - The assessment criteria of any infringing standard. - The matters in: - SUB-P1: Benefits of subdivision, - SUB-P4: Subdivision design and layout, - SUB-P5: Integration of subdivision and development, - SUB-P6: Transport network, - SUB-P7: Servicing and access, and

Commented [HW25]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW26]: Policy Planning Team of Hutt City Council (440.42)

Commented [HW27]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW28]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW29]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

	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 vacant allotments solely 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.

Commented [HW30]: To be withdrawn: Relates to public access. To be replaced with reference to Operative District Plan esplanade requirements as part of integration of the Proposed District Plan and Operative District Plan.

Commented [HW31]: Policy Planning Team of Hutt City Council (440.43)

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.

Commented [HW32]: To be withdrawn: Relates to site and areas of significance to Māori.

Commented [HW33]: To be withdrawn: Relates to his heritage.

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

Commented [HW34]: To be withdrawn: Relates to outstanding natural features and landscapes.

		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:

Commented [HW35]: To be withdrawn: relates to natural character - coastal and riparian margins.

Commented [HW36]: To be withdrawn: Relates to natural character - areas of high, very high and outstanding coastal natural character

	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 NH-Pddd: Subdivision, use and development in the <u>Medium</u> 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 <u>Low Hazard Coastal</u> 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

Commented [HW37]: Natural Hazards Commission (327.69) and M Rachlin (232.27)

Commented [HW38]: Consequential Amendment from Natural Hazards s42A Report

	b. CE-P15 : Subdivision, use and development within the Low Hazard 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 CE-Pccc: Subdivision, use and development within the Medium Coastal Hazard Overlays.
General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina Zone Regionally Significant Coastal Business Areas Overlay	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 CE-Pccc: Subdivision, use and development within the Medium Coastal Hazard Overlays.
All Zones except within: General Industrial Zone in Seaview Heavy Industrial Zone in Seaview Metropolitan Centre Zone in Petone Seaview Marina Zone	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 CE-Pccc: Subdivision, use and development within the Medium Coastal Hazard Overlays.

Commented [HW39]: Consequential Amendment from Natural Hazards s42A Report

Commented [HW40]: Natural Hazard Commission (327.72) and consequential amendment from Natural Hazards s42A Report.

Commented [HW42]: Natural Hazard Commission (327.72) and consequential amendment from Natural Hazards s42A Report.

Commented [HW41]: Policy Planning Team of Hutt City Council (440.48e)

Commented [HW44]: Natural Hazard Commission (327.72) and consequential amendment from Natural Hazards s42A Report.

Regionally Significant Coastal Business Areas Overlay	
All Zones except within: General Industrial Zone in Seaview - Heavy Industrial Zone in Seaview - Seaview Marina Zone Regionally Significant Coastal Business Areas Overlay	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 CE-Pddd: Subdivision, use and development within the High Coastal Hazard Overlays.
General Industrial Zone in Seaview - Heavy Industrial Zone in Seaview - Metropolitan Centre Zone in Petone - Seaview Marina Zone Regionally	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 CE-Pddd: Subdivision, use and development within the High Coastal Hazard Overlays.

Commented [HW43]: Policy Planning Team of Hutt C Council (440.48e)

Commented [HW45]: Policy Planning Team of Hutt C Council (440.48e)

Commented [HW46]: Natural Hazard Commission (327.73) and consequential amendment from Natural Haz s42A Report.

Commented [HW48]: Natural Hazard Commission (327.73) and consequential amendment from Natural Haz s42A Report.

Significant Coastal Business Areas Overlay	
All Zones except within: General Industrial Zone in Seaview - Heavy Industrial Zone in Seaview - Metropolitan Centre Zone in Petone - Seaview Marina Zone Regionally Significant Coastal Business Areas Overlay	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.

Commented [HW47]: Policy Planning Team of Hutt C Council (440.48e)

Commented [HW49]: Policy Planning Team of Hutt C Council (440.48e)

Commented [HW50]: To be withdrawn: Relates to 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 Non-Complying
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 the principal building or 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 SUB-R25.1
SUB-Rxxx	Subdivision of land within the Shaftsbury Grove Development Precinct

Commented [HW51]: Policy Planning Team of Hutt C Council (440.41b)

Commented [NG52]: Transpower NZ (504.60)

Commented [HW53]: Clarus (474.63)

