

SECTION 5 – SUBDIVISION

5.1	Background	1
5.2	Effects Of Subdivision	1
5.3	Subdivision Objectives and Policies	2
5.3.1	Impact Upon Rural Soils	2
5.3.2	Rural Separation Distances	3
5.3.3	Landscape Appearance and Character	4
5.3.4	Water Supply, Stormwater and Farm Drainage	6
5.3.5	Domestic Effluent Disposal	7
5.3.6	Natural Hazards.....	8
5.3.7	Traffic Safety and Efficiency	9
5.3.8	Urban Growth	11
5.3.9	Urban Neighbourhoods.....	15
5.3.10	Urban Allotments	18
5.3.11	Fragmentation Of Natural Areas and River Channels	19
5.4	Environmental Results Anticipated	20
5.5	Monitoring and Review Procedures - Subdivision	21

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5 SUBDIVISION

5.1 Background

One of **Council’s** functions under the **Act** is control of subdivision. The purpose of this is to limit any adverse **effects** of subdivision on the **environment** and to sustainably manage resources, particularly the land and soil resources.

The definition of subdivision includes cross-leases, company leases and unit titles. This means that such subdivisions are subject to exactly the same rules and potential consent conditions as “ordinary” fee simple subdivisions. Any leases of parts of a block of land for longer than 20 years also qualify as subdivisions. Partitions of **Maori land** do not, however, need subdivision consent if the new land parcels are to be held by members of the same hapu.

5.2 Effects Of Subdivision

Subdivision is regarded as an “activity” under the **Act**, much the same as land use activities like building a factory. Subdivision only permits a new allotment to be held in separate permanent ownership as opposed to short-term rent or lease. There are relatively few direct **effects** which arise from separate ownership. Examples include the need for new separate accesses to the **road** and separate utility services.

The indirect **effects** of subdivision can however be important. The new owner will usually (but not always) expect to build a **dwelling** or **buildings** on the new section. These new **buildings** will have their own **effects** upon the landscape, upon neighbours and upon effluent disposal in the locality. Subdivision of residential sections is the first step in urban growth, and the **effects** of that growth must therefore be taken into account at the subdivision stage. This plan will therefore require the **effects** of future **dwellings** on the new lots to be considered when a subdivision is applied for. Similarly **Council** will need to be satisfied that Industrial or Business **zone** allotments can be reasonably used for permitted activities.

The cumulative **effects** of subdivision must also be taken into account. Subdivision of one residential allotment along a main traffic route would have little impact, but ribbon development of several sections and vehicle crossings may well be of concern.

Subdivision policies affect land values. If there is a shortage of particular types of blocks, inflated prices may result. A property’s potential for subdivision may also raise its value (and rates) thereby influencing the owner to subdivide it. One way to minimise value anomalies is to give all landowners an equal opportunity to subdivide. This is not possible, however, if the Plan is to meet the **Act’s** aims. Varying opportunities will for example result from this Plan’s policy of treating subdivision of versatile land differently to other land.

Subdivision can sometimes have significant benefits. As much individual freedom as possible should be permitted, within the **Act’s** duties to manage adverse **effects** and to consider sustainability of the land resource. The potential adverse impacts are addressed by the objectives below.

5.3 Subdivision Objectives and Policies

5.3.1 Impact Upon Rural Soils

Objective

- S 1) To protect the life-supporting capacity of the District’s rural soils, particularly the versatile land, and to maintain the opportunity for them to be used for a wide range of options in the future.

(Issue 7) (Refer also: Objective LU 7).

Policies

- a) To ensure that the life-supporting capacity of the District’s rural soils, and future options for the use of that soil, are not compromised by the **effects** of subdivision and subsequent development, including soil compaction, contamination and removal, and fragmentation of ownership.
- b) To minimise the amount of versatile land which is converted to urban use. (Refer also: Policy 5.3.8 a.).

PAGE

2

Explanation

It is important to keep open a wide range of options for the future use of land, so that it can continue to meet the reasonably foreseeable needs of future generations and can be sustainably managed to preserve its life-supporting capacity in terms of the **Act**. Subdivision can compromise the potential land use options by fragmenting ownership. It may cause blocks to become too small for certain types of rural activity. It may then be difficult to collect them together again for production, particularly if the land has become over-capitalised with **buildings**. Farmers’ price for land is related to potential farm income, but rural-residential users’ price is influenced more by off-farm income. Below a certain size, blocks may become too small for practical rural use at all.

This Plan uses an average lot size philosophy. It does not prevent the creation of small blocks within the rural **zone**, but effectively requires that people creating a small lot must also create a larger one to achieve the average. There is also a requirement that at least 50% (or at least 20 hectares, whichever is smaller) of the block being subdivided be left in one piece. This aims to discourage subdivision into uniform blocks all at the average size. These controls will help to retain an overall subdivision pattern within the District which allows a wide range of land uses to be able to secure land holdings appropriate to their needs.

