

# SUB-OS - Subdivision in Open Space Zones

This section contains subdivision requirements which apply in the Open Space Zones, including the Natural Open Space Zone. Additional subdivision requirements may also apply in the District Wide Subdivision Matters chapter.

The primary Objectives that this chapter implements are:

- DO-O1 - Tangata Whenua;
- DO-O3 - Development Management;
- DO-O4 - Coastal Environment;
- DO-O5 - Natural Hazards;
- DO-O9 - Landscapes, Features and Landforms;
- DO-O10 - Contaminated Land;
- DO-O11 - Character and Amenity Values;
- DO-O12 - Housing Choice and Affordability;
- DO-O13 - Infrastructure;
- DO-O14 - Access and Transport;
- DO-O15 - Economic Vitality;
- DO-O17 - Open Spaces / Active Communities; and
- DO-O18 - Renewable Energy, Energy Efficiency and Conservation

## DO-O1 Tangata Whenua

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

## DO-O3 Development Management

**Amended 01**  
Sep 23 PC2

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the *development* of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
  - a. that are in or near a *Centre Zone* or other area with many employment opportunities; or
  - b. that are well serviced by existing or planned public or active transport; or
  - c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

**DO-04 Coastal Environment**

To have a coastal environment where:

1. areas of outstanding natural character and high natural character, outstanding natural features and landscapes, areas of *significant indigenous vegetation, and significant habitats of indigenous fauna* are identified and protected;
2. areas of outstanding natural character and high natural character are restored where degraded;
3. the effects of inappropriate subdivision, use and development are avoided, remedied, or mitigated;
4. public access to and along the coast to facilitate active and passive recreational use is maintained and enhanced while managing inappropriate vehicle access; and
5. Inappropriate development does not result in further loss of coastal dunes in the area mapped as the coastal environment.

**DO-05 Natural Hazards**

To ensure the safety and resilience of people and communities by avoiding exposure to increased levels of risk from natural hazards, while recognising the importance of natural processes and systems.

**DO-09 Landscapes, Features and Landforms**

To protect the District's identified *outstanding natural features and landscapes* from inappropriate *subdivision, use and development*; and

1. maintain or enhance the landscape values of *special amenity landscapes* and identified significant landforms; and
2. avoid, remedy or mitigate adverse *effects* of *earthworks* on natural features and landforms.

**DO-010 Contaminated Land**

To prevent or mitigate any adverse environmental *effects*, including risks to human health and the *environment*, arising from past, present or future activities involving *contaminated land*.

**DO-011 Character and Amenity Values**

**Amended 01  
Sep 23 PC2**

To recognise the unique character and *amenity values* of the District's distinct communities, while providing for character and *amenity values* to develop and change over time in response to the diverse and changing needs of people, communities and future generations, resulting in:

1. residential areas characterised by the presence of mature vegetation, a variety of built forms and *building densities*, the retention of landforms, and the recognition of unique community identities;
2. vibrant, lively *metropolitan* and *town centres* supported by higher density residential and mixed use areas;
3. *local centres*, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;
4. productive rural areas, characterised by openness, natural landforms, areas and corridors of *indigenous vegetation*, and *primary production activities*; and
5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas) and between potentially conflicting land uses, so as to minimise adverse *effects*.

#### **DO-O12** Housing Choice and Affordability

To meet diverse community needs by increasing the amount of housing that:

1. is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitable urban and rural locations;
2. is affordable and adequate for lower income households; and
3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;

while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular resource, water and energy efficiency.

#### **DO-O13** Infrastructure

To recognise the importance and national, regional and local benefits of *infrastructure* and ensure the efficient *development*, maintenance and operation of an adequate level of social and physical *infrastructure* and services throughout the District that:

1. meets the needs of the community and the region; and
2. builds stronger community resilience, while avoiding, remedying or mitigating adverse *effects* on the *environment*.

#### **DO-O14** Access and Transport

To ensure that the transport system in the District:

1. integrates with land use and urban form and maximises accessibility;
2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;
3. contributes to a strong economy;
4. avoids, remedies or mitigates adverse *effects* on land uses;
5. does not have its function and operation unreasonably compromised by other activities;
6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and
7. provides for the integrated movement of people, goods and services.

#### **DO-O15** Economic Vitality

To promote sustainable and on-going economic development of the local economy, including the rural sector, with improved number and quality of jobs and investment through:

1.
  - a. encouraging *business activities* in appropriate locations within the District, principally through differentiating and managing various types of *business activities* both on the basis of the activity, and the potential local and strategic *effects* of their operation;
  - b. reinforcing a compact, well designed and sustainable regional form supported by an integrated *transport network*;
  - c. enabling opportunities to make the economy more resilient and diverse;
  - d. providing opportunities for the growth of a low carbon economy, including clean technology;
  - e. minimising *reverse sensitivity effects* on *business activities*, including *primary production activities*; and
  - f. enhancing the amenity of *working zones*;

while:

2.
  - a. ensuring that economic growth and development is able to be efficiently serviced by *infrastructure*;
  - b. encouraging commercial consolidation and the co-location of community services and facilities primarily within the *Paraparaumu sub-regional centre* and *town centres*; and
  - c. managing contamination, pollution, odour, noise and glare, associated with *business activities*, including *primary production activities*.