Medium Density Residential Zone	1. Activity status: Restricted discretionary <u>Where:</u> a. <u>All earthworks, building platforms, roads, private accesses, and utility structures are identified and located within the Development Sub-area of the Precinct.</u> Matters of discretion are restricted to: 1. <u>The matters in Appendix SUB-APPxxx.</u> Information requirements: 1. <u>Applications made under this rule must include the information required by Appendix SUB-APPxxx.</u>
Medium Density Residential Zone	2. Activity status: Discretionary <u>Where:</u> a. <u>Compliance is not achieved with SUB-Rxxx.1.</u> Information requirements: 1. <u>Applications made under this rule must include the information required by Appendix SUB-APPxxx.</u>
SUB-Ryyy	Subdivision of land within the Stratton Street Development Precinct
Medium Density Residential Zone	1. Activity status: Controlled <u>Where:</u> a. <u>All allotments, building platforms, roads, private accesses, utility structures and sewage disposal fields comply with the requirements in Appendix SUB-APPyyy.</u> Matters of control are limited to: 1. <u>Subdivision design and layout</u> 2. <u>Effects on significant ecological values and identified no-development areas</u> 3. <u>Access and transportation effects</u> 4. <u>Infrastructure servicing.</u>
Medium Density Residential Zone	2. Activity status: Discretionary <u>Where:</u> a. <u>Compliance is not achieved with any of the following standards in Appendix SUB-APPyyy:</u> i. <u>Minimum Size of Allotment</u> ii. <u>Minimum Frontage</u> iii. <u>Shape Factor</u> iv. <u>Number of Allotments</u> v. <u>Access</u> vi. <u>Other Requirements except for No-development Areas.</u>
Medium Density Residential Zone	3. Activity status: Non-Complying <u>Where:</u> a. <u>Compliance is not achieved with the following standard in Appendix SUB-APPyyy:</u>

Commented [HW54]: Policy Planning Team of Hutt C Council (440.114, 440.115 and 440.116) and M & J Wals Partnership Ltd (256.2).

Commented [HW55]: Peter and Pam Guest (451.2)

i. Allotment design relating to No-development Areas.

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

SUB-S6	Stormwater management
- All subdivisions and stormwater systems must be designed to achieve hydraulic neutrality. - 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). - 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: - The extent to which the proposed stormwater management solution is sufficient for the development or activity it serves. - The extent to which the proposed stormwater management solution results in adverse effects on public health and safety. - 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. - Where a publicly owned reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems. - Whether any site constraints make compliance impracticable.	

SUB-S7	Power supply
- All new allotments must have provision for electricity connections to the legal boundary of the allotments. Matters of discretion if the standard is breached: - The extent to which the proposed power supply is sufficient for the development or activity it serves. - 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. - Any site constraints that make compliance impracticable.	
SUB-S8	Telecommunications
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.

Commented [HW56]: To be withdrawn: Relates to public access.

Appendices

SUB-APPxxx

Shaftsbury Grove Development Precinct

For applications under rule SUB-Rxxx.1, matters of discretion are restricted to:

1. Amenity Values
 - a. The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.
 - b. Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

Commented [HW57]: Policy Planning Team of Hutt City Council (440.114, 440.115 and 440.116) and M & J Walsby Partnership Ltd (256.2)

2. Existing Natural Features and Topography
 - a. The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.
 - b. Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.
3. Historical or Cultural Significance
 - a. The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.
4. Construction Effects
 - a. The management of construction effects, including traffic movements and hours of operation.
 - b. The extent to which proposed earthworks have adverse short term and temporary effects on the local environment.
5. Engineering Requirements
 - a. The extent of compliance with NZS 4431:2022 (Engineered Fill Construction for Lightweight Structures).
 - b. The extent of compliance with NZS 4404:2010 (Land Development and Subdivision Infrastructure).
6. Erosion and Sediment Management
 - a. The extent of compliance with the "Erosion and Sediment Control Guidelines for the Wellington Region 2002" and "Small Earthworks – Erosion and Sediment Control for small sites" by Greater Wellington Regional Council.
7. Design and Layout
 - a. The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements.
 - b. Any measures proposed to mitigate potential adverse effects of subdivision, earthworks and development upon the steeper hillsides, gullies, and streams outside the identified Development Area.
8. Utilities Servicing
 - a. The provision of utilities servicing, including street lighting, telecommunications, gas and electricity.
9. Transport
 - a. The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses. In addition, for subdivisions that exceed the high trip generator thresholds specified in Table 8 of the Transport chapter, the matters of discretion in rule TR-R3.2.
10. Stormwater Management
 - a. The provision of stormwater control and disposal and any measures proposed to manage and treat stormwater in accordance with the Stormwater Management Plan for the site.
 - b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.
11. Wastewater
 - a. The provision of wastewater systems and any measures proposed to utilise off-peak network capacity through on-site storage and timed wastewater release.

- b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

12. Water Supply

- a. The provision of a reticulated water supply network and any measures proposed to achieve an adequate domestic and fire-fighting water supply.
- b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

13. Natural Hazards

- a. The avoidance or mitigation of natural hazard risks.

14. Regionally Significant Network Utilities

- a. The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- b. The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

15. Geotechnical

- a. Any measures proposed to provide appropriate foundations for future buildings within the subdivision and to manage the risk from geohazards on the site and on adjoining properties from any earthworks or site development works, in accordance with the Geotechnical Assessment for the site.

