

6 GENERAL RULE

6.3 SUBDIVISION

6.3.1 ISSUES, OBJECTIVES, POLICIES AND METHODS FOR SUBDIVISION

See Part B, 1-4, 5 (b) & (c), 7-9 and 11(b).

6.3.2 GENERAL PROVISIONS FOR SUBDIVISION IN ALL ZONES

All applications are subject to the requirements set out in the Resource Management Act, with particular reference to sections 106, 219, 220 and 230-237G.

6.3.3 PERMITTED ACTIVITIES IN ALL ZONES

There shall be no permitted activities.

6.3.4 CONTROLLED ACTIVITIES IN ALL ZONES

- (i) Any subdivision which complies with all Performance Standards and General Rules shall be a controlled activity and shall be non-notified with the exercise of Council's discretion restricted to the matter(s) specified.
- (ii) Subdivision for utility services, public utilities, telecommunication facilities and radiocommunication facilities is a Controlled Activity in all zones except in the Recreation 1 Zone.

Council shall restrict its discretion to the environmental effects associated with:

- the provision of physical services other than for unstaffed utility services, unstaffed public utilities, unstaffed telecommunication facilities and unstaffed radiocommunication facilities
- traffic access and circulation
- the provision of esplanade reserves or esplanade strips (see General Rule 6.4)
- whether the site is of a regular shape and able to accommodate the proposed activity
- vulnerability of the site to natural hazards
- the protection and enhancement of natural habitats identified in Part C Planning Maps
- the location, size and extent of roads, walkways, cycleways, parks/open space areas, sewer, water and/or stormwater

- services and/or other necessary incidental equipment
- potential noise effects from the airport and associated airport activities on noise sensitive activities within the 1000 metre buffer beyond the Airport Noise Boundary.

6.3.5 DISCRETIONARY ACTIVITIES IN ALL ZONES

The following are discretionary activities in all zones subject to complying with the General Rules.

- (i) Any subdivision which does not comply with one or more of the Performance Standards for subdivision, except as prescribed in Section 6.3.5A.
- (ii) Any subdivision of any site which contains a Heritage building, or structure, or archaeological site, or significant tree, or natural habitat shown on the Planning Maps.
- (iii) Adjustments of boundaries of two or more separately saleable existing allotments which have separate Certificates of Title and where the number of allotment is not increased.
- (iv) Subdivision for utility services, public utilities, telecommunication facilities and radiocommunication facilities not provided for as a controlled activity.
- (v) Any subdivision which involves the creation of a new road intersection with any state highway.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for subdivision and for the Zone.

6.3.5A RESTRICTED DISCRETIONARY ACTIVITIES

The following shall be Restricted Discretionary Activities provided that they are not listed as a Prohibited, Non-Complying or Discretionary Activity, and they comply with all the relevant Zone standards:

- (i) Any subdivision not in compliance with the Temuka North West Residential Expansion - Outline Development Plan (as set out in Appendix B of Part D 2). Discretion shall be limited to the matter(s) not complied with.
- (ii) Any subdivision, in the Residential 1 Zone at Temuka North West (as set out in Appendix B of Part D 2), without Council approved connection to the reticulated sewage system.
- (iii) Any subdivision not in compliance with the Washdyke Industrial

Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C). Discretion shall be limited to the matter(s) not complied with.

- (iv) In relation to the Electricity Transmission Line Buffer Corridor - Seadown Road, indicated on the Washdyke Industrial Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C): Any subdivision in the Industrial L Zone that creates new allotments within an area measured 20 metres either side of the centre point of an electrical transmission line designed to operate at or above 110kV. The Council has restricted its discretion to the matters detailed in Section 6.3.8.13 (i) to (vii).
- (v) Any subdivision not in compliance with the Broughs Gully Outline Development Plan (as set out in Appendix C of Part D 2). Discretion shall be limited to the matter(s) not complied with.
- (vi) Any subdivision not in compliance with the Washdyke Flat Road Outline Development Plan (as set out in Part D4 Industrial Zones, Appendix 4). Discretion shall be limited to the matter(s) not complied with.

6.3.6

NON-COMPLYING ACTIVITIES IN ALL ZONES

The following are non-complying activities in all zones unless they are provided for by a General Rule:

- (i) Any other subdivision which is not provided for as a controlled or discretionary activity.
- (ii) Any subdivision within the Airport Noise Boundary.
- (iii) Any subdivision out of sequence with the Stages identified within the Washdyke Industrial Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C).
- (iv) Any subdivision in the Broughs Gully Outline Development Plan area (as set out in Appendix C of Part D 2) that does not meet the Performance Standard in Rule 6.3.8(21).
- (v) Any subdivision in the Washdyke Flat Road Outline Development Plan area (as set out in Part D4 Industrial Zones, Appendix 4) that does not meet the Performance Standard in Rule 6.3.9(6).