**DO-O17** Open Spaces / Active Communities

To have a rich and diverse network of *open space* areas that:

1. is developed, used and maintained in a manner that does not give rise to significant adverse *effects* on the natural and physical *environment*;
2. protects the District’s cultural, ecological and *amenity values*, while allowing for the enhancement of the quality of *open space* areas;
3. supports the identity, health, cohesion and resilience of the District’s communities; and
4. ensures that the present and future recreational and *open space* needs of the District are met.

**DO-O18** Renewable Energy, Energy Efficiency and Conservation

Increase the development and use of energy from renewable sources, including on-site systems, and efficiency and conservation of energy use while avoiding, remedying or mitigating adverse *effects* on the *environment*.

Provisions in other chapters of the Plan may also be relevant.

Refer to the relevant Open Space chapter for the strategic context of the *subject site* zone. This chapter also contains policies and rules which may be relevant to subdivision and associated *development* of the *subject site*.

## Policies

**SUB-OS-P4** Subdivision

Inappropriate *subdivision* of *land* in the Natural Open Space Zone and the Local Parks and

Recreation Precincts of the Open Space Zone will be avoided.

Where any *subdivision* is proposed in the Natural Open Space Zone or the Local Parks and Recreation Precincts of the Open Space Zone, specific consideration will be given to:

1. the appropriateness of the resulting size, shape and location of *allotments*, including balance *allotments*;
2. the extent to which adequate public access is maintained to and through the *allotments*;
3. whether or not the *subdivision* would positively contribute to, or detract from, recreational and *open space amenity values*, and cultural, ecological and landscape *values*; and
4. the extent to which the *subdivision* could affect adjacent properties or lawfully established activities.

## Rules

<b>SUB-OS-R58</b>	<p>A <i>boundary adjustment</i> or <i>subdivision</i> where no additional <i>allotments</i> (other than reserves or <i>legal road</i> to be vested in Council) are created, or any <i>subdivision</i> that is a <i>controlled activity</i> under Rule SUB-DW-R1.</p> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p>	<b>Amended 01</b> Sep 23 PC2
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have frontage to a formed <i>legal road</i>.</li> <li>2. For any <i>allotment</i> which is dependent on on-site <i>wastewater</i> and surface <i>water</i> disposal, no <i>allotment</i> shall be reduced to a size where it cannot dispose of domestic <i>wastewater</i> and surface <i>water</i> within its <i>boundaries</i>.</li> <li>3. Access to and from any <i>allotment</i> must not be directly to a state highway where access to another <i>legal road</i> is available and practicable.</li> </ol> <p><i>Boundary adjustment qualifying criteria:</i></p> <ol style="list-style-type: none"> <li>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of <i>existing allotments</i>.</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. The design and layout of the <i>subdivision</i>.</li> <li>2. <i>Earthworks</i>.</li> <li>3. Council's <i>Land Development Minimum Requirements</i>.</li> <li>4. The imposition of financial contributions in accordance with Financial Contributions chapter.</li> <li>5. The imposition of <i>conditions</i> in accordance with Section 108 of the Resource Management Act 1991.</li> <li>6. <i>Vehicle access</i> points onto <i>legal road</i> (including the <i>State Highway</i>) and any <i>effects</i> on the <i>transport network</i>.</li> <li>7. The location of any associated <i>building areas</i>.</li> <li>8. Any easement or other legal mechanism required for legal access.</li> <li>9. Design, size, shape and location of reserves and esplanades.</li> <li>10. Public accessibility and safety.</li> <li>11. Impacts on recreational, ecological and any other <i>open space amenity values</i>.</li> </ol>
<b>SUB-OS-</b>	<i>Subdivision</i> of the land within the Ōtaki South Precinct where land is also in the	

<b>R59</b>	General Industrial Zone shall be a <i>Restricted Discretionary Activity</i> in accordance with Rule SUB-WORK-R46).  For the avoidance of doubt, Rule SUB-OS-R60 shall not apply to the Open Space Zone in the Ōtaki South Precinct.	
Restricted Discretionary Activity	<b>Standards</b>  1. Refer standards under Rule SUB-WORK-R46.	<b>Matters of Discretion</b>  1. Refer matters under Rule SUB-WORK-R46.
<b>SUB-OS-R60</b>	<i>Subdivision of land</i> in the Natural Open Space Zone or the Local Parks and Recreation Precinct of the Open Space Zone that does not comply with Rule SUB-OS-R58 or that is not a <i>restricted discretionary activity</i> under SUB-OS-R59.	
Discretionary Activity		
<b>SUB-OS-R61</b>	<i>Subdivision of land</i> in the Private Recreation and Leisure Precinct of the Open Space Zone that does not comply with Rule SUB-OS-R58.	
Discretionary Activity		