Retaining options for use of the District’s “versatile land” (ie Class I and II soils apart from Class IIs2) is particularly vital. An explanation of the land use capability classes and why versatile land is a special resource can be found in the explanation to Objective LU 7). It is in very limited supply and is under the greatest demand for small-lot subdivision, especially near Feilding and Palmerston North. If widespread fragmentation into uniform small lots was permitted it would not take long for subdivision

to make significant inroads into the supply of versatile land and of larger blocks in these locations. The Plan’s Rural 1 **zone** identifies the District’s main areas of versatile land, and recognises the potential **effects** on its productive options by requiring an 8ha minimum average lot size in that **zone**.

The average lot size for the Rural 2 **zone** (less-versatile land) has been set at 4ha. This is because the finite demand for small rural blocks is unlikely ever to have a major impact on the availability of the District’s large areas of non-elite soils for productive uses. The subdivision controls for these areas are therefore primarily based instead on landscape and rural character considerations. (Refer: Objective S 3).

Freeing up rural-residential subdivision of non-versatile land close to Palmerston North and Feilding may bring overall small-block prices down. This would allow productive users to compete for high quality land on a more equal basis.

Policy b. above notes that the Plan requires that land quality be taken into account in decisions to **zone** extra land for urban expansion. This is because any high quality land which is put under urban development is irretrievably lost.

District Plan Methods

- District Rule C2.4.
- Decisions on applications for new Residential or Village zoning around townships.

Other Methods

- Facilitating advice to land users and purchasers about soil capability, i.e. helping to “match up” versatile soils with the people who need them or who will use them.

5.3.2 Rural Separation Distances

Objective

S 2) To have rural allotments which allow satisfactory separation between **dwellings** and neighbouring activities.

(Issue 5) (Refer also: Objectives LU 10 and LU 11).

Policies

- To establish separation distances which are sufficient to mitigate any adverse environmental **effects** of rural and domestic activities and rural industries (such as noise, dust or odour nuisances) upon nearby residential activities.
- To seek a realistic level of amenity for rural residents, given the potential for adverse environmental **effects** from the types of activities that are found in the **zone**. (Refer: 4.3.2 and 4.3.4).

Explanation

People generally expect to build a **dwelling** on new titles. Subdivisions will also sometimes change the legal boundaries around existing houses. There is potential for activities next door to adversely affect occupants of the **dwelling** if those activities are not adequately separated. New **dwellings**, without sufficient separation, can also have an impact upon rural activities by creating a pressure for those activities to be curtailed.

Seeking to promote a level of amenity for rural residents is in line with the matters of importance in the **Act**. It is related to the rural landscape and effluent disposal objectives (S3 and S6) and would also assist full productive use of rural land to occur without conflicting with neighbours. Many rural residents expect the countryside to be an idyllic place, and having adequate separation can help. These residents should however realise that some noise, odour, dust etc. is inevitably associated with normal agricultural production and will have to be “put up with.” Bearing this in mind, the minimum lot size in the Rural **zones** has been set at 0.8ha. (The Plan’s rules do however allow possible development of rural house allotments down to 4000 m² in size in specified locations - Refer Policy 5.3.3 b.)

If farmers are subdividing off a surplus house, they often wish to lose as little productive land as possible and may want the new house lot to be much smaller than this minimum. Requiring a 0.8ha allotment is however fully justified due to the improvement in residential amenity which usually results from the extra separation which a larger lot can provide.

PAGE

4

District Plan Methods

- District Rule C2.4.

5.3.3 Landscape Appearance and Character

Objective

S 3) To maintain a distinct difference in landscape appearance and character between urban and rural areas.

(Issue 7). (Refer also: Objectives LU 8, LU 12 and LU 14).

Policies

- To ensure that any adverse **effects** of rural subdivision upon the existing character and amenities of the Rural **zones** are avoided, remedied or mitigated.
- To enable some small-lot subdivision (i.e. down to around 4000 m² in area), in identified rural and peri-urban localities which already have the character of a settlement and where such subdivision would be compatible with the amenities of the area.

Explanation

The elements which contribute to rural and urban “character” are set out in Objectives LU 8, LU 12 and LU 14. It is important to maintain a different landscape appearance between “town and country” for aesthetic and environmental reasons. This is in line with the **Act’s** statements about

maintaining and enhancing the quality of the **environment** and **amenity values**. These qualities are highly valued by many rural residents and contribute to New Zealand’s “clean green” image for visitors. Having said this, though, rural areas are primarily places for production from the land rather than scenic reserves for townspeople.

Subdivision patterns have an important influence on housing densities, and allowing large numbers of small lots to be created in a rural locality can jeopardise its rural character. **Effects** on the landscape must therefore be considered at the subdivision stage.

The average density of **dwellings** influences the “ruralness” of a locality rather than minimum lot size. For example an area of large farms interspersed with quarter-acre house **sites** can still appear very rural. This Plan therefore uses rural subdivision controls based on an average lot size to help achieve policy a). The average lot size of 4ha chosen for the Rural 2 **zone** represents the density beyond which **Council**’s analysis shows that rural character begins to be lost. The 8ha average used for the Rural 1 **zone** has been selected for reasons other than rural character, (Refer Objective S 1), but also represents a density at which rural amenities will not be adversely affected by housing.

