

27.0 Subdivision

Preamble

This section of the Plan provides for the implementation of the specific and general objectives and policies for subdivision as detailed in Volume One of the Plan.

Subdivision is Defined in section 218 of the Act.

Subdivision is defined as an ‘activity’ by the Act. The standards (rules) and related assessment criteria (methods of analysis) of this section of the Plan put forward controls that need to be met to enable applications for subdivision to be considered for approval.

Primary Constraints

Section 106 of the Act imposes fundamental constraints on subdivision where circumstances involve erosion, falling debris, subsidence, slippage or inundation. (Refer directly to section 106 for explanation).

27.1 Permitted Activities

27.1.1 Available in-

- All Zones

Permitted Activity subdivisions are limited to “utilities” as provided for in Volume Two, General Rule 26.5 of this document. Subdivision for the purpose of creating a utility lot and any balance lot are permitted provided the following standards in Rule 27.1.2 are met.

27.1.2 Allotment Standards (Permitted Subdivision Activities)

27.1.2.1 An application for a Certificate of Compliance shall confirm that the subdivision proposed complies with the Plan’s standard requirements for subdivision and development: and the requirements of rules 27.1.2.1.1 & 27.1.2.1.1.1.

27.1.2.1.1 Each utility lot must be of sufficient dimension to accommodate an existing or proposed structure such that:

- a) The structure complies with the relevant standards in the Plan; and/or
- b) For an existing structure, which does not comply with the Plan standards, there is no increase in the extent to which the building fails to comply with those standards.

27.1.2.1.1.1 For any balance lot:

- a) The balance lot shall comply with the standards for controlled subdivision activities in Rule 27.2.1 to Rule 27.2.5 inclusive; and
- b) Any existing activity on the balance shall either:
 - Comply with the relevant standards in the Plan; and/or
 - Where an existing activity does not comply with the Plan standards, there is no increase in the extent to which the activity fails to comply with those standards; and
- c) No changes to any existing services serving the balance allotment are proposed.

27.2 Controlled Activities

Available in the:

- Urban Residential Zone;
- Sounds Residential Zone;
- Rural Township Zone;
- Urban Industrial Zone;
- Port Zone; and
- Rural Zones One and Two.
- Marina Zone

If subdivision proposals for these zones meet all of the following standards (Rules 27.2.1, 27.2.2, 27.2.3) the Council will reserve control over the matters prescribed in Rule 27.2.5.

27.2.1 Allotment Standards (Controlled Subdivision Activities)

Zone	Allotment Type W = with Sewerage Reticulation WO = without	Net Min Lot Area m ² see note 1 below	Min Building Platform Shape Factor See note 2 below	Min Frontage metres	Qualification
Urban Residential (Picton)	Front W	450	15 metre diameter circle	15	Lot and access controls apply as above.
	Rear W	500	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2.
Urban Residential (Havelock & Rai Valley)	Front W	450	15 metre diameter circle	15	Lot and access controls apply as above.
	Front WO	800	15 metre diameter circle	15	Lot and access controls apply as above.
	Rear W	500	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2
	Rear WO	1,000	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2
Sounds Residential	Front W	2000	15 metre diameter circle	40	(Sewerage reticulation is the developer's responsibility).
	Front WO	4,000	15 metre diameter circle	80	Three or more lots, 80 metre average frontage with 60 metre minimum frontage.
	Rear W	2,500	15 metre diameter circle	NA	(Sewerage reticulation is the developer's responsibility) Lot to accommodate minimum 50 metre diameter circle. Access requirements apply; Refer 27.2.2.
	Rear WO	4,000	15 metre diameter circle	NA	Lot and access controls apply as above.

Zone	Allotment Type W = with Sewerage Reticulation WO = without	Net Min Lot Area m ² see note 1 below	Min Building Platform Shape Factor see note 2 below	Min Frontage metres	Qualification
Urban Industrial	Front W	200	NA	NA	Access requirements apply; Refer 27.2.2
	Rear W	500	NA	NA	Access requirements apply; Refer 27.2.2
Port	Front W	200	NA	NA	Access requirements apply; Refer 27.2.2
	Rear W	500	NA	NA	Access requirements apply; Refer 27.2.2
Marina	Front W	200	NA	NA	Access requirements apply; Refer 27.2.2
	Rear W	500	NA	NA	Access requirements apply; Refer 27.2.2
Rural Zones One and Two		≥30ha	NA	NA	Lots to accommodate minimum 40 metre diameter circle.
Rural Township (Rai Valley)	Front W	200	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2.
	Front WO	800	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2
	Rear W	500	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2
	Rear WO	1,000	15 metre diameter circle	NA	Access requirements apply; Refer 27.2.2
<p>1 Lot areas prescribed are net areas, exclusive of access.</p> <p>2 The minimum building platform shape factor may be applied anywhere within the proposed allotment. Any building located within the building platform shape factor must comply with the bulk and location requirements of the respective zones and comply with the requirements of any easements.</p>					