NOTE: When considering applications for out of sequence development, the following shall apply:

- developers to fund the full cost of infrastructure;
- developers to provide at their own cost an internal buffer from surrounding rural landuse activities.

6.3.7 PERFORMANCE STANDARDS FOR SUBDIVISION IN ALL ZONES

- (1) All relevant performance standards applicable within the zone shall be complied with or consent to a discretionary or non-complying activity shall be obtained.
- (2) Sites shall be of a regular shape so as to facilitate the efficient use of the land except where an alternative would better satisfy the objectives or policies of the Plan and where recognition is given to natural features on the site.
- (3) For allotments for access, utilities, telecommunication facilities and radiocommunication facilities, reserves and roads there shall be no minimum allotment size, diameter, or frontage in any zone.

6.3.8 PERFORMANCE STANDARDS FOR SUBDIVISION IN RESIDENTIAL ZONES

- (1) No allotments created by subdivision, shall have an area less than the minimum specified for each zone below.

Minimum Allotment For Residential Zones	Front Site	Rear Site (Net Area)
Residential 1	450m ²	550m ²
Residential 2	350m ²	450m ²
Residential 4	1,500m ²	1,500m ²
Residential 5	1.5ha	1.5ha
Residential 6	700m ²	700m ²

Residential 3

- (a) On land with a proven 1 metre thick clay base either:
 - (i) A site area of 1.5 hectares to 2 hectares (exclusive of accessways) shall be provided to ensure that a range of waste water disposal options is available; or
 - (ii) On sites of a minimum area of 5,000 square metres and less than 1.5 hectares (exclusive of accessways) a specifically designed effluent disposal system shall be provided, and the provision and maintenance of the system shall be the subject of a consent notice registered against the Certificate of Title.
- (b) On land where there is a proven high degree of permeability (including most of the Plains) a site area of 1,000 square metres to 2 hectares will be required but discharges of sewage effluent are required to be treated by one of the following means:
 - (i) A specifically engineered effluent disposal system; or

- (ii) A package plant of approved design; or
- (iii) Any other approved alternative which meets the standards required by any rule of a Regional Plan.

The provision of specifically designed effluent disposal systems will be the subject of a consent notice registered against the title.

- (c) The requirements in (a)(ii) and (b) shall not apply where a new site of less than 1.5 hectares is created and that site contains an existing dwelling and effluent disposal system which is working satisfactorily. In all cases, however, a consent notice shall be registered to ensure that in the event of a system failure, a new system shall be installed in accordance with (a)(ii) or (b).
- (2) Except that in the Residential 1 and 2 Zones where an allotment is to be created after the erection of a building for the purposes of affecting cross leases or company leases or issuing separate unit titles under the Unit Titles Act 1972 or separate freehold titles, including easements over common walls, the respective minimum areas may be reduced to 300 square metres and 200 square metres respectively provided all relevant rules applicable within the zone and General Rules are complied with by the building, and/or resource consents are obtained in relation to those rules.
 - (2A) Except in the Residential 1 Zone at Temuka North West (as set out in Appendix B of Part D 2), such allotments and development may only be constructed on land adjoining the Recreation 2 Zone. Where an allotment of a minimum 300 square metres is to be created for the purposes of affecting cross leases or company leases or issuing separate unit titles under the Unit Titles Act 1972 or separate freehold titles, including easements over common walls, a joint land use and subdivision application must be applied for showing how the development proposal will comply with all relevant rules, General Rules and those rules applicable within the Residential 1 Zone.
 - (3) Apart from in the Residential 5 and 6 Zones for any subdivision in a Residential Zone no more than 1 allotment shall have an area in excess of 2000 square metres (this includes any balance area remaining after a subdivision).
 - (4) The dimensions of allotments created by subdivision in Residential Zones shall be such that they can accommodate a circle of a diameter of 15 metres except where exempted from this rule.
 - (5) In the Residential 4 Zone all subdivisions shall comply with a comprehensive development plan for the contiguous land in the same zone, unless the sites:

- (a) have access to Doncaster or Martin Streets, or
- (b) are on the south or east side of Old North Road, Blair Street or Mahoneys Hill Road, or
- (c) are within the Broughs Gully Outline Development Plan (as set out in Appendix C, Part D 2).

Where (a), (b) or (c) above does not apply, the development plan need relate only to the existing allotment being subdivided. For the area subject to Appendix C, Part D 2, all subdivisions are to be in accordance with the Broughs Gully Outline Development Plan.