Both Rural **zones** have special controls on the ribbon development of housing along rural **roads**, to help maintain the rural appearance of these areas. New allotments created will have to meet these requirements, as well as the **yard** controls applied to give adequate setback for rural residents from **roads** and each other. The latter aims to achieve a rural ambience for the occupants of rural houses.

Elements of urban character already exist around some rural focal points and around the edge of certain townships, where the need to retain “ruralness” is less important. These rural focal points are Colyton, Hiwinui, Taikorea, Glen Oroua, Rangiwahia, Utuwai, Waituna West and Pohangina. The townships concerned are Apiti, Feilding, Rongotea, Bunnythorpe, Cheltenham, Sanson, Kimbolton, and Halcombe. **Council** will consider smalllot subdivision (i.e. minimum lot size of around 4000m²) in these localities as a discretionary activity. What is appropriate for these places, however, is a low-density rural settlement rather than a fully-fledged township.

District Plan Methods

- Land use controls, and subdivision controls based on average lot size (Rule C2.4).

Other Methods

- Possible tree planting programmes and beautification of appropriate rural areas.

5.3.4 Water Supply, Stormwater and Farm Drainage

Objective

- S 4) To avoid the potential **effects** of unserviced subdivision upon the District’s residents by ensuring that water supply, stormwater disposal and farm drainage needs are taken into account.

(Issue 5) (Refer also: Objectives FC 1 and EWA 3).

Policies

- a) To require available water and stormwater connections for new residential allotments to be paid for as a condition of subdivision approval.
- b) To require rural subdividers to demonstrate:
 - i) What provision if any has been made for farm drainage for new allotments.
 - ii) That provision has been made for water supply to new allotments.
- c) To preserve legal access for drainage from new allotments where appropriate, as well as practical access for drain clearance. (Refer also: Policy 6.2 I.).
- d) To advise subdividers in rural water supply scheme areas that access to water will be at the discretion of the supply authority.
- e) To advise rural water supply authorities about subdivision proposals in their areas.
- f) To require appropriate stormwater disposal if a subdivision is for an activity which would involve large areas of impervious surfaces.

Explanation

An **effect** of subdivision is that new lots usually need their own separate access to water supplies, farm drainage and stormwater disposal. If left unserviced, or without an appropriate level of servicing, the development that occurs after subdivision can have an impact on the health, safety and wellbeing of the District’s residents. Potential problems include surface ponding, an inability to properly drain farmland, more rapid or uncontrolled stormwater runoff, and lack of proper access to drinking or stock water. Action at the subdivision stage can avoid these problems by for example creating appropriate easements so that new lots have legal access to public drains.

People often expect to be buying ready-serviced sections if located in a water supply scheme area. These schemes however have vastly different levels of independence, financial structures, policies and bylaws. The only feasible uniform approach is to refer subdivision applications to the appropriate supply authority for their action.

District Plan Methods

- Plan rules on farm drainage, water supply and stormwater disposal (Rules C2.4.1 and C2.5 d.).
- Information requirements for subdivision applications (Rule A1.2).

Other Methods

- Liaison with rural water supply authorities.

5.3.5 Domestic Effluent Disposal

Objective

S 5) To ensure that domestic effluent from new allotments can be adequately disposed of without creating water quality or odour and health problems.

(Issue 5) (Refer also: Objective EWA 3).

Policies

- To ensure that all new allotments in sewered areas are connected to the sewerage system.
- To require that all effluent in unsewered areas be satisfactorily disposed of within the allotment concerned, or via an approved communal effluent disposal system.
- To require that any proposed communal disposal includes permanent arrangements for future maintenance, operation and **replacement** of that system.

Explanation

The new **dwelling** which is expected after subdivision will need to dispose of domestic effluent. If disposal is not properly catered for, adverse **effects** on water quality may result. The **effects** of unsewered disposal can be cumulative, only being visible when a certain “threshold” density is reached.

It is preferable to address the potential **effects** at the subdivision stage rather than leaving it until a building consent is applied for. The subdivision stage is the best time to have new sewer mains and connections installed, e.g. when new streets are being constructed. People in sewered townships expect their newly-purchased section to be serviced already.

Secondly, if a communal treatment scheme is the most practical method for a particular subdivision, it is difficult to get one built once the lots have been sold and a number of different owners are involved. If a group treatment scheme fails, there can be serious problems if possible backups, (e.g. sufficient land for soakage) were not considered at the subdivision stage.

Thirdly, the last people to build in an unsewered subdivision may have to use much more expensive disposal methods if water quality is starting to be degraded by previous houses.

Effluent must be disposed of within the allotment concerned, unless a communal system is proposed or a town sewer is available. **Council** will not accept easements over adjoining properties to be used for effluent disposal. Existing systems may be required to be re-laid to fit within the allotment, and new systems will have to be contained within it.

District Plan Methods

- District Rules C2 and D1.5.

Other Methods

- Advice to the public and drainlayers about disposal systems and legal requirements.
- Investigating alternatives to the standard septic tank-effluent bed systems and setting up demonstration systems where appropriate.