27.2.2 Standards for Access to Rear Lots (Controlled Subdivision Activities)

Important Note: Developers may employ either a 'right of way' over other land or an 'access leg' (provision for access included in the lot title to which it provides access) to provide access to a rear lot(s).

Where a right of way is employed the line(s) defining the extent of that right of way on a survey plan shall be treated as a legal boundary for the purpose of bulk and location controls for buildings (eg; Urban Residential Zone Rule 29.1.1.3).

Zone	No. Lots Served	Min Width (metres)	Min Sealed Width (metres)	Qualification
Urban Residential	1	3	NA	NA
	2	3.5	3	NA
	3 & 4	5	4	Width allows passing.
Sounds Residential	1 & 2	4	NA	NA
	3 - 6	6	NA	Width allows passing.
Urban Industrial	1 - 4	6	6	Width allows passing.
Port	1 - 4	6	6	Width allows passing.
Marina	1 - 4	6	6	Width allows passing
Rural Zones One and Two	1	4	NA	NA
	2	4	NA	NA
	3 - 6	4	NA	Width allows passing.
Rural Township	1	4	NA	NA
	2	5	3	NA
	3 & 4	6	4	NA

Where front lots are provided with legal rights over access legs or rights of way that serve rear lots, then those front lots shall count as "rear lots" for the purpose of calculating the number of lots served.

The legal width of access shall include any cut or embankment which is part of the physical formation.

Passing bays may be required where the length, gradient or width of an access leg adversely affects the safety of users.

27.2.3 General Standards (Controlled Subdivision Activities)

27.2.3.1 Continuing Rights

Notwithstanding Rule 27.2.1 land that is now zoned Sounds Residential and was formerly zoned Residential B under the Marlborough Division-Sounds Section of the Transitional Marlborough District Plan may be subdivided in accordance with the Residential B and deferred Residential B allotment standards for that document, as follows.

a) Allotment Area

The minimum area for front lots for all predominant uses shall be 800m², and for rear lots 1,000m² exclusive of access legs. Except that a minimum area will be permitted of 600m² and 700m² respectively where public sewage and water reticulation is available.

b) Frontage

Minimum frontage 18 metres but where the side boundaries diverge from the street the frontage may be reduced to 8 metres if the width of the site at a distance of 10 metres from the street is not less than 18 metres.

(Direct quotation from Marlborough Division Section, Ordinance III, Clause 2.3, Page 65D).

These subdivisions are then to be assessed in terms of Rules 27.2.2, 27.2.3.3, 27.2.4 and 27.2.5.

The continuing rights status of property in this category is prescribed in Appendix E of the Plan.

27.2.3.2 Cross-Lease or Unit Plan Subdivisions

Existing Development

Cross-lease or Unit Plan subdivisions which involve the legal separation of existing structures/units or building consent issued on complying sites (section 10 of the Act applies) at the date of the Plan becoming operative shall be Controlled Activities, subject to compliance with section 224(f) of the Act. All other Cross-Lease or Unit Plan subdivisions shall be Discretionary Activities.

The re-subdivision of existing cross-lease or unit title plans to obtain individual freehold titles shall be a controlled activity, providing there is no physical change to the use of this site.

27.2.3.3 State Highways

A subdivision proposal which meets all of the Controlled Activity criteria of this section and which has frontage to a state highway shall be considered as a Discretionary Activity Subdivision under Rule 27.3 below.

Under the Transit New Zealand Act 1989, in Part IV, certain roads (State Highways) have been declared limited access roads. These roads are subject to separate procedures under that Act. These procedures may prevent subdivision where land fronts a limited access road. Transit New Zealand should be consulted, prior to an application being lodged with the Council.

Additionally, developers should note that the Council also has the legal opportunity to declare limited access roads. (There are no Council declared limited access roads in Marlborough at the date the Plan became operative).