- (6) For all subdivision in the Residential 1, 2, 4, 5 (at Gleniti) and 6 Zones, lines and pipes associated with utility services, and telecommunication facilities shall be located underground.
- (7) Where a corner allotment is included in any subdivision the corner shall be cut off to a distance, along the road frontages, of not less than 6 metres from the intersection and vested as road.
- (8) Any subdivision of Part Lot 2 DP 5635 or Lot 1 DP 24034 at Talbot Street, Geraldine, shall be carried out with a common shared access point to Talbot Street within each existing site, to be shared by all new allotments.
- (9) Where fill is to occur in the Residential 1 Zone at Temuka North West (as set out in Appendix B of Part D 2) or within the Broughs Gully Outline Development Plan area (as set out in Appendix C, Part D 2), a certificate in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development shall be provided in relation to the location, depth and nature of any fill. In addition, a report from a suitably qualified person is required confirming that the placement of fill will not create a flood hazard.
- (10) In Temuka North West (as set out in Appendix B of Part D 2) any boundary fence abutting the Recreation 2 Zone and all pedestrian links shall not be more than 1.5 metres high.

In addition, landscaping along the length of any boundary abutting the Recreation 2 Zone and all pedestrian links shall not be more than 1.5 metres high.
- (11) At the time of subdivision, new through-roads shall be constructed in general accordance with the layout shown on the Temuka North West Residential Expansion - Outline Development Plan map (as set out in Appendix B of Part D 2). It is the developer's responsibility to:

- (a) Construct the portion of road contained within their land to be subdivided prior to Council's granting certification under section 224 of the Resource Management Act 1991.
 - (b) Design and construct these roads in general accordance with the Roding Plan and Cross Section (as set out in Appendix B of Part D 2) and in accordance with Council's standards for urban subdivision. New through roads shall have a road reserve no less than 20 metres wide.
 - (c) Ensure no methods are used to hinder or restrict the ability for adjoining land to link to the new road.
 - (d) Locate the intersection of new roads onto the existing road network at least 85m from a 90 degree corner or an intersection, in order to ensure that appropriate sight distances are maintained in the 50km/h speed limit area.
- (12) At the time of subdivision, the walkway/cycleway links defined the layout shown on the Temuka North West Residential Expansion - Outline Development Plan map (as set out in Appendix B of Part D 2) shall vest to Council
- (13) In Temuka North West (as set out in Appendix B of Part D 2), all applications for subdivision consent shall be required to provide a financial contribution in accordance with Section 6.6.5 of the District Plan for the following purposes:
- (i) Widening of the existing carriageway on Wallingford Road to a minimum width of 11 metres. The road reserve width shall be increased to 20 metres, by Council acquiring land to the west of Wallingford Road at the time of subdivision.
 - (ii) Widening of the existing carriageway width of Donald Street, Grant Street and the portion of Lachlan Street, west of Wallingford Road, to 11 metres.
 - (iii) Installation of a 1.5 metre wide footpath along Donald Street, Grant Street, Lachlan Street and Wallingford Road.
 - (iv) Installation of any required street lighting along Donald Street, Grant Street, Wallingford Road and the portion of Lachlan Street, west of Wallingford Road, in accordance with Section 6.6.4.
 - (v) Installation of any required utility services along Donald Street, Grant Street, Wallingford Road and the portion of Lachlan Street, west of Wallingford Road, in accordance with Section 6.6.4.

Residential 6 Zone and Deferred Zones

- (14) In the Residential 6 Zone, Residential 6(a) Zone and Residential 6(b) Zone (Deferred) all applications for subdivision consent shall identify:
- the location of proposed stormwater swales, detention dams, walkways, cycleways, neighbourhood parks/open spaces areas
 - proposed collector roads;
 - the location of any proposed and existing buildings on the site.
- (15) Any subdivision in the Residential 6 Zone, and Residential 6(a) Zone and Residential 6(b) Zone (Deferred) should be designed so as to be consistent with the urban design guidelines set out in Part B 11c, Issue 5, Policy 1, in relation to the location of any roads, cul-de-sacs, berms, footpaths, cycleways, street lighting and associated services and facilities.
- (16) The performance standards for the Residential 6 Zone on Planning Maps 29-30 and 33-34, and the provisions of the Indicative Development Plan for Gleniti shall apply to the:
- Residential 6(b) Zone (Deferred) at Gleniti from July 2015 or from when a sewer outfall is available for this area, whichever is the sooner.
- (17) At the time of subdivision of land in the Residential 6 Zone, Residential 6(a) Zone and Residential 6(b) Zone (Deferred) the ownership of land identified in the Indicative Development Plan for Gleniti (or in such alternative locations as may be approved by resource consent) as neighbourhood park, stormwater swale/detention dam, and/or road shall be vested in the Council.

These services and facilities will be established by the developer

once an agreement has been entered into by the owners of the land and Timaru District Council for the financial contribution the Council will make towards the purchase of land and the provision of services and facilities of benefit to the wider community, i.e. neighbourhood park, stormwater swales and collector roads.

Within the Gleniti Residential 6 Zone, where the Council requires a standard of roading, services or other facilities for the benefit of the wider community, or to facilitate future growth, over and above that required to service the particular development concerned, such additional costs shall be borne by the Timaru District Council.