16. Ecology

- a. Any measures proposed to avoid or manage adverse effects on indigenous biodiversity on the site.

17. Other Matters

- a. Those matters described in ss 108 and 220 of the Resource Management Act 1991.

Applications under rule SUB-Rxxx must include the following information for the first subdivision of the site (Lot 1 DP 507600) to achieve an integrated design response, which is also applicable to any future stages and subsequent subdivision applications:

1. Stormwater

A Stormwater Management Plan prepared by a suitably qualified person covering the following:

- a. Existing site evaluation
 - i. Topography
 - ii. Geotechnical and soil conditions
 - iii. Existing stormwater network
 - iv. Existing hydrological features
 - v. Stream and river locations
 - vi. Flooding and flow paths locations
 - vii. Ecological and environmental areas
- b. Development summary and planning context
- c. Proposed development including:
 - i. Location and area
 - ii. Site layout and urban form
 - iii. Location and extent of earthworks
- d. Stormwater management, including:
 - i. Principles of stormwater management
 - ii. Proposed site-specific stormwater management and treatment

- iii. Hydraulic connectivity and downstream impacts
- iv. Asset ownership
- v. Ongoing maintenance requirements
- vi. Implementation of stormwater network

2. Geotechnical

A Geotechnical Assessment prepared by a suitably qualified person confirming that:

- a. The resulting allotments can accommodate the intended use and development
- b. The risk from any geohazards can be avoided, remedied, or mitigated
- c. The subdivision will not increase or accelerate the risk from geohazards on the site or adjoining properties

3. Ecology

A full ecological assessment of the Precinct that:

- a. Identifies indigenous biodiversity values in the Precinct
- b. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity
- c. Provides management plans addressing at least the following:
 - i. Orchid Management
 - 1. Identify the location of threatened orchids within the Development Sub-area
 - 2. Set out requirements for the management of threatened orchids identified on the site
 - ii. Lizard Management
 - 1. Identify areas that require a pre-vegetation clearance monitoring survey of lizards
 - 2. Document any pre-vegetation clearance monitoring of lizards
 - 3. Identify suitable lizard relocation areas
 - 4. Set out requirements for any lizard relocation
 - iii. Manuka Management
 - 1. Review the significance and threat status of Manuka Forest on the site
 - 2. Identify areas of significant Manuka Forest on the site
 - iv. Vegetation Management
 - 1. Identify vegetation protection measure in the Non-development Sub-area of the Precinct.
 - 2. Provide details for weed and pest management on the site.
 - 3. Identify ongoing monitoring and maintenance requirements.
 - v. Falcon Survey
 - 1. The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

4. Landscape and Visual

A Landscape Management Plan prepared by a suitably qualified person taking into consideration the findings and recommendations of the ecological assessment and management plans required under C. Ecology and providing the following landscaping details:

- a. Street trees and amenity planting
- b. Fencing and planting treatments at the boundary with Fenchurch Grove sites
- c. Planting to mitigate earthworks and retaining structures
- d. Reserve and open space design including recreation tracks
- e. Roads, pedestrian, and cycle linkages within the Precinct and to the wider access network
- f. Stormwater design and associated planting

5. Transport

For any subdivision that exceeds the high trip generator thresholds specified in Table 8 of the Transport chapter, the information required by rule TR-R3.2.