27.2.3.4 High Voltage Electrical Transmission Lines

A subdivision proposal which is listed as a Controlled Activity and which meets the standards for a Controlled Activity but which is within 20m of a 110 kilo volt or higher transmission line shall be considered as a Discretionary Subdivision Activity under Rule 27.3 below.

Advisory Note:

The New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:1993) regulates the minimum safety distance in which activities can be undertaken near high voltage electrical transmissions lines. Transpower should be consulted prior to an application for subdivision being lodged with the Council.

(High voltage electrical transmission lines are shown in Volume 3, zoning map 4-6, 44-46, 51, 64-66).

27.2.4 Assessment Criteria (Controlled, Discretionary and Non Complying Subdivision Activities)

- 27.2.4.1 The requirements of section 106 of the Act.
- 27.2.4.2 The Marlborough Regional Policy Statement.
- 27.2.4.3 The objectives and policies of the Plan. Refer to Volume One of this document.
- 27.2.4.4 Any relevant rules of the Plan. (Planning map notations may also impose requirements, eg; road widening).
- 27.2.4.5 The Standard Requirements for Subdivision and Development and the assessment of effects on the environment required by that section of the Plan, and **where appropriate**, that assessment of effects shall include the likely effects of the proposal:
- 27.2.4.5.1 On the locality and the wider community and in particular:
- a) Whether the proposal will maintain or enhance the amenity values of the surrounding area;
 - b) Whether the proposal creates any demand for services or infrastructure at a cost to the wider community;
 - c) Whether the proposal contributes to the character of the surrounding area and helps maintain the cultural and heritage values of the community;
 - d) Whether the proposal adversely affects roading, traffic movement or road safety; and
 - e) Whether the proposal adversely affects water supply, increases fire risk, or reduces access to the coast.
- 27.2.4.5.2 On the amenities of the surrounding area and, in particular, whether the end result of the proposed subdivision will:
- a) Adversely affect the natural quality of any tree, or bush, or group of trees which makes a significant contribution to the visual qualities of surrounding area;
 - b) Visually intrude on any significant ridgeline or skyline or significant landscape; and
 - c) Detract from any view or vista which contributes to the aesthetic coherence of a locality.
- 27.2.4.5.3 On any significant environmental features and in particular whether the end result of the proposed subdivision will:
- a) Adversely affect any habitat of indigenous species or trout and salmon; and
 - b) Compromise the integrity of any terrestrial or maritime ecosystem.
- 27.2.4.5.4 On natural and physical resources such that any proposed subdivision:
- a) Does not compromise land with actual or potential value for primary production by the location of buildings;
 - b) Complements any building or man-made feature in the locality which contributes to the character of the locality;

- c) Maintains the quality and quantity of any water resource;
 - d) Does not increase any risk from natural hazards;
 - e) Does not result in an adverse effect on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and
 - f) Does not result in an adverse effect on any archaeological site registered by the NZ Historic Places Trust.
- 27.2.4.5.5 Whether the proposed method of managing domestic wastewater is the best practicable option and, where the method is an on-site option, whether the contaminants within the domestic wastewater will be treated and contained on-site, given the site conditions and constraints.
- 27.2.4.5.6 Whether the proposed subdivision is likely to have any effects on the physical and natural environment or community such that some form of financial contribution is necessary and should be imposed as a condition of consent.
- 27.2.4.5.7 Where a subdivision is likely to be carried out in stages the developer must specify this to the Council at the time of the application. The time periods for stages shall be clearly prescribed and any related effects assessed. (Each stage will only be approved when the Council is satisfied that the conditions that apply to that particular stage have been met, as well as, any other conditions of the subdivision consent which are required to be given effect to at that time).
- 27.2.4.5.8 On the compatibility of the proposed allotments with the pattern of the adjoining subdivision, land use activities, servicing and access arrangements, and amenity values.
- 27.2.4.5.9 The degree to which proposed new roads make adequate provision for vehicle movements, car parking and property access and the provision of alternative access for car parking and vehicle access in the Town Commercial Zone by way of vested service lanes at the rear of properties, having regard to alternative means of access and performance standards for activities within the zone.
- 27.2.4.5.10 Whether the proposed use for land subdivided within 20 metres of a high voltage electrical transmission line, can be safely accommodated in accordance with the New Zealand Electrical Code of Practice for Electrical Safety Distances, or its successor.