- (18) Any subdivision in the Residential 6 Zone that creates new allotments within an area measured 20 metres either side of the centre point of an electrical transmission line designed to operate at or above 110kV shall be a Restricted Discretionary activity and shall comply with the Performance Standards and General Rules.

The Council has restricted its discretion to the following matters:

- (i) The extent to which the subdivision mitigates the effects of the lines, e.g. through the location of roads and reserves under the route of the line; and
- (ii) The ability for continued access to existing transmission lines for maintenance, inspections and upgrading; and
- (iii) The minimization of risk or injury and/or property damage from such lines; and the extent to which potential adverse effects are mitigated through the location of building platforms; and
- (iv) The extent to which potential adverse visual effects are mitigated through the location of building platforms; and
- (v) The outcome of any consultation with the affected utility operator; and
- (vi) The extent to which any earthworks and the construction of any subsequent buildings will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34 2001); and
- (vii) The nature and location of any proposed vegetation to be planted in the vicinity of transmission lines.

NOTE: Consultation with Transpower New Zealand Limited is necessary when considering construction within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice (NZECP: 34 2001) contains restrictions on the location of structures and activities in relation to the lines.

- (19) At the time of subdivision, new roads and water, sewer, and stormwater infrastructure shall be constructed and vested in general accordance with the layout shown on the Broughs Gully Outline Development Plan (as set out in Appendix C of Part D 2). It is the developer's responsibility to:
- a. Construct the portion of road contained within their land to be subdivided prior to Council's granting certification under section 224 of the Resource Management Act 1991.

- b. Design and construct the roads and services in general accordance with the Outline Development Plan (as set out in Appendix C of Part D 2) and in accordance with Council's standards for urban subdivision. Road reserves are to be the minimum dimensions specified in Appendix C to enable inclusion of a stormwater swale system within the road reserve.
- c. Ensure no methods are used to hinder or restrict the ability for adjoining land to link to the new road.

(20) In the Broughs Gully Outline Development Plan area (as set out in Appendix C of Part D 2), all applications for subdivision consent shall be required to provide a financial contribution in accordance with Sections 6.5 and 6.6 of the District Plan for the following purposes:

- a. Sewer: to provide for an efficient sewage disposal system in accordance with Part D 6.5 Rule 6.5.4.2.
- b. Stormwater: to provide for the maintenance and extension of stormwater systems in accordance with Part D 6.5 Rule 6.5.3.2 and Rule 6.5.3.3.
- c. Water: to provide for the maintenance and development of the water supply in accordance with Part D 6.5 Rule 6.5.1.2.
- d. Roading: to provide for safe and efficient road network in accordance with Part D 6.6 Rule 6.6.5(1).

(21) In the Broughs Gully Outline Development Plan area (as set out in Appendix C of Part D 2) any lots created must maintain access to the National Grid and must show a building platform that is greater than:

- a. 10 metres from the centre line of a National Grid transmission line on single poles;
- b. 12 metres from the centre line of a National Grid transmission line on pi poles; and
- c. 12 metres from the foundation of a National Grid transmission line support structure.

NOTE: Consultation with Transpower New Zealand Limited is necessary when considering subdivision within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice (NZCEP: 34 2001) contains restrictions on the

location of structures and activities in relation to the lines.

6.3.9 PERFORMANCE STANDARDS FOR SUBDIVISION IN COMMERCIAL AND INDUSTRIAL ZONES

- (1) Apart from Industrial Zones, where a minimum frontage of 6 metres is required, there shall be no minimum subdivision requirements in the Commercial and Industrial Zones subject to compliance with Performance Standards in Part D(3) and (4) and the General Rules in Part D(6).
- (2) Where a corner allotment is included in any subdivision the corner shall be cut off to a distance, along the road frontages, of not less than 6 metres from the intersection and vested as road except where there is no provision for a corner cut in the Zone rules applying to that site or it is occupied by an existing building.
- (2a) Access to 16 Martin Street (Lot 1 DP 301498) or any subsequent title created by its subdivision shall not be provided directly from State Highway 8 and shall only be provided from Martin Street.

Washdyke Industrial Expansion Area Outline Development Plan

- (3) At the time of subdivision, new roading shall be constructed in general accordance with the layout shown on the Washdyke Industrial Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C). It is the developer's responsibility to:
 - (i) Construct the portion of road contained within their land to be subdivided prior to Council's granting certification under section 224 of the Resource Management Act 1991. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required.
 - (ii) Design and construct these roads in general accordance with Council's standards for urban subdivision. New through roads shall have a road reserve no less than 20 metres wide.
 - (iii) Ensure no methods are used to hinder or restrict the ability for adjoining land to link to the new road.
 - (iv) Locate the intersection of new roads onto the existing road network at least 85 metres from a 90 degree corner or an intersection, in order to ensure that appropriate sight distances are maintained in the 50km/h speed limit area.

NOTE: The actual cost of road construction will be apportioned between the developer and

Council, with that apportionment to be determined on the basis of the percentage of public versus private benefit.

