

# Provisions for Subdivision: Residential, Business and Industrial Zones

## Tasman Resource Management Plan Summary Guide No. 7

Current: April 2015

The following is a *summary* of Plan provisions for subdivision in the Residential, Business and Industrial zones. Other conditions may apply (please see the Plan for full details).

The proposed activity may also be subject to additional standards and rules for other aspects of the development. Plan changes occur from time to time and this guide will be updated to reflect the relevant changes as soon as is practicable. In addition to standards and consents required under the Resource Management Act, the proposed activity may also need building consent, licences and permits under other legislation such as the Building and Health Acts.

### 1. The Subdivision Process

The term “subdivision” includes creating new allotments as well as relocating or adjusting boundaries. There are four main steps to subdivide property:

- a. Obtain a resource consent from Council (all subdivisions require resource consent).
- b. Submit a fully surveyed title plan drawn by a registered surveyor to Council for approval.
- c. Complete all requirements of the resource consent, then apply for a completion certificate from Council.



- d. Apply to the District Land Registrar for a Certificate of Title.

This guide summarises rules applying to a particular property in order to complete step (a) above. Depending on the scale and type of issues involved, it may be advisable to pay for a surveyor or planner competent in subdivision processes to complete the resource consent application for you. All subdivisions need to comply with the requirements of Section 106 of the Resource Management Act and transport conditions set out in Schedule 16.3B of the Plan. There may be other consents necessary either prior to or as part of the subdivision process such as building consent (for retaining walls and bridges for example), water, coastal and discharge permits (such as for irrigation and culverts), and land use consents (such as earthworks and relocated buildings).

### 2. Provision for Subdivision

A subdivision proposal must meet rules governing a variety of likely effects. The main set of subdivision rules is in Chapter 16 of the TRMP. General rules, Zone rules and Special Area rules (chapters 16, 17 & 18) should also be checked as they may affect how the subdivided sites can be used. Chapter 18 also details road construction standards, and section 19.2.2 lists the information that needs to be submitted with subdivision applications. The Tasman District Council Engineering Standards set out means of compliance with controlled activity conditions.

NOTE:

“Closed zones” generally provide for boundary adjustments or relocations as a **discretionary** activity provided no new allotments are created (other conditions may apply). Otherwise subdivision in these zones is **prohibited** unless specified areas provide for subdivision as a **discretionary** activity.

### 3. Residential Zone

Subdivision in the Residential Zone can be considered a **controlled** activity if it meets the following criteria:

- a. Each allotment created by subdivision has a **minimum net area** as outlined in Figure 16.3A below.  
NOTE:
  - (i) Minimum allotment net areas vary depending on whether the site can connect to reticulated wastewater servicing, the existing density of the settlement and whether the allotment adjoins a Rural or Industrial zone.
  - (ii) There are also rules for an average net area. Refer to rules 16.3.3.1 (c) and (f).
- b. The **road frontage** length is a minimum of 3.5 metres (except for Waimea Village).
- c. Each allotment is capable of containing a **circle** with a diameter of 16 metres within the net area (except for Waimea Village).
- d. The **width** of the allotment is at least 30 metres if it adjoins any Rural or Industrial zone.
- e. The subdivision is not part of a **comprehensive residential development**.
- f. **New boundaries** are drawn so that existing buildings comply with permitted activity conditions.
- g. **Roads, access and parking** comply with Council conditions and standards (refer to sections 16.2 and 18.8, and Schedule 16.3B).
- h. The land to be subdivided does not contain a **heritage site or item** listed in Schedule 16.13A.
- i. The land to be subdivided does not contain a **cultural heritage site** listed in Schedule 16.13C, unless required written authority or approval is provided.

- j. The subdivision does not adjoin the **coast or streams** over 3 metres in width.
- k. The subdivision is not affected by the **Slope Instability Risk Area** or the **Fault Rupture Risk Area**.
- l. On some sites in Little Kaiteriteri, no more than 20% of **indigenous coastal shrubland or coastal forest** is to be cleared.

Additional conditions apply within the **Richmond West, Richmond South, Richmond East, Motueka West and Mapua development areas**.

Council has reserved control over specified matters to be considered, which may be included as conditions of consent where needed.

If the subdivision proposal cannot meet controlled activity conditions then the activity is classed as **restricted discretionary** or **discretionary**, if it meets the following criteria:

- a. For **Comprehensive residential development** and **compact density development** applications all resource consents required for development are submitted together.
- b. Additional conditions are met for **compact density development** in the Richmond West, Richmond South, Motueka West and Mapua Special development areas.
- c. Subdivision in the **Slope Instability Risk Area** and the **Fault Rupture Risk Area** includes a geotechnical report identifying a building location area and meets other criteria. If no habitable building site is to be created by a boundary adjustment or relocation, then no geotechnical report is required.