5.3.6 Natural Hazards

Objective

S 6) To ensure that the potential risk to future **buildings** from natural hazards is considered for each new allotment.

(Issue 8) (Refer also: Objectives NH 1 and NH 2).

Policy

- a) To require that each proposed allotment has at least one **building site** (including effluent disposal area and suitable vehicular access) which is not prone to natural hazards, unless **Council** is satisfied that no **dwelling** will be required on the allotment.

Explanation

Council has a duty under the **Act** to mitigate natural hazards and limit construction of **buildings** (particularly **dwelling**s) on land liable to flooding or instability. **Section 106 of the Act** states that:

"A consent authority shall not grant a subdivision consent if it considers that either -

a) Any land in respect of which consent is sought, or any structure on that land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or

b) Any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to that land, other land, or structure by erosion, falling debris.....

unless the consent authority is satisfied that the (above) effects will be avoided, remedied or mitigated by.....rules in the District Plan, conditions of resource consent.....or other matters including works."

For example, subdivision may be permitted under this Section if Plan rules prevent **building**, or if stopbanking is proposed.

Any potential **building site** must include space for the facilities which support a **dwelling**, particularly effluent disposal systems and water supply tanks in the rural situation. These facilities can be just as adversely affected by events like land slippage or flooding. If people need to escape during or after a hazard event it is also important that their access routes are not blocked by hazards. (Refer Objective NH 2).

If natural hazards are addressed under the Plan at the subdivision stage, it is easier for purchasers, vendors and **Council** to know the limitations and possibilities of a particular block. We must avoid situations where people buy land in the mistaken belief that it can be built on.

The plan does however take into account that a **building site** is not always important. One example is where a farm runoff property will be used in conjunction with other land and no new **dwelling** is needed.

District Plan Methods

- District Rule C2.
- Using consent notices on titles to alert buyers to the presence of a hazard.

Other Methods

- Provision of hazard information through LIM procedures and other avenues, in conjunction with the **Regional Council**.
- Persuading people not to proceed with problem subdivisions, or to modify them to take hazards into account.

PAGE

9

5.3.7 Traffic Safety and Efficiency

Objective

S 7) To ensure that new driveways or **roads** resulting from subdivision do not unduly detract from traffic safety and efficiency. (Issues 5 and 13). (Refer also: Objectives LU 27 and S 8).

Policies

- To ensure that all new allotments have an available entrance point with satisfactory visibility.
- To implement controls which meet the need to maintain the safety and efficiency of arterial traffic routes, including the use of shared entranceways wherever possible.
- To ensure that vehicle crossings resulting from subdivisions are combined wherever possible.
- To require formation of joint driveways and entranceways to certain standards at the subdivision stage.

- e) To require other entranceways to be formed at the building consent stage.
- f) To ensure that legal streets are created instead of rights-of-way if warranted by the potential traffic.
- g) To discourage ribbon development along arterial routes.

Explanation

Traffic safety and efficiency is directly related to the purposes of the Resource Management Act (1991), which requires the management of **natural and physical resources** in a way that enables people and communities to provide for their health and safety.

Subdivision of land often results in the creation of additional access points into the roading network which results in an increase of traffic. To manage this, the Plan implements the following traffic safety and efficiency standards:

- Minimum sight distances from vehicle crossings, intersections and railway crossings.
- Minimum spacings between vehicle crossings, and between intersections, on arterial **roads**.
- Physical formation of vehicle crossings and rights-of-way, depending on their likely level of use.

District Plan Methods

- District Rules C2.1.1, C2.2.1 and C2.4.1 I.
- Subdivision consent conditions, including consent notices and segregation strips
- Land use consent conditions, including combining vehicle crossings.

Other Methods

- Construction of side **roads** to service subdivisions.
- **Road** works to improve traffic safety and flow if justified in terms of cost/benefits and the District's overall roading priorities.
- Local Government Act provisions allowing vehicle crossings to be required when a building consent is applied for.
- Limited Access Road controls administered by Transit New Zealand for State Highways and by **Council** for the former State Highway 56.

5.3.8 Urban Growth

Objective

- S 8) To provide for urban growth that adjoins existing **urban areas** and manage that growth to avoid, remedy or mitigate adverse **effects** through the design of safe, integrated infrastructure networks and the efficient use and development of land.

(Issues 5 and 9) (Refer also: Objectives LU 7, LU 27, S 1, NH 1, NH 2 and U 1).