(4) At the time of subdivision, utility services shall be constructed within the Washdyke Industrial Expansion Area. It is the developer's responsibility to:

(i) Design and construct any required utility services contained within their land to be subdivided prior to Council's granting certification under section 224 of the Resource Management Act 1991. Utility services include any stormwater, water and sanitary sewer systems required to service the lands through reticulated systems.

NOTE 1: The Council will require specific designs to be completed by a suitably qualified chartered professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.

NOTE 2: Quality control during construction shall also be documented to check compliance with the relevant engineering design.

(5) At the time of subdivision, the walkway/cycleway links shall be constructed in general accordance with the layout shown on the Washdyke Industrial Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C). It is the developers' responsibility to:

(i) Construct the portion of walkway/cycleway contained within their land to be subdivided prior to Council's granting certification under section 224 of the Resource Management Act 1991.

(ii) Design and construct the walkway/cycleway links to include:

- a minimum reserve width of 6 metres;
- a minimum formed width of 2.5 metres;
- planting and mulching of the remaining 3.5 metres;
- a planting plan incorporating appropriate native plants and 100mm depth of bark mulch is to be submitted to Council for approval prior to planting;
- a 200mm depth of compacted AP65, after vegetation and topsoil is removed. A 100mm layer of compacted AP20 is then to be applied and topped with 25mm of crusher dust.

NOTE: The actual cost of walkway/cycleway links construction will be apportioned between the developer and Council, with that apportionment to be determined on the basis of the percentage of public versus private benefit.

Washdyke Flat Road Outline Development Plan

- (6) In the Washdyke Flat Road Outline Development Plan area (as set out in Part D4 Industrial Zones, Appendix 4) any lots created must maintain access to the National Grid and must show a building platform that is greater than:
- (i) 10 metres from the centre line of a National Grid transmission line on single poles;
 - (ii) 12 metres from the centre line of a National Grid transmission line on pi poles; and
 - (iii) 12 metres from the foundation of a National Grid transmission line support structure.

NOTE 1: Consultation with Transpower New Zealand Limited is necessary when considering subdivision within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice (NZECP34:2001) contains restrictions on the location of structures and activities in relation to the lines.

6.3.10 PERFORMANCE STANDARDS FOR SUBDIVISION IN RECREATION ZONES

- (1) Where a corner allotment is included in any subdivision the corner shall be cut off to a distance, along road frontages of not less than 15 metres in the Recreation 3 Zone and 6 metres in the Recreation 2 Zone from the intersection and vested as road.

(2) Discretionary Activities

The following are discretionary activities in all zones subject to complying with the General Rules:

Any subdivision to create sites for permitted, controlled or discretionary land use activities in the Recreation 1, 2 and 3 Zones except that this does not apply to subdivisions for utility lots and allotments for radiocommunication facilities and telecommunication facilities which are a controlled activity in the Recreation 2 and 3 Zones.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for subdivision and for the Zone.

(3) Non-Complying Activities

The following are non-complying activities in all zones unless they are provided for by a General Rule:

Any other subdivision in the Recreation Zones.

6.3.11 PERFORMANCE STANDARDS FOR SUBDIVISION IN ALL RURAL ZONES

- (1) All allotments created by subdivision in Rural Zones shall have a minimum legal road frontage of 8 metres or shall be provided with access by way of an 8 metre wide private access.

NOTE 1: The reference to "8 metre wide" means 8 metres wide for the entire length of the private access.

NOTE 2: See Policy 21 in Part B(8) Roading for guidance on the provision of access when considering resource consent applications and General Rule 6.6.2(5) for allotment thresholds for determining when a private access or road is required, and where private vehicle access ways may be shared by several allotments and/or household units.

- (2) Where a corner allotment is included in any subdivision the corner shall be cut off to a distance, along the road frontages, of not less than 15 metres from the intersection and vested as road.

- (3) Properties within a rural water supply scheme will require evidence of access to the scheme for stock water, or an alternative water supply, and be subject to a consent notice registered against the title.

- (4) New allotment boundaries shall be set back 30 metres from any wetland except for esplanade reserves.

6.3.12 PERFORMANCE STANDARDS FOR SUBDIVISION IN RURAL 1 ZONE

(1) Rural Allotments

Rural allotments may be created by subdivision and shall have a minimum area of 40 hectares other than as provided for in 6.3.12.2(2).

(2) Rural Living Sites and 10 ha Allotments

Rural living site allotments may be created by subdivision in each of the following circumstances:

- (1) From any Certificate of Title existing on or before 27 August 1988; or

From any title issued subsequent to 27 August 1988, where it can be demonstrated that the allotment entitlement in terms of criteria in 6.3.12.2(2) in respect of the land comprised in the title which existed on 27 August 1988, have not been exceeded; and

Provided that the requirements of 6.3.12.2(2) are not exceeded by the new subdivision.