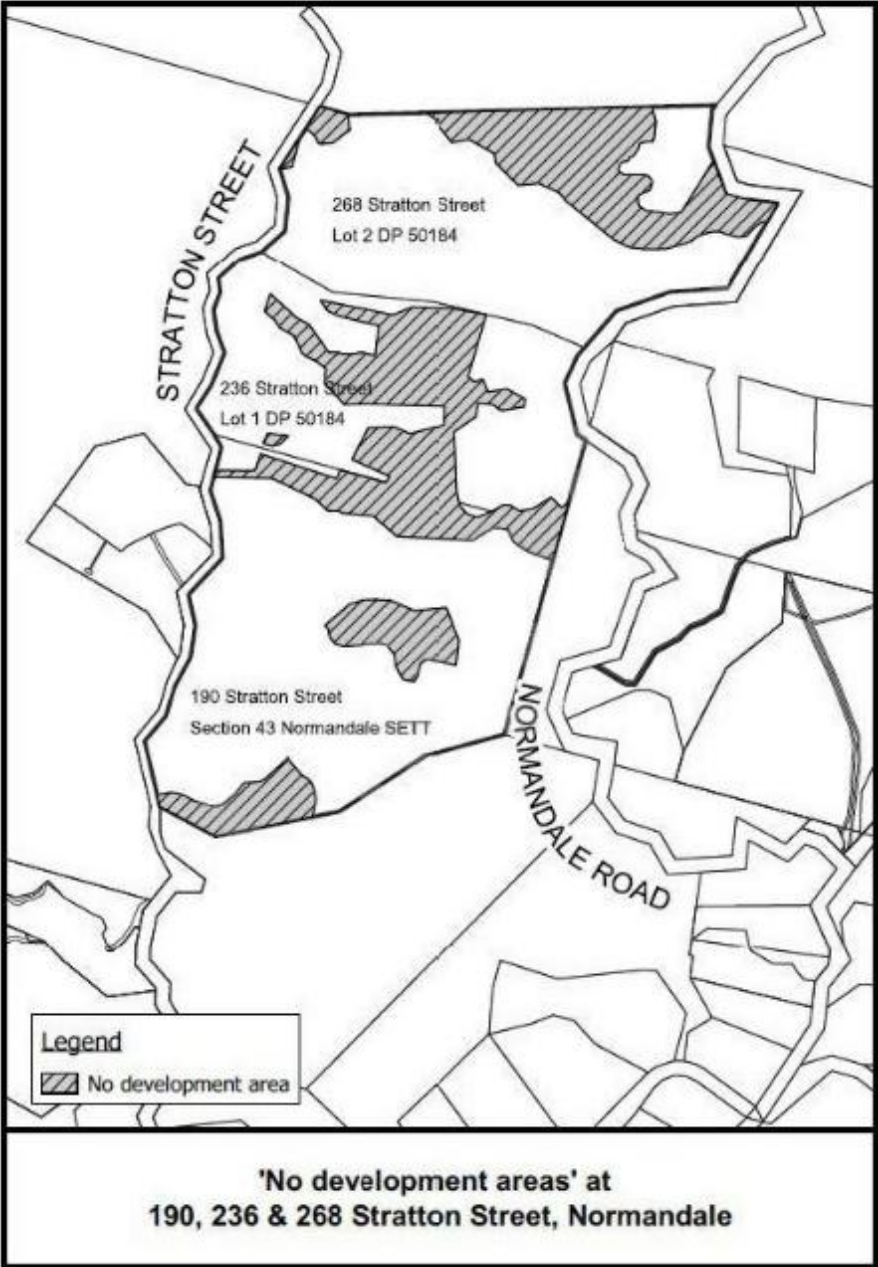
- a. For subsequent subdivisions that deviate from the management plans and information previously provided for the first subdivision, appropriate revisions, addendums, or further information to the initial management plans and information must be provided.



SUB-APPyyy	Stratton Street Development Precinct
For applications under rule SUB-Ryyy.1, the following standards apply: 1. <u>Minimum allotment size: 2 ha</u> 2. <u>Minimum frontage: 100m for front allotments, 6m for rear allotments</u> 3. <u>Shape factor: All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.</u> 4. <u>Maximum number of allotments per site after subdivision:</u> a. <u>190 Stratton Street (SEC 43 Normandale Sett Blk VII D3/922) - no more than 6 rural residential allotments</u> b. <u>236 Stratton Street (LOT 1 DP 50184 20B/82) - no more than 3 rural residential allotments</u> c. <u>268 Stratton Street (LOT 2 DP 50184 20B/83) - no more than 4 rural residential allotments</u> 5. <u>Access: Motor vehicle access to all new allotments must be from Stratton Street.</u> 6. <u>No Development Areas: All new building platforms for buildings and structures, new access ways and vehicle tracks, new utility structures and sewage disposal fields must be located outside the no-development areas identified in Appendix Stratton Street Development Precinct. At the time of subdivision, measures for the ongoing protection of areas of significant indigenous biodiversity within the no-development areas from inappropriate use and development must be registered on the certificate of title by way of consent notice.</u> 7. <u>Other: Compliance with the permitted activity standards of the zone.</u>	

Commented [HW58]: Peter and Pam Guest (451.2)

Appendix Subdivision 9



Appendix 2: Recommended decisions on submissions on the Subdivision Chapter

Appendix 2 – S42A Officer Recommended Decisions on Submissions

Submitter	Sub #	SP #	Support/oppose	Requested Relief	Recommendation
R Swain and K Weber-Swain	317	2e	Oppose in part	Seeks that there is "permitted use subdivision and earthworks pathway" (refer to original submission)	Reject
Andrew Robinson and Robyn Robinson	380	2e	Oppose in part	Seeks that there is "permitted use subdivision and earthworks pathway" (refer to original submission)	Reject
Kris Connel	F3	6	Support	Allow	Reject
Sensible Solutions for Eastbourne	383	2e	Oppose in part	Seeks that there is "permitted use subdivision and earthworks pathway" (refer to original submission)	Reject
Dieter Engel	475	4	Other/Not stated	Seeks that subdivisions and new building should be judged based on their "load factor" on the Stormwater infrastructure as well as on properties down stream	Reject
Claudia and John Riley	230	1b	Oppose in part	Seeks that subdivision and building of dwellings [on properties on Crowther Road proposed to be in the General Rural Zone - inferred] are enabled in a way comparable to other properties on Crowther Road and with smaller properties in Wainuiomata	Reject
Go Architecture Ltd	331	10	Support in part	Seeks amendments so that references in provisions to external documents, include the following: ", or in accordance with any approved methods that may be added in subsequent revisions of these documents."	Reject