Policies

- a) Ensuring that any proposal for extension of the Residential or Village zoning of the District's existing townships takes into account:
- i) Any increased risk to people and property from natural hazards, including the possibility of sea level rise in the case of Himatangi Beach and Tangimoana.
 - ii) The potential impact of urban growth on the natural character, qualities and features of the coastal **environment**.
 - iii) Any significant and permanent adverse impact upon the life-supporting capacity of the District's soil resource, or upon options for its future use, which would arise from converting the land concerned to urban use.
 - iv) The need for new growth areas around existing townships to be provided with utility services, at the developers expense, so that water supply and effluent and stormwater disposal issues and energy networks are addressed. (Refer Also: Part 7.3).
 - v) The efficient use and development of **natural and physical resources**, such as land, energy and the transport network, including the degree to which **infill** development is possible in the existing Residential or Village **zone**.
 - vi) The neighbourhood amenities and level of access to facilities which are likely to be available to residents in the new urban growth areas.
 - vii) The need to avoid ribbon development along arterial routes for traffic safety and efficiency reasons.
 - viii) Any significant adverse impacts upon the rural area, including its character and amenity, any significant habitats of indigenous fauna, and its intrinsic, ecological, or heritage values or cultural significance.
 - ix) The presence of any existing land uses which may not be compatible with a new residential neighbourhood.

- b) Identifying land suitable for new urban development, and where existing infrastructure requires upgrading to provide for new urban development, defer and stage this development until the required upgrading of infrastructure has occurred.
- c) Providing for subdivision and development in the **Growth Precincts** in Feilding in accordance with Structure Plans and the Subdivision Design Guide to achieve the following outcomes:
- i) development is well integrated and coordinated;
 - ii) development recognises and responds to the topographical and physical features of the land;
 - iii) short and anticipated long term growth demands are met;
 - iv) good connections are made with existing infrastructure and transportation networks, taking account of the capacity limitations of these networks and any potential requirements for upgrading capacity to meet future demands;
 - v) certainty is provided on the location and pattern of development, including key roading linkages and infrastructure to meet future requirements;
 - vi) a range of residential densities are provided, including larger lots which can be intensified in the longer term;
 - vii) a logical roading network delivers strategic **Collector Roads** between existing and future **urban areas** and a street network of **Local Roads** that provide accessible residential areas;
 - viii) efficient utility services are provided including reticulated waste water, water supply, stormwater networks and energy networks, that are in accordance with identified growth demands;
 - ix) neighbourhood focal points (such as local parks, shops or **community facilities**) provide meeting points and centres for individual neighbourhoods within a precinct;
 - x) open space networks that comprise stormwater attenuation networks, a range of recreation opportunities, stream side **esplanade reserves**, and where appropriate, environmental protection corridors;
 - xi) areas identified as high risk for flooding and potential seismic hazards are avoided; and
 - xii) subdivision and development is designed and located to avoid adverse **effects** on, and from, the operation, access, maintenance or upgrade of the **National Grid**.

- d) Preventing urban greenfield development in the rural **environment** outside of the identified **Growth Precincts** around Feilding, and subdivision and development not in accordance with the desired outcomes of the Structure Plans.

Explanation

Objective S 8 recognises new urban growth areas for Feilding and the provision for urban growth in other villages in the district. Residential and industrial growth projections signal a continuation of demand across the district, with a concentration in Feilding. To provide for additional housing and industrial demand across the district, two approaches to growth are set out in the above policies.

Firstly, Policy a. sets a criteria-based approach for determining areas for urban growth in Manawatu towns (apart from Feilding) and villages. This criteria approach is applied where no urban growth areas have been identified, and enables broad and specific considerations to be used in assessing private plan changes to rezone land to Residential or Village **Zone**.

Secondly, Policies b. through to e. provide a more directive approach for managing urban growth in Feilding to meet the anticipated demand.

Criteria approach

For the first approach, Policy a. i) relates to natural hazards, as a constraint to extending many of the towns and villages. For instance, flooding occurs to the north of Sanson and to the south of Bunnythorpe. Tangimoana relies on stopbank protection from the Rangitikei River. Any growth in Himatangi Beach should not be toward the south, which would entail moving sand dunes. Apart from the ecological **effects** of removing those dunes, constructing streets and sections afterwards would pose severe sand stabilisation problems. The possibility of sea level rise also needs to be taken into account for the beach settlements. It would have a significant **effect** on ground water table levels and on drainage ability, which is already limited in Tangimoana.

Urban growth can have adverse **effects** on the landscape (Policy a. ii)) and can impinge on areas which have heritage value, including significant habitats of indigenous fauna. **Council** is not aware of any potential problems of this nature, apart from potential impact on coastal values at Himatangi Beach and Tangimoana and the impact on rural amenities which results from converting farmland to urban use (Policy a. viii)).

The **effects** of urban expansion upon versatile soils also need to be considered (Policy a. (iii)). Such land is a valuable and relatively limited resource, and its future options for use need to be safeguarded whenever possible. Subject to all other factors being equal, developing less versatile soils is preferable to highly versatile soils.

Policy a. iv) refers to the provision of utility services (water supply, effluent and stormwater disposal). It is essential that any extensions to townships with sewers are also provided with utility services. Whether connection to the town system or a completely new system is proposed, an agreement will need to be reached between **Council** and the developer about the costs of extending and connecting to utility services. (Refer: 7.3).

Policy a. v) recognises that land use, energy consumption and provision of transport are interrelated. Minimising transport and energy costs in connection with urban growth areas, (e.g. the cost of residents travelling to and from the town centre), needs to be taken into account in considering any growth areas.