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- (2) (a) The title has an area in excess of 10 hectares; and
- (b) The number of new allotments shall be calculated according to the following table:
- | | | |
|---|---|--|
| More than 10 hectares
but not more than 20
hectares | : | 1 new rural living site |
| More than 20 hectares
but not more than 40
hectares | : | 2 new rural living sites
and 2 allotments of
10 hectares minimum
area, provided that the
area of the balance land
is not less than 10
hectares |
| More than 40 hectares | : | 3 new rural living sites and
3 allotments of 10
hectares minimum area,
provided that the area of the
balance land is not less
than 10 hectares |
- (c) A building area of not more than 400 square metres is to be shown within each allotment.
- (3) The area requirements for rural living site allotments shall be:
- (a) On land with a proven 1 metre thick clay base either:
- (i) A site area of 1.5 to 2 hectares (exclusive of accessways) shall be provided to ensure that a range of waste water disposal options is available; or
 - (ii) On sites of a minimum area of 5,000 square metres and less than 1.5 hectares (exclusive of accessways) a specifically designed effluent disposal system shall be provided and the provision and maintenance of the system shall be the subject of a consent notice registered against the Certificate of Title.
- (b) On land where there is a proven high degree of permeability (including most of the Plains) a site area of 1,000 square metres to 2 hectares will be required but discharges of sewage effluent are required to be treated by one of the following means:
- (i) A specifically engineered effluent disposal system; or
 - (ii) A package plant of approved design; or

- (iii) Any other approved alternative which meets the standards required by any rule of a Regional Plan.

The provision of specifically designed effluent disposal systems will be the subject of a consent notice registered against the title.

Set out below in Figure (2) is a diagram to illustrate the maximum subdivision entitlement for land which existed in a separate Certificate of Title on or before 27 August 1988.

- (c) The requirements in (a)(ii) and (b) shall not apply where a new site of less than 1.5 hectares is created and that site contains an existing dwelling and effluent disposal system which is working satisfactorily. In all cases, however, a consent notice shall be registered to ensure that in the event of a system failure, a new system shall be installed in accordance with (a)(ii) or (b).
 - (d) No rural living site allotment shall be located within the 65 dBA L10 Noise Contour around the Timaru International Raceway as shown in Planning Map No 22.
- (4) No rural living site allotments or 10 hectare allotments shall be created within Outstanding Landscape Areas.

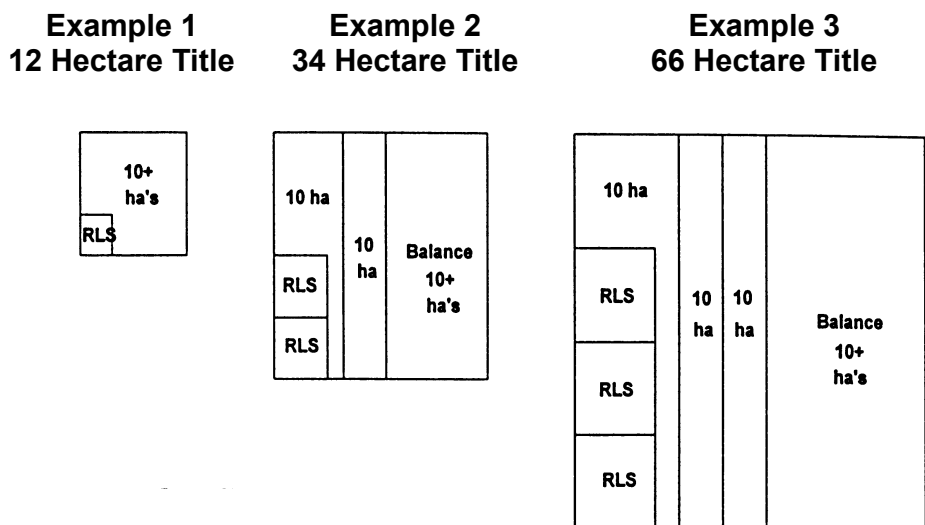


Figure (2)

6.3.13 PERFORMANCE STANDARDS FOR SUBDIVISION IN RURAL 2 ZONE

Rural allotments may be subdivided and shall have a minimum area of 10 hectares.

6.3.14 RULES FOR SUBDIVISION IN RURAL 3 ZONE

(1) Controlled Activities

Subdivision for Utility Services, Public Utilities, Telecommunication facilities and Radiocommunication facilities is a Controlled Activity.

(2) Discretionary Activities

The following are discretionary activities in this zone subject to complying with the General Rules:

- (i) All subdivision of land in this zone provided that all allotments have a minimum area of 10 hectares except for esplanade reserves for which there will be no minimum area. An integrated land use and subdivision proposal to address the matters set out in Part D(1), Policy 1.3.3 for the Rural Zones shall be provided.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for subdivision and for the Zone.

6.3.15A RULES FOR SUBDIVISION IN RURAL 4A ZONE (GERALDINE DOWNS)

NOTE: These rules supersede Rule 6.3.4.