27.2.5 Resource Consent Conditions (Controlled and Discretionary Subdivision Activities)

- 27.2.5.1 Notwithstanding the other requirements of this document and the Act any resource consent for subdivision may include conditions relating to any of the following:
- a) The size, shape and position of any lot;
 - b) Potable water supply, water storage and water treatment;
 - c) The method of managing domestic wastewater, including operational and maintenance requirements;
 - d) Stormwater control requirements;
 - e) Service easements;

- f) Roading, access, passing bays, parking and manoeuvring standards including any necessary easements;
- g) Financial and land contributions in accordance with the requirements of the Plan;
- h) Provision of esplanade reserves and esplanade strips, and access strips, to and around the coastline and margins of lakes and rivers;
- i) Protection of existing vegetation and revegetation;
- j) The securing of any necessary covenants or other instruments to protect any significant environmental features or other special feature(s) on any lot;
- k) Fencing responsibilities;
- l) Conditions relating to staged developments or the timing of any works by any conditions;
- m) Controls to mitigate the effects of construction; and
- n) Noise barriers, set back distances and noise insulation of buildings.

27.3 Discretionary Activities

Available in the:

- Rural Zone Two;
- Sounds Residential Zone;
- Urban Residential Zone;
- Town Commercial Zone;
- Subdivision listed as a Controlled Activity where any part of the subdivision is within 20m of a high voltage transmission line (110 kV or greater); and
- Rural Township (allotment standards for Controlled Subdivision Activities apply).

With the exception of the Town Commercial Zone, subdivision in these zones must meet all of the general standards specified in Rule 27.2.3.3 whilst complying with the following standards for allotments and access to rear lots.

A flexible approach is available for **Town Commercial Zone Subdivision** proposals. Minimum allotment areas, minimum frontage and minimum building platform restrictions are not prescribed. The Council will assess the merits of each subdivision proposal in the context of Rules 27.2.3.3, 27.2.4 and 27.2.5.

27.3.1 Allotment Standards (Discretionary Subdivision Activities)

Zone	Allotment Type W = with Sewerage Reticulation WO = without	Net Min Lot Area m ² see note 1 below	Min Building Platform Shape Factor see note 2 below	Min Frontage metres	Qualification
Urban Residential (Picton)	Front W	350	15 metre diameter circle	15	Access requirements apply: Refer 27.3.2.
	Rear W	450	15 metre diameter circle	NA	Access requirements apply: Refer 27.3.2.
Urban Residential (Rai Valley and Havelock)	Front W	400	15 metre diameter circle	15	Access requirements apply: Refer 27.3.2.
	Front WO	700	15 metre diameter circle	15	Access requirements apply: Refer 27.3.2.
	Rear W	650	15 metre diameter circle	NA	Access requirements apply: Refer 27.3.2.
	Rear WO	900	15 metre diameter circle	NA	Access requirements apply: Refer 27.3.2.
Sounds Residential	Front W	1,600	15 metre diameter circle	40	Sewerage reticulation is the developer's responsibility
	Front WO	3,000	15 metre diameter circle	60	Lot and access controls apply as above.
	Rear W	1,600	15 metre diameter circle	NA	(Sewerage reticulation is the developer's responsibility). Lot to accommodate minimum 15 metre diameter circle. Access requirements apply: Refer 27.3.2.
	Rear WO	3,000	15 metre diameter circle	NA	Lot and access controls apply as above.
Town Commercial (Refer Rule 27.3 for explanation)	Front W	NA	NA	NA	Access requirements apply: Refer 27.3.2.
	Rear W	NA	NA	NA	Access requirements apply: Refer 27.3.2.
Rural Zone Two	Front WO	NA	15 metre diameter circle	NA	Lot to accommodate 40 metre diameter circle.
	Rear WO	NA	15 metre diameter circle	NA	Access requirements apply: Refer 27.3.2.
Rural One Zone - To create a title for a single dwelling unit under Rule 27.3.3.2 below.	Front and Rear WO	5,000	15 metre diameter circle	NA	Maximum lot area 7,000 m ² . Lot to accommodate 50 metre diameter circle. Access requirements apply: Refer 27.3.2.
<p>1 Lot areas prescribed are net areas, exclusive of access.</p> <p>2 The minimum building platform shape factor may be applied anywhere within the proposed allotment. Any building located within the building platform shape factor must comply with the bulk and location requirements of the respective zones and comply with the requirements of any easements.</p>					

27.3.2 Standards for Access to Rear Lots (Discretionary Subdivision Activities)

Important Note: Developers may employ either 'right of way' or 'access leg' (provision for access included in the lot title to which it provides access) to provide access to a rear lot(s).