Policy a. vi) acknowledges the importance of access to amenities in new growth areas. An extension of an existing **urban area**, where amenities are already provided, will enable new growth areas to more quickly become part of a functional neighbourhood. A situation of isolated residential streets separated from the rest of the town must be avoided.

Directive Approach

Policy b. relates to the urban growth of Feilding only and applies a more directive approach than Policy a. **Council** has identified specific areas around the periphery of the existing **urban area** for future residential and industrial development. These growth areas were identified based on a multiple-criteria analysis of areas suitable/unsuitable for urban development as well as community consultation. Any proposed extension to the boundaries of the growth areas would require careful consideration of environmental and community standards and the necessity for, and appropriateness of extending public services.

To address these urban growth issues, **Council** has prepared Structure Plans for the growth areas (called Precincts). The Structure Plans are based on a series of investigations and illustrate an urban form and structure that responds to individual localities and includes the provision of infrastructure (particularly stormwater), **road** networks, open space networks, density and **site** layout. A range of residential lifestyles and industrial properties are to be provided in order to accommodate growth now and in the future.

Within the existing **urban areas**, capacity exists for intensification of housing through the redevelopment of existing properties. This intensification may be in the form of single houses on existing properties or multiple houses on larger properties.

Council should always look at the capacity for growth within the existing urban boundary. **Infill** development is an efficient use of resources. (Refer: Objective S 9). Kimbolton and Halcombe have a relatively low density and have the potential to cater for significant development by way of **infill**. Considerable potential for **infill** also still exists in Feilding.

District Plan Methods

- District Plan Rules C2 and D1.5.
- Structure Plan **Growth Precincts** 1-3 and Subdivision Design Guide
- **Deferred Residential zoning** where infrastructure provision is not currently available.
- Considering applications for Plan Changes to extend urban zoning.

Other Methods

- Policies on new connections to **Council** services.

5.3.9 Urban Neighbourhoods

Objective

- S 9) To develop useful, attractive and sustainable urban neighbourhoods where:
- (a) A range of lot sizes and housing types can be developed, in accordance with the existing character and context of each area.
 - (b) People have maximum accessibility to each other using vehicular and non-vehicular (pedestrian and cycling) transport networks to neighbourhood centres and reserves which provide for their needs.
 - (c) Public health and safety is promoted through good design of local streets, neighbourhood centres and reserves to ensure easy access and connectivity.
 - (d) Development is not achieved at the expense of significant adverse **effects** on rural character that is the backdrop to the Feilding township, the **National Grid**, natural topography, open space and gully systems.
 - (e) New **urban areas** establish an identity that is based on positive elements of Feilding's established urban character and amenity, and recognise and maintain the ecological, cultural and historic heritage values of the **site** and surrounding area.
 - (f) Urban land is developed and used effectively ensuring larger residential lots retain the potential for planned and well-designed intensification.
 - (g) Utility services are strategically developed to ensure a sustainable, efficient and cost effective network is built to meet the needs of current and future development.
 - (h) Public safety is maintained through good subdivision design that avoids or mitigates identified natural hazards.

(Issues 3, 4, 9 and 13) (Refer also: Objectives HV 1, LU 7, LU 12, EWA 1 and U 1).

Policies

- a) Requiring subdivision designs and layouts which provide for the following:
 - i) New development that is integrated with the existing **environment** by:
 - Recognising the character and **amenity values** of any surrounding residential, rural and industrial areas.
 - Defining the urban boundary and avoiding, remedying and mitigating adverse **reverse sensitivity effects** on adjoining Rural **Zone** properties through buffer areas.

- Identifying natural features, open space (local purpose reserves, **esplanade reserves**, environmental protection areas) and land too steep for development and integrating development around these areas.
 - Residential densities that reflect a range of residential opportunities, and are positioned so there is a logical extension from existing **urban areas**, as well as responding to the topography and physical features of the **site**.
 - Designs which foster neighbourhood identity, using positive characteristics from established **urban areas** and also reflecting the cultural, heritage and natural values of the **site** and surrounding area.
 - Identifying nationally and regionally significant infrastructure and avoiding adverse **effects** on and from that infrastructure.
- ii) Flood hazard and potential seismic hazard areas are identified and the subdivision is managed so that areas of high risk are avoided, and all residual risk is mitigated through design of the subdivision and future development.
 - iii) Effective roading connections between existing, new and future development, to maximise accessibility between different **urban areas**.
 - iv) A network of local streets for each **urban area** which allows convenient vehicle access to individual properties, to local shops, reserves and coordinates with the **Collector Roads** to move traffic between the housing areas and town centre.
 - v) **Road** design reflects the function and use of the **road** type, including provision for vehicular and non-vehicular (pedestrian and cycling) transport modes and provides an appropriate level of amenity.
 - vi) Through **roads** and streets are required rather than the use of cul-de-sacs, in order to maintain a high level of accessibility in the local street network, while recognising some topographical features may lead to the use of cul-de-sacs or accessways.
 - vii) Block layouts that ensure individual lots have **road** frontage, where larger residential lots have sufficient width of frontage to ensure future intensification can occur and future lots will continue to have **road** frontage.
 - viii) Lots are positioned to allow efficient resource use, where the access to heat and energy from solar energy is maximised, on-**site** stormwater collection, attenuation and discharge is provided, including, room for water tanks.
 - ix) Access to open space and recreation areas is provided in a way that is strategically connected to adjoining **urban areas**.
 - x) Pedestrian and cycle access is provided as a network of on-**road** and offroad cycle and walk ways which contribute to the amenity and connectivity within the wider **urban area**.