Wellington Regional Council	452	70	Support in part	Seeks to insert a new row for subdivision as follows: <u>the subdivision of land which under this Plan has the capacity to accommodate 20 residential units.</u> Greater Wellington seeks to work with the council on the implementation of the policy and supports other options for relief that address this potential gap.	Reject
Te Karearea Ltd	F40	11	Oppose	Disallow	Accept
Transpower New Zealand Limited	504	58	Amend	Amend introduction as follows: "How this chapter works ... 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. <u>Policies and rules relating to subdivision within the National Grid Subdivision Corridor are contained in this chapter.</u> ..."	Reject
Heritage New Zealand Pouhere Taonga	248	52	Supports	Retain objective as notified	No recommendation – withdrawn provision

Wellington Tenth's Trust and the Palmerston North Māori Reserve Trust	F30	1	Support	Allow	No recommendation – withdrawn provision
Petone Historical Society Inc	496	36	Multiple	Retain as notified, or "enhance the wording" of SUB-O2.4	No recommendation – withdrawn provision
Michael Rachlin	232	25	Oppose	Delete objective	Reject
Natural Hazards Commission Toka Tū Ake	327	061	Amend	Amend "Subdivision results in development patterns and allotments that: ... 5. Manages Avoids or mitigates the risk from natural hazards to as low as reasonably practicable.	Reject
Michael Rachlin	F4	1	Oppose	Disallow	Accept
Connexa, Chorus, FortySouth and Spark	311	85	Support	Retain objective as notified	Accept
Fire and Emergency New Zealand	374	47	Support	Retain as notified	Accept
NZ Transport Agency Waka Kotahi	385	59	Support	Retain objective as notified	Accept

Enviro NZ	323	038	Support in part	Amend "Development enabled through subdivision is adequately serviced and supported by infrastructure (<u>including additional infrastructure</u>) and the transport network."	Reject
Wellington Regional Council	452	121	Support in part	Amend as follows: Development enabled through subdivision is adequately serviced and supported by infrastructure, <u>prioritising the use of green infrastructure where practicable.</u> and the transport network.	Reject
Natural Hazards Commission	F15	47	Support	Allow	Reject
Wellington Regional Council	452	124	Support in part	Amend as follows ... 5. The design and layout maintains or enhances <u>neighbourhood connectivity and pedestrian permeability.</u>	Accept
Fire and Emergency New Zealand	374	48	Support	Retain as notified	Accept
NZ Transport Agency Waka Kotahi	385	60	Support in part	Amend the notified policy as follows: "Provide for subdivision where: 1. The safe and efficient functioning of the transport network is maintained, taking into account the <u>existing</u> capacity and safety of the network.."	Reject

Fire and Emergency New Zealand	374	49	Support	Retain as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	86	Support in part	Amend policy as follows: "1. Require new infrastructure and upgrades to existing infrastructure to meet the relevant Council engineering standards <u>or Network Utility Standards, as relevant.</u> ... <u>8. In discussion with the network utility providers, provide allotments for infrastructure service providers as necessary."</u>	Reject
Enviro NZ	323	039	Support in part	Amend as follows: "... 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. <u>d. Accommodate solid waste management collection. ..."</u>	Reject
NZ Transport Agency Waka Kotahi	385	61	Support in part	Amend the notified policy as follows: "Require all allotments created by any subdivision to be adequately serviced as follows: ... 4. b. Provide for pedestrian amenity, and c. Safely accommodate the intended number of users: , and	Reject

				d. Avoid effects being generated on the operation of the existing road network.”	
Kāinga Ora - Homes and Communities	F26	59	Oppose	Disallow	Accept
Wellington Regional Council	452	125	Support in part	Amend clause 4.c. as follows: Safely accommodate the intended number of users <u>Provide for pedestrian safety and the safe and efficient movement of vehicles and other road users.</u>	Accept in part
Connexa, Chorus, FortySouth and Spark	311	87	Support	Retain as notified	Accept
Powerco Limited	414	53	Support	Retain policy as notified	Accept
Clarus	474	61	Support	Retain policy as notified	Accept
Natural Hazards Commission Toka Tū Ake	327	062	Amend	Amend "Control the creation of allotments for the purposes of infrastructure to ensure that: ... 4. <u>Infrastructure is resilient to natural hazards and climate change.</u> "	Reject
Natural Hazards Commission Toka Tū Ake	327	063	Amend	Amend "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,	Reject

				and 3. Subdivisions are resilient to natural hazards and climate change."	
DMAC Homes Limited trading as Friday Homes	29	8	Oppose	Amend policy to delete clause (2)	No recommendation – withdrawn provision
Zara Willis and Jacob Seneti- Davey	52	8	Oppose	Amend policy to delete clause (2)	No recommendation – withdrawn provision
Natural Hazards Commission Toka Tū Ake	327	064	Support	Retain as notified	Accept
Natural Hazards Commission Toka Tū Ake	327	065	Other/not stated	Seeks that "guidance is developed to ascertain what likelihood and consequence is deemed to require a more restrictive risk-based approach. This will aid the implementation of the policy and rules for both the Council and applicants."	Accept in part
Wellington Regional Council	452	126	Support	Retain as notified	Accept
Natural Hazards Commission Toka Tū Ake	F15	48	Support	Allow	Accept
Michael Rachlin	232	26	Oppose in part	Delete policy	Reject