Where a right of way is employed the line(s) defining the extent of that right of way on a survey plan shall be treated as a legal boundary for the purpose of bulk and location controls for buildings (eg; Urban Residential Zone Rule 29.1.1.3).

Zone	No. Lots Served	Min Width (metres)	Min Sealed Width (metres)	Qualification
Urban Residential	1	3	NA	NA
	2	3.5	3	NA
	3 & 4	5	4	Width allows passing.
Sounds Residential	1 & 2	3	NA	NA
	3-6	5	NA	Width allows passing.
Rural Zone Two	1	3	NA	NA
	2	3	NA	NA
	3 - 6	3	NA	Width allows passing.
Town Commercial	1-4	5	5	NA
Rural: Rule 27.3.3.2 - Special Provision to Protect Large Lots.	3 - 6	5	NA	Width allows passing.
Rural Township	1	3	NA	NA
	2	3.5	3	NA
	3 & 4	5	4	NA

Where front lots are provided with legal rights over accessways or rights of way that serve rear lots, then those front lots shall count as rear lots for the purpose of calculating the number of lots served.

The legal width of access shall include any cut or embankment which is part of the physical formation.

Passing bays may be required where the length, gradient or width of an access leg adversely affects the safety of users.

27.3.3 Special Subdivisions

27.3.3.1 Variation as to Minimum Area and Shape or Certain Other Constraints will be Considered Under the Following Circumstances:

- a) To facilitate the protection of significant environmental features;
- b) For special purpose lots;
- c) For boundary adjustments;

- d) To allow Limited Discretion - allotment and access minima;
- e) For Integrated Residential Developments; or
- f) For utilities that do not comply with the standards of permitted subdivision activities.

27.3.3.1.1 Protection of Significant Environmental Feature(s)

The Council may consent to a subdivision of land to create lots which will protect any significant environmental feature or features from development and adverse effects of land use activities. As compensation for the creation of such a lot or lots, smaller sized lots for residential purposes may be created in accordance with Rule 27.3.1 above.

Consent shall only be granted where a dwelling can be erected on any proposed lot without detracting from the feature to be protected subject to the following conditions:

- a) The subdivision proposal must achieve the protection in perpetuity of all of the significant environmental features contained within the parent title upon which the application is based;
- b) That a sufficient clear margin of land be provided around any significant environmental feature. A dwelling site which can meet the net site area standards for a Permitted Activity shall be identified and be available on any proposed lot. Accompanying information shall prove that there is no potential for disturbance to the feature protected by the Plan or by legislation from such a dwelling, or its associated effluent disposal system or ancillary buildings or any other activity;
- c) The maximum number of smaller sized lots for residential purposes which may be created by such a proposal shall be no more than 1.5 times the number which could be achieved as a result of a subdivision which meets the minimum area requirements of Rule 27.2.1;
- d) Natural topographical, drainage or other environmental features shall determine lot boundaries where practicable; and
- e) A consent notice in accordance with the provisions of section 221 of the Act shall be issued specifying any significant environmental features which are to be protected in perpetuity. Such a notice shall specify the means by which the feature or features are to be protected from the effects of any land use activity. (This rule does not preclude the use of other additional and relevant protection mechanisms eg; Queen Elizabeth II Trust).

27.3.3.1.2 Special Purpose Lots

Notwithstanding anything in this part of the Plan (Rule 27.3.3 Special Subdivisions), a lot appropriate for a special purpose as specified below, may be approved by the Council:

- a) To be owned in common for access or similar other special purposes;
- b) As an access denial strip;
- c) For access from one public place to another public place;
- d) For waahi tapu land and other sites significant to iwi;
- e) For heritage sites; and
- f) For reserves or land similarly protected in perpetuity.

27.3.3.1.3 Boundary Adjustments

The Council may consent to the re-subdivision of existing lots where one or more lots do not comply with the minimum area requirements as set out in Rules 27.2.1 and 3.1 provided that the following standards are met.

The proposed subdivision shall not create additional allotments or new titles (excluding any reserves) which are smaller than those the subject of the application unless:

- a) Each lot provides sufficient area for a dwelling meeting the standards for permitted activities;
- b) Any significant environmental features on the lot are protected through covenants or similar means as a consequence of the subdivision; and
- c) Access and servicing, as required by the Plan, is available to each lot.

Allotments comprised in the application must be contiguous in all zones except in the Rural Zone where they may be separated by a road, river, rail line or reserve.