Restricted Discretionary Activity

- (1) All subdivision in the Rural 4A (Geraldine Downs Zone) which complies with the Performance Standards under Section 6.3.15A(3) shall be a Restricted Discretionary Activity, with discretion limited to the following matters:

- the shape and size of the allotment, in terms of avoiding and mitigating landscape effects of future dwellings, or commercial buildings;
- for residential subdivisions, the ability of the allotment to accommodate a household unit;
- the vulnerability of the site to natural hazards;
- traffic access and circulation;
- the provision of physical services;
- the provision of esplanade reserves, esplanade strips or access strips;
- the location and alignment of walk/cycle ways and wildlife corridors;
- the protection and enhancement of natural habitats.
- where the property adjoins Talbot Forest, measures to reduce or minimise edge effects on the forest.

Discretionary Activity

- (2) Any subdivision in the Rural 4A (Geraldine Downs Zone) which does not comply with any Performance Standards under Section 6.3.15A(3) of the District Plan shall be a Discretionary Activity.

Performance Standards for subdivision in the Rural 4A (Geraldine Downs) Zone

- (3) (i) Minimum Allotment Size
- Rural Residential Subzone - 2 ha with the exception of Lots 1 and 2 DP 444786 which shall have minimum site area of 5000m².
 - Rural Lifestyle Subzone - 10 ha
 - Rural Production Subzone - 40 ha

(ii) Walkways and Cycleways

All subdivisions shall vest land to Timaru District Council for the walkways and cycleways as indicated in Appendix 1 of the Rural 4A Zone. The walking and cycling tracks shall have a minimum legal width of 2.5 metres.

***Advice note:** Please note that applications for subdivision in areas that are not serviced by a reticulated foul sewerage scheme may potentially be deferred under section 91(1) of the Act until consents for onsite wastewater are applied for. The reason for this is that the Geraldine Downs is an area of variable topography and poorly draining soils and as such, the Canterbury Regional Council advises that most developments that do not discharge to a reticulated system are likely to require resource consent. Applicants must therefore ensure that all new lots are able to be effectively serviced.*

6.3.15 B RULES FOR SUBDIVISION IN RURAL 4B ZONE (BLANDSWOOD)

Controlled Activities

- (i) Subdivision which meets the performance standards for subdivision as a controlled activity in the Rural 1 Zone.
- (ii) Subdivision for utility services, public utilities, telecommunication facilities or radiocommunication facilities is a controlled activity.

Council shall restrict its discretion to the environmental effects associated with:

- The provision of physical services other than for unstaffed utility services, unstaffed public utilities, unstaffed telecommunication facilities, or unstaffed radiocommunication facilities.

- Traffic access and circulation.
- The provision of esplanade reserves or esplanade strips (see General Rule 6.4).
- Whether the site is of regular shape.
- Natural hazards.
- Filled sites.

NOTE: See Rule 6.3.5(i) which makes subdivisions not complying with one or more of the performance standards a discretionary activity.

6.3.16 RULES FOR SUBDIVISION IN RURAL 5 ZONE

(1) Discretionary Activities

The following are discretionary activities in this zone subject to complying with the General Rules:

- (i) All subdivision of land in this zone provided that all allotments have a minimum area of 40 hectares except for esplanade reserves for which there will be no minimum area. An integrated land use and subdivision proposal to address the matters set out in Part D(1) Policies 1.3.3 and 1.6.3 for the Rural Zones shall be provided.

6.3.17 RULES AND PERFORMANCE STANDARDS FOR SUBDIVISION IN THE RURAL RESIDENTIAL (BROOKFIELD ROAD) ZONE

(1) Controlled Activities

- (i) Subdivision which meets the performance standards for the Rural Residential (Brookfield Road) Zone shall be a controlled activity.
- (ii) Subdivision for utility services.

The Council shall restrict its control to the following matters:

- Earthworks, and in particular to require all earthworks to be smoothly graded to integrate with surrounding levels.
- The use of conditions to require all earthworks to be subject to an Accidental Discovery Protocol.
- The use of conditions to require any retaining structures to be faced with a natural local basalt finish.
- Mitigation of potential natural hazards.
- The number and layout of allotments to achieve the outcomes intended for the zone.
- Whether site size delivers a rural residential environment with low allotment density and high levels of amenity, that maintains and enhances the amenity values of that zone and the surrounding

area at Brookfield Road.