NZ Transport Agency Waka Kotahi	385	62	Support in part	Amend the notified policy as follows: “SUB-P24 Subdivision of land with access from highly constrained roads or a Limited Access Road Only allow subdivision of land in the Highly Constrained Road Overlay with access from a highly constrained road <u>or a Limited Access Road</u> 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. <u>For any subdivision resource consent application made that is accessed from a Limited Access Road, NZTA will be considered an affected person in accordance with Section 95E of the RMA and notified of the application, where written approval is not provided.</u>	Reject
Policy Planning team of the Hutt City Council	440	41a	Oppose in part	Amend SUB-P24 as follows: "Only allow subdivision of land in the Highly Constrained Roads 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 <u>subdivision will not enable an increase in motor vehicle trips on the highly constrained roads, or</u> 2. Any necessary improvements or upgrades to the roads are	Accept

				implemented prior to any additional use or development. It can be demonstrated that additional motor vehicle trips which are enabled by the subdivision will not worsen the safe operation of the road, or 3. Improvements are made to the highly constrained road to ensure additional trips which are enabled by the subdivision are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements.	
Transpower New Zealand Limited	504	59	Amend	Amend policy as follows: "Only allow for subdivision within the National Grid Subdivision Corridor where: ... 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: ... d. The risk to the structural integrity of the National Grid Subdivision Corridor, and ... <u>f. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid; and</u> <u>g. The outcome of any consultation with, and technical advice from, Transpower."</u>	Accept

Federated Farmers of New Zealand	410	56	Oppose (requesting new provision)	Add new policy as follows: "Compensation will be payable for esplanades reserves and strips vested in accordance with Section 237E and 237F of the RMA, unless agreed otherwise."	No recommendation – relates to withdrawn topic
Connexa, Chorus, FortySouth and Spark	311	90	Support	Retain rule as notified	Accept in part
Policy Planning team of the Hutt City Council	440	42	Oppose in part	Amend the rule title as follows: "Subdivision that creates any vacant allotments (<u>other than allotments solely for infrastructure</u>)"	Accept
Connexa, Chorus, FortySouth and Spark	311	91	Support	Retain rule as notified	Accept in part
Policy Planning team of the Hutt City Council	440	43	Oppose in part	Amend the rule title as follows: "Subdivision that creates a new allotment vacant allotments solely for infrastructure"	Accept
Natural Hazards Commission Toka Tū Ake	327	066	Support in part	Retain as notified [conditional, see original submission]	Accept in part
Laura Skilton	314	75	Oppose in part	Amend rule as follows: "1. Activity status: Controlled	Reject

				Where: a. The subdivision will result in building platforms for activities most sensitive <u>activities least sensitive to natural hazards</u> or <u>activities potentially sensitive to natural hazards</u> to natural hazards located within the Liquefaction Hazard Overlay <u>2. Activity status: Restricted discretionary</u> Where: a. The subdivision will result in building platforms for activities most sensitive to natural hazards located within the Liquefaction Hazard Overlay"	
Natural Hazards Commission Toka Tū Ake	327	067	Support	Retain as notified	Accept
Natural Hazards Commission Toka Tū Ake	327	068	Support in part	Retain as notified [conditional, see original submission]	Accept in part
Wellington Regional Council	452	127	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	49	Support	Allow	Accept
Wellington Regional Council	452	128	Support	Retain as notified.	Accept
Natural Hazards	F15	50	Support	Allow	Accept

Commission Toka Tū Ake					
Michael Rachlin	232	27	Oppose in part	Amend so that all subdivision within a Medium Flood Hazard Overlay is a restricted discretionary activity with the following matters of discretion: "NH-P9-5: Subdivision, use and development in the Flood Hazard Overlay"	Accept in part
Natural Hazards Commission Toka Tū Ake	327	069	Support in part	Retain as notified [conditional, see original submission]	Accept in part
Wellington Regional Council	452	129	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	51	Support	Allow	Accept
Wellington Regional Council	452	130	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	52	Support	Allow	Accept
Natural Hazards Commission Toka Tū Ake	327	070	Support	Retain as notified	Accept