27.3.3.1.4 Limited Discretion 20% - Allotment and Access Minima - Sounds Residential and Urban Residential Zones

Subject to Rules 27.2.4 and 27.2.5, the reduced minimum standards provided in Rules 27.3.1 and 27.3.2, for allotment area and access width to rear lots will be considered, where an application can address Rule 27.2.4 and confirm that:

- a) The policies and objectives for the particular zone can be attained;
- b) In assessing the effects, the amenities prescribed by the Plan for the zone can be maintained in the immediate vicinity of the subdivision;
- c) The amenities provided within the proposed development itself can meet the amenities prescribed by the Plan;
- d) The employment of reduced standards does not adversely affect the local servicing infrastructure, including parking, manoeuvring and access to public roads; and
- e) The assessment matters detailed in Rule 29.2.3.2 of the Urban Residential Zone controls are fully addressed.

27.3.3.1.5 Integrated Residential Developments - Urban Residential Zone

Notwithstanding the requirements of Rules 27.3.1 and 27.3.2 and subject to a combined resource consent application for subdivision and land use, lesser standards will be considered.

Building concept drawings shall be lodged concurrently with the subdivision plan clearly prescribing the intended bulk and location of proposed structures (on dimensioned plans and elevation drawings).

The application will be required to confirm, in addressing Assessment Criteria 27.2.4 that:

- a) The policies and objectives for the particular zone can be attained;
- b) In assessing the effects, the amenities prescribed by the Plan for the zone can be maintained in the immediate vicinity of the subdivision;
- c) The amenities provided within the proposed development itself can meet the amenities prescribed by the Plan;

- d) The employment of reduced standards does not adversely affect the local servicing infrastructure, including parking, manoeuvring and access to public roads;
- e) The assessment matters detailed in Rule 29.3.2 of the Urban Residential Zone controls are fully addressed; and
- f) A condition requiring a consent notice on the title will be imposed with respect to the building plans that form part of the application.

27.3.3.1.6 Utility Lots

Utility lots that do not comply with the standards for Permitted Activity subdivisions.

27.3.3.2 Special Provision to Protect Large Lots

27.3.3.2.1 The Council may consent to a subdivision for the creation of residential lots to protect the integrity of lots in excess of 150 hectares. The creation of such lots must be in accordance with the formula expressed in Rule 27.3.3.2.4.

27.3.3.2.2 Any subdivision undertaken in terms of this rule will render the subdivision potential of the balance area a Non Complying Activity and this status shall be the subject of a consent notice on the title of that portion.

27.3.3.2.3 Subdivisions may be staged in accordance with Assessment Criteria 27.2.4.5.7 and the Council may consider extending the time to give effect to the consent to five years maximum for subdivision proposals of 10 lots and over. However, in these circumstances, if the consent is not given effect to within the five years provided, a new application will be required for any further subdivision to complete the available lot entitlement prescribed in Rule 27.3.3.2.4.

27.3.3.2.4

Subdivision of Lots (hectares)	No of Residential Lots
150 - 200 hectares	4
201 - 250	5
251 - 300	6
301 - 350	8
351 - 400	10
401 - 500	12
501 - 600	14
600 +	15

27.3.3.2.5 All residential lots are to comply with Rules 27.2.3.3, 27.2.4, 27.2.5, 27.3.1 and 27.3.2 above.

27.4 Non-Complying Activities

Subdivision that does not comply with one or more of the Controlled or Discretionary Activity requirements for the:

- Rural Zone One;
- Rural Zone Two;
- Sounds Residential Zone;
- Urban Residential Zone;
- Rural Township Zone;
- Town Commercial Zone;
- Urban Industrial Zone;
- Port Zone; and
- Marina Zone.

Subdivision in the:

- District Recreation Zone
- Local Recreation Zone
- Conservation Zone
- Coastal Marine Zone

Subdivision on residual land resulting from the limitation prescribed in Rule 27.3.3.2: 'Special Provision to Protect Large Lots.'

In addition to the constraints of the Act, Council will assess the merits of each subdivision proposal in accordance with the provisions of Rule 27.2.4

27.5 Procedural

- The Act prescribes the legal process for change to or cancellation of a consent condition and/or objection to the Council's decision, as well as appeals to the Environment Court.
- A resource consent lapses on the expiry of two years after the date of commencement of that consent, unless the consent is given effect to, or after the expiry of such shorter or longer period as is expressly provided for in the consent. Section 125 of the Act details matters of consent time extension.