- The provision of physical services / infrastructure to and within the zone.
- The use of conditions to require all lines and pipes associated with utility services and telecommunication facilities to be located underground.
- The design of the intersection with Brookfield Road.
- Traffic access and circulation.
- The provision and design of pedestrian footpaths within the subdivision
- The use of conditions to require:
 - the provision of 2.5m wide access links which enable public pedestrian/cycle access from the Rural Residential (Brookfield Road) Zone to the Otupua Creek Reserve walkway as shown on the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road)Zone); and
 - the formation of 8 public car parks accessible to the pedestrian/cycle access to the Otupua Creek Reserve as shown on the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road)Zone).
- The use of conditions to ensure compliance with the detailed planting plan as required by the performance standards and outline development plan.
- The design and management of stormwater systems within the site.
- The use of conditions to require appropriate mechanisms (consent notice / covenant) to be applied to the subdivision to require:
 - buildings to have their roof stormwater collected for an event with a 20% AEP;
 - each site to provide and maintain a link to the public water main and the public sewage reticulation main.
- Reverse sensitivity, including the extent to which mechanisms to avoid or mitigate reverse sensitivity concerns are proposed e.g. no complaint covenants in relation to rural activities permitted by the District Plan on adjacent sites.
- The use of conditions to require:
 - up-grading of Brookfield Road between the intersection into the Rural Residential (Brookfield Road) Zone and Landsborough Road providing: a minimum sealed carriageway width of 6m, a minimum 0.5m unsealed hard shoulder either side of the carriageway, and a 1.5m berm on one side of the carriageway.
 - up-grading of the Brookfield Road/Landsborough Road intersection, including any necessary widening of the culvert and installation of appropriate signage.

- vesting in Council the area indicated as “10m road widening provision” shown on the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- a financial contribution towards up-grading of the intersection of Landsborough/Coonoor/Fairview Roads up to a maximum of 25% of the cost of the up-grade.
- a financial contribution towards upgrading of the bridge on Brookfield Road up to a maximum of 50% of the cost of the upgrading of the bridge from a single lane bridge to a two lane bridge.

(2) Restricted Discretionary Activities

- (i) The layout of roads and allotments in the Rural Residential (Brookfield Road) Zone where it does not conform with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- (ii) The formation of a walkway not located in general accordance with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- (iii) The provision of a detailed planting plan not in general accordance with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).

The Council shall restrict its discretion to the following matters:

- Any effects of changing the road layout on traffic safety or efficiency.
- Any effects of a changed layout of the road and/or allotments on the location of and proximity between buildings which may alter the landscape effects of development within the Rural Residential (Brookfield Road) Zone.
- Any consequential effects of a changed layout of the efficiency of utilities or infrastructure servicing the Rural Residential (Brookfield Road) Zone.
- The effect of a change in the location of the walkway on accessibility and convenience for pedestrians and cyclists.
- Any change in the amenity values likely to be achieved within the zone from an alternative planting plan.

(3) Discretionary Activities

- (i) Any comprehensive subdivision of the whole zone where some sites are proposed between 3000m² and 5000m².

(4) Non-Complying Activities

- (i) Subdivision for any purpose other than for rural residential allotments or utilities to service the Rural Residential (Brookfield Road) Zone.
- (ii) Subdivision creating more than 35 rural residential allotments.
- (iii) Subdivision of rural residential allotments less than 3,000m² in area within the build area of the outline development plan.
- (iv) Subdivision of rural residential allotments with no provision for a public walkway to the Otipua Creek Reserve.
- (v) Subdivision prior to widening and sealing of Brookfield Road.
- (vi) Subdivision prior to the payment of the following financial contributions:
 - a) A financial contribution towards up-grading of the intersection of Landsborough/Coonoor/Fairview Roads up to a maximum of 25% of the cost of the up-grade.
 - b) A financial contribution towards upgrading of the bridge on Brookfield Road up to a maximum of 50% of the total construction costs.

(5) Performance Standards

- (i) A maximum of 35 rural residential allotments.
- (ii) A minimum lot size of 5,000m²
- (iii) The layout of roads and allotments in the Rural Residential (Brookfield Road) Zone and the location of the intersection with Brookfield Road shall conform with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- (iv) A walkway shall be formed and located in general accordance with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- (v) A legal instrument securing unrestricted public pedestrian access over the walkway registered against the parent title.
- (vi) A detailed planting plan identifying tree planting within the road reserve in accordance with the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone.)

6.3.18**APPLICATIONS FOR SUBDIVISION IN COASTAL MARINE AREAS**

Where an application for a subdivision consent is made to Council and part or all of the land to be subdivided is within the Coastal Marine Area Council shall consider the application as if it were a discretionary activity in the adjoining zone.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for subdivision and for the Zone.

6.3.19

ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) Esplanade Provisions

See General Rule 6.4.

(b) Water, Sewage, Stormwater and Reserves Contributions

See General Rule 6.5.

(c) Roading Hierarchy

See General Rule 6.6.

(d) Vehicle Access and Loading

See General Rule 6.7.

(e) Parking

See General Rule 6.8.

(f) Natural Hazards

See General Rule 6.16.

(g) Filled Sites

See General Rule 6.18.

(h) Heritage

See General Rule 6.12.

(i) Significant Trees

See General Rule 6.13.

(j) Landscaping

See General Rule 6.19.