Wellington Regional Council	452	131	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	53	Support	Allow	Accept
Michael Rachlin	232	28	Support	Amend to: - delete SUB-P22 from the matters of control and matters of discretion; and - add CE-15-7 to the matters of control and matters of discretion	Reject
Natural Hazards Commission Toka Tū Ake	327	071	Support in part	Retain as notified [conditional, see original submission]	Accept in part
Laura Skilton	314	76	Oppose	Amend clause (4) of rule as follows: "4. Activity status: Discretionary Non-complying"	Reject
Kāinga Ora - Homes and Communities	F26	40	Oppose	Disallow	Accept
Natural Hazards Commission Toka Tū Ake	327	072	Support in part	Retain as notified [conditional, see original submission]	Accept in part
Policy Planning team of the Hutt City Council	440	48e	Oppose in part	Seeks that provisions are amended where appropriate to refer to a new overlay in the plan for areas of Seaview and Petone where separate treatment for natural hazard risks applies (refer to original submission and submission point 440.48a)	Accept

Laura Skilton	314	77	Oppose	Amend clause (3) of rule as follows: "3. Activity status: Non-complying Prohibited"	Reject
Kāinga Ora - Homes and Communities	F26	40	Oppose	Disallow	Accept
Natural Hazards Commission Toka Tū Ake	327	073	Support	Retain as notified	Accept
Jarred Gustafson and Paula Gentle	6	4	Oppose	Delete rule	Reject
Jo-Ella Sarich	91	2a	Oppose	Remove provision	Reject
Cheow Khong Chng	104	3	Oppose	Seeks that the rule is deleted or amended to include exemptions for subdivisions not requiring earthworks	Reject
Natural Hazards Commission Toka Tū Ake	327	074	Support	Retain as notified	Accept
Laura Skilton	314	78	Oppose	Amend rule as follows: "1. Activity status: Discretionary Prohibited"	Reject
Kāinga Ora - Homes and Communities	F26	42	Oppose	Disallow	Accept
NZ Transport Agency Waka Kotahi	385	63	Support in part	Amend rule description as follows: "Subdivision of land in the Highly Constrained Roads Overlay <u>or</u> <u>accessed from a Limited Access Road</u> "	Reject

Policy Planning team of the Hutt City Council	440	41b	Oppose in part	Amend the activity status under SUB-R23 from “Discretionary” to “Non-Complying”.	Accept
Transpower New Zealand Limited	504	60	Amend	Amend clause 1 of the rule as follows: "1. Activity status: Restricted discretionary Where: a. All resulting allotments, other than allotments for roads, accessways, or network utilities, can accommodate building platforms for <u>the principal building or</u> 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."	Accept
Clarus	474	63	Support in part	Amend an incorrect cross-reference in clause (2), which should refer to SUB-R25.1 rather than SUB-R26.1	Accept
Claire Jackson	319	10	Oppose in part	Amend standard to reduce minimum lot size for the General Rural Zone to 7ha	Reject
Ken Jackson	168	10	Oppose in part	Amend standard to reduce minimum lot size for the General Rural Zone to 7ha	Reject
Donald McCreary	196	9	Oppose in part	Amend standard to reduce minimum lot size for the General Rural Zone to 7ha	Reject
Wainuiomata Rural Community Association Incorporated	364	4	Amend	Amend clause (4) of the standard to reduce the minimum lot size for the General Rural Zone to 7 hectares.	Reject

Steve Full and Andrea Bason	365	12	Oppose in part	Amend standard to reduce minimum lot size for the General Rural Zone to 7ha	Reject
David Surrey	427	6	Oppose in part	Seeks that the minimum lot size for the General Rural Zone is reduced to either 5 or 10 ha.	Reject
Wainuiomata Rural Community Association Incorporated	364	3a	Amend	Amend clause (5) of the standard to increase the minimum lot size for the Rural Residential Zone to 2 hectares.	Reject
Brookfield Outdoor Education Centre	F41	2	Support	Allow	Reject
Peter and Judy Campion	253	1	Oppose in part	Amend the minimum lot size for the Rural Lifestyle Zone to be 0.5 hectares or less	Reject
Fire and Emergency New Zealand	374	51	Support	Retain as notified	Accept
David and Pauline Innes	416	1a	Amend	Amend to increase the minimum lot size in the Rural Residential Zone to 2 hectares.	Reject
David Surrey	427	3	Support in part	Amend standard as follows: "5. Rural Lifestyle: 1ha 0.5ha"	Reject
The Brookfield Board and Scouts Aotearoa	469	2	Oppose	Seeks that the 1ha minimum lot size for the Rural Lifestyle Zone is increased (inferred - refer to original submission)	Reject
Lyal Earle	12	1	Support	Retain SUB-S1.5 as notified	Accept