- xi) Ensure each neighbourhood has a focal point that provides a place for **community facilities** local reserves and local shops.
- b) Encouraging **infill** subdivisions, within servicing constraints, with reference to suitability of the contour of the land, and where the shape and size of the subject lot enables good quality living **environments** to result as described in the Subdivision Design Guide.
- c) For subdivisions in any of the Structure Plan **Growth Precincts**, to require subdivision designs and layouts which implement the relevant Structure Plan, the roading hierarchy and **road** type in Appendix 3B.1 and incorporate the guiding principles of the Subdivision Design Guide (Appendix 10).

Explanation

Subdivision design and the physical works undertaken at subdivision time have a large and permanent **effect** upon the form and character of an **urban area**. Street patterns, reserve locations, shop **sites**, walkways, **road** widths and surfaces, land contour and retention of trees are decided at the subdivision stage. Structure Plan **Growth Precincts** are spatially planned in individual Structure Plans. The Structure Plans provide a spatial plan comprising the density expectations, transport links, open space areas and neighbourhood focal points. The transport links include the indicative location of **Collector Roads** and main **Local Roads** to ensure connectivity throughout a Precinct, and to its surrounds.

The Subdivision Design Guide provides more guidance on developing the subdivisions to meet the urban neighbourhood expectations set out in Objective S 9 and the principles set out in the Feilding Framework Plan.

Objective S 9 is also relevant for greenfield subdivision and development outside the Feilding township.

The influence of urban design to achieve more efficient connected neighbourhoods will result in urban places with more cost effective and greater range of movement options for people – this will also increase social interactions and an overall benefit to the welfare of current and future generations.

Infill subdivision can make better use of existing urban land, streets and utility services. It can also reduce the need to lay new piping and for farmland to be converted to urban use. Under the **Act** a liberal attitude must be taken toward **infill**, as long as potential adverse **effects** are avoided. **Council** goes further and aims to actively promote **infill**. In many places though, the slope of the land, or the limited capacity of utility services, will limit the number of new lots which can be created.

District Plan Methods

- “Concept plan” requirements to show future stages of “**greenfields**” developments. (Rule C2.5 b.).
- Development and implementation of Structure Plan **Growth Precincts** 1-3.
- Subdivision Design Guide to assist applicants, **Council** officers and decision makers design and assess proposals for greenfield subdivision.

Other Methods

- Subdivision layout plans being developed when new areas are zoned for urban purposes, and used as a guideline for later development.
- **Council** meeting some of the costs involved in design features which have a clear public benefit, e.g. pedestrian accessways.
- Possible direct **Council** involvement in developing **infill** sections.

5.3.10 Urban Allotments

Objective

S 10) To create urban lots that have a size and shape that enables urban use.

(Issue 5)

Policy

- a) Requiring subdividers to prove that small urban allotments (i.e. under 500m² in area) have sufficient useable room to be developed under the Plan for a permitted land use, having regard to the building regulations and the Plan's performance standards.
- b) Encouraging flexibility for future intensification of new large residential allotments (i.e. 2,000m² in area, and greater), so they can be effectively developed in the future to a standard residential density (800m²) and with a good quality of urban **environment** resulting, including **road** frontage.

Explanation

When people purchase an allotment, they expect to be able to use it. **Council** will make sure that new lots are reasonably capable of being used for activities permitted in the **zone**. It is relevant to consider whether the allotment is suitable for a range of different uses/**buildings** rather than just the one proposed by the applicant. This does not apply to some subdivisions such as the tiny allotments created for utilities.

The residential growth areas are anticipated to meet the short and long term need for greenfield developments. Larger lots can meet the immediate need for housing and lifestyle choices. However, in the longer-term, these larger lots may need to be repurposed for more intensive uses through further subdivision. Therefore, at the time of original subdivision, the size and shape of lots and the location of **buildings** on these larger lots is to demonstrate the ability for future intensification/subdivision to meet future needs.

District Plan Methods

- District Rules C2.1.1, C2.1.2 and C2.3.1.

Other Methods

- Providing advice for subdividers about District Plan requirements and about redesigning allotments.

5.3.11 Fragmentation Of Natural Areas and River Channels

Objective

S 11) To avoid adverse **effects** on the natural values of streams, lakes, **wetlands**, the coastal area and **indigenous forest** areas arising from fragmentation of land ownership.

(Issues 3 and 7)

(Refer also: Objectives HV 1 and HV 5, LU 9, EM 4 and EWA 3). [PC65]

Policies

- To ensure that the natural values of **indigenous forest** areas, lakes, the coastal area, and significant **wetlands**, including significant habitats of indigenous fauna, are not adversely affected by fragmentation of ownership arising from subdivision.
- To recognise the potential **effect** of subdivision of riverside land upon the management and natural values of the waterway concerned.

Explanation

Indigenous forest areas, lakes and **wetlands** owned by more than one party can be more difficult to manage as one entity. Each landowner may have their own ideas on weed control, drainage, stock access, public use etc. People may decide to fence new boundaries running through bush areas, to the detriment of the bush.

The Plan's rules therefore only permit new boundaries through **indigenous forest** areas or significant **wetlands** if those areas are to be protected by a **legal covenant**. The same requirement applies to subdivisions which would increase the number of parties who own the bed or fringes of a lake. Likewise rural subdivision in the coastal area has been made a discretionary activity so that its impact upon the coastal **environment** can be assessed.

Policy b. recognises that stream valleys becoming more closely subdivided can lead to pressure from the new owners for the stream to be straightened and stopbanked. Smallblock owners are likely to be less receptive to the stream's shifts in direction than a person who owns the whole stream floodplain and "gains and loses" every time the river shifts. Straightening and stopbanking have an adverse impact on the natural character on the waterway and on its ecological value, e.g. suitability for fish spawning.

Council will monitor the subdivision of areas where such impacts may become a problem, and will introduce specific controls for those areas if warranted.

District Plan Methods

- District Rule C2.4.1 J)
- Subdivision consent conditions requiring covenants.

5.4 Environmental Results Anticipated

- 1 Rural subdivision produces a range of allotment sizes, so that options for the future use of rural land, particularly the versatile land, are not compromised. (Objective S 1).
- 2 Soil compaction, contamination or removal do not have a significant adverse **effect** upon the life-supporting capacity of the District’s rural soils. (Objective S 1).
- 3 No more than a minimal amount of versatile land is converted to urban use. (Policy 5.3.1 b.).
- 4 Most residents of new rural allotments have room for consider that they have adequate amenity and satisfactory separation between their **dwelling**s and neighbouring activities. (Objective S 2).
- 5 Low levels of complaint from such residents about rural activities. (Objective S 2).
- 6 No significant adverse **effects** from subdivision upon the landscape quality or the existing character and amenities of the rural **zones**. (Objective S 3).
- 7 All new allotments have adequate provision for water supply, stormwater disposal, domestic effluent disposal and farm drainage needs. (Objectives S 4 and S 5).
- 8 No **dwelling**s constructed on new allotments are damaged or destroyed by land instability or by floods smaller than a 100 year event. (Objective S 6).
- 9 There are no instances where the size and shape of a newly-subdivided urban allotment is inappropriate for future use. (Objective S 10).
- 10 There are no traffic accidents attributable to the design or placement of driveways and intersections installed to serve new allotments. (Objective S 7).
- 11 Himatangi Beach and Tangimoana do not spread any further outward. **Infill** at Halcombe, Bunnythorpe and Kimbolton occurs rather than the extension of these townships. (Objective S 8)
- 12 Subdivision design in urban growth areas avoids direct access for new allotments to arterial routes. (Objective S 8)

- 13 No recorded instances where fragmentation of land ownership arising from subdivision adversely affects the natural values of **indigenous forest** areas, lakes, streams, the coastal area or significant **wetlands**. (Objective S 11)
- 14 Subdivision layouts for new urban neighbourhoods comply with **Council’s** guidelines, and residents of these neighbourhoods are satisfied with the amenities of these areas and their accessibility to the facilities which they need. (Objective S 9).

5.5 Monitoring and Review Procedures - Subdivision

The procedures to be used will include:

- a) Monitoring the degree of diversity in allotment sizes which are created as a result of subdivision.
- b) Assisting with research into the extent of soil compaction, contamination and removal in the District, including the influence of subdivision upon these factors.
- c) Reporting on the areal extent of versatile land which is rezoned to Residential, Village or Industrial during the planning period.
- d) Surveying rural-residential dwellers to find out whether they have sufficient separation from neighbours, and recording levels of complaint from such people about rural activities on other properties.
- e) Undertaking “snapshot” rural landscape assessments for the District when the Plan is made operative, and prior to the review of the Plan.
- f) Working with the **Regional Council** to assess the extent of groundwater contamination from septic tanks in closely-settled rural areas.
- g) Monitoring damage to **dwellings** during natural hazard events.
- h) Comparing traffic accident records with the database of new subdivisions.
- i) Surveying residents of new urban neighbourhoods, and monitoring the extent to which new urban subdivision proposals are meeting the guidelines for sustainable layouts.
- j) Monitoring damage to **indigenous forest** areas, lakes, streams, the coastal area and listed **wetlands** where ownership becomes fragmented by subdivision.
- k) Assessing the effectiveness of subdivision consent procedures in avoiding or mitigating the adverse **effects** which this Plan seeks to address, and changing these methods if necessary.
- l) Monitoring whether subdivision consents are issued in compliance with the rules in the Plan and whether any ongoing consent conditions are being complied with.