Fire and Emergency New Zealand	374	52	Support	Retain as notified	Accept
Laura Skilton	314	79	Neutral	Amend standard as follows: "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); relevant Water Board and..."	Reject
Fire and Emergency New Zealand	374	54	Support	Retain as notified	Accept
Survey and Spatial New Zealand, Wellington Branch	466	4	Oppose in part	Seeks that cross-references in sub-clause 1(a) to the Regional Standard for Water Services 2021 are removed, and that maximum and minimum water pressure requirements for the point of supply are specified	Reject
Laura Skilton	314	80	Neutral	Amend standard as follows: "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) relevant Water Board. 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	Reject

				accordance with the Wellington Water Regional Standard for Water Services December 2021 (Section 5.2.6) relevant Water Board...."	
Survey and Spatial New Zealand, Wellington Branch	466	5	Oppose in part	Seeks that cross-references to the Regional Standard for Water Services 2021 are removed, and that minimum requirements for a wastewater connection are specified	Reject
Laura Skilton	314	81	Neutral	Amend clause (2) of the standard as follows: "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) relevant Water Board."	Reject
Survey and Spatial New Zealand, Wellington Branch	466	6	Oppose in part	Seeks that cross-references to the Regional Standard for Water Services 2021 are removed, and that minimum requirements for a stormwater connection are specified	Reject
Connexa, Chorus, FortySouth and Spark	311	92	Support in part	Seeks that the content of standard is replaced with the following requirements: Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Sport and Recreation Zone, Special Purpose Zones: "1. All new allotments must have provision for connections to an open access fibre network to the legal boundary of the allotments." Rural Zones, Natural Open Space Zone, Open Space Zone:	Reject

				<u>"2. All new allotments must have provision for connection to telecommunications infrastructure. This may be achieved by either:</u> <u>a. Connections to an open access fibre network to the legal boundary of the allotments; or</u> <u>b. Provision with any subdivision consent application of written confirmation from a telecommunication network operator confirming that connection to a telecommunications network can be provided to all new allotments and describing how this can be achieved.</u> <u>3. The written confirmation that connection to a telecommunications network can be achieved which is required under SUBS8.2.b must include that the connection can be achieved to:</u> <u>a. A broadband mobile and wireless network, including a satellite network, if connection to such a network is available; or</u> <u>b. A copper VDSL network as a minimum if no broadband mobile or wireless networks are available."</u> All Zones: <u>"4. At the time of subdivision, sufficient telecommunication network infrastructure and associated ancillary services for telecommunications must be set aside. Any subdivision consent application must include:</u> <u>a. Identification of the land on any subdivision scheme plans; and</u> <u>b. Written confirmation that the land identified is sufficient for the intended purpose from a relevant network operator or other suitably qualified and experienced professional."</u> And, seeks that in all instances, where the standard is not met, the	
--	--	--	--	---	--

				matter of discretion should be restricted to " <u>an alternative provision of telecommunication supply.</u> "	
Policy Planning team of the Hutt City Council	440	114	Oppose (requesting new provision)	Add a new policy after SUB-P26, as follows: <u>"SUB-Pxxx: Subdivision of land within the Shaftesbury Grove Development Precinct</u> <u>Enable urban development through the subdivision of land in the Shaftesbury Grove Development Precinct in a manner that protects the land's significant ecological values by:</u> <u>i. Providing for the subdivision of land within the Development Sub-area of the Precinct; and</u> <u>ii. Only allowing for the subdivision of land in the Non-development Sub-area of the Precinct where the subdivision is required to support or enable development within the Development Sub-area, and the land's significant ecological values are maintained or enhanced."</u>	Accept
Policy Planning team of the Hutt City Council	440	115	Oppose (requesting new provision)	Add a new rule " <u>SUB-Rxxx: Subdivision of land within the Shaftesbury Grove Development Precinct</u> ", after SUB-R21. Refer to original submission for full details of the rule.	Accept
Policy Planning team of the Hutt City Council	440	116	Oppose (requesting new provision)	Add a new appenedix " <u>SUB-APPxxx: Matters of discretion and information requirements for rule SUB-Rxxx</u> ", after the standards in the SUB chapter. Refer to original submission for full details of the appendix	Accept
M & J Walsh Partnership Ltd	256	2	Other/Not stated	Seeks that any consequential changes necessary to reflect the intentions and outcomes of Plan Change 58, are made to the proposed District Plan.	Accept
Peter Shaw and Pam Guest	451	2	Amend	Seeks that the PDP limit development yield as a result of specific recommendations resulting from a plan change process, in particular those specified as a result of PC53 (see original submission).	Accept

				Alternatively, would support alternative PDP provisions if they provide the same level of protection as that sought in paragraph 13 of submission.	
Clarus	474	62	Support	Retain policy as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	88	Support	Retain policy as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	89	Support	Retain policy as notified	Accept
Fire and Emergency New Zealand	374	50a	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	50b	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	52	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	53	Support	Retain as notified	Accept
NZ Transport Agency Waka Kotahi	385	64	Support	Retain standard as notified	Accept