Subdivision in the **Richmond South, Richmond West, Richmond East, Motueka West, Mapua and Mapua Special development areas** that does not meet conditions for a discretionary activity is a **non-complying** activity.

**Figure 16.3A: Minimum Allotment Areas in the Residential Zone**

Description of Land to be Subdivided	Minimum Net Area (m <sup>2</sup> )
Without reticulated wastewater servicing	1,000
Except Milnthorpe	1,800
With reticulated wastewater servicing	450
Except:	
(i) Motueka and Richmond complying with rule 16.3.3.1(c).	350
(ii) Allotments adjoining Rural 1 or Rural 2 zones except that on that part of land in Lot 1 DP20082 and shown on Map 119 as zoned Residential.	1,000 700
(iia) Allotments at Rototai Road Residential Zone.	600
(iii) Allotments adjoining Industrial Zones.	800
(iv) Allotments in St Arnaud Residential Zone not crossed by Alpine Fault (except as specified in (v)).	1,000
(v) Allotments in St Arnaud on Lake Road, Robert Street, Holland Street, Arnaud Street and Bridge Street, south of Black Valley Stream in St Arnaud.	1,800
(vi) Allotment to be used exclusively as a site for a network utility or public work.	1, with no minimum diameter
(vii) Waimea Village	<i>Refer Schedule 17.1D</i>
(viii) Richmond South, Richmond West and Mapua development areas.	<i>Refer rule 16.3.3.1 (o)(i)(a) – (d)</i>
(ix) Richmond East Development Area south east of Hill Street.	600
(x) Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900
(xi) Tahi St and Iwa St Residential Coastal Zone	One new allotment of at least 650m <sup>2</sup> with a balance allotment of at least 650m <sup>2</sup> may be created from a certificate of title existing as at 26 February 2011

#### 4. Business and Industrial Zones

Subdivision in the Central Business, Mixed Business, Commercial, Tourist Services and the Light, Heavy and Rural Industrial zones can be considered a **controlled** activity, if it meets the following criteria:

- a. Each allotment created by subdivision has a **minimum net area**, and contains a **circle** within its net area of a minimum diameter, as outlined in Figure 16.3B on the back page of this guide.
- b. Each allotment is connected to Council stormwater, wastewater and water supply reticulated **services** (that is capable of receiving or supplying those services), power and telephone services (as appropriate).
- c. **Roads, access and parking** comply with Council conditions and standards (refer to rules sections 16.2 and 18.8, and Schedule 16.3B).
- d. The minimum **road frontage** length is 6 metres.
- e. The land does not include a **heritage site or item** as listed in Schedule 16.3A.
- f. The land to be subdivided does not contain a **cultural heritage site** listed in Schedule 16.13C, unless required written authority or approval is provided.
- g. **New boundaries** are drawn so that existing buildings comply with relevant zone permitted activity conditions.
- h. The subdivision contains **amenity planting** strips and/or bunds on sites where required (see the Plan for full details).
- i. The proposal conforms to a **development plan** where one exists.

- j. The subdivision does not adjoin the **coast or streams** over 3 metres in width.
- k. The subdivision is not affected by the **Slope Instability Risk Area** or the **Fault Rupture Risk Area**.

If the subdivision proposal cannot meet controlled activity standards then the activity is classed as **restricted discretionary** or **discretionary**. The exception is in the Tourist Services Mapua Zone where subdivision is classed as a **non-complying** activity

unless no additional allotments are created and the subdivision does not require work that increases erosion or inundation.

Subdivision in the **Slope Instability Risk Area** or the **Fault Rupture Risk Area** is **restricted discretionary** if it includes a geotechnical report identifying a building location area and meets other criteria. If no habitable building site is to be created by a boundary adjustment or relocation, then no geotechnical report is required.

**Figure 16.3B: Minimum Allotment Areas in Central Business, Commercial, Mixed Business, Tourist Services, and Heavy, Light and Rural Industrial Zones**

Zone	Minimum Net Area (m <sup>2</sup> )	Minimum Diameter of Circle in Net Area of Allotment (m)
Central Business and Commercial Zones	200	8
Mixed Business Zone		
- Activities other than retail	1,000	20
- Activities other than retail on Lot 1 DP 10599 (Alliance Land)	750	20
- Retail activities (including Retail Frontage <sup>ⓐ</sup> )	1,250	30
Light Industrial Zone: Richmond West and Mapua Development Areas	750	15
Tourist Services Zone	2,000	15
Heavy Industrial/Rural Industrial Zones	1,000	15
Light Industrial Zone	500	15
All zones listed above – allotment to be used exclusively as a site for a network utility or public work	1	—
<b>Footnote:</b>		
ⓐ Richmond West Development Area.		

## 5. Development and Financial Contributions

Development and financial contributions are payable in accordance with the Development Contribution Policy set out in the Council’s Long Term Plan (created under the Local Government Act 2002) and in accordance with section 16.5 of the Tasman Resource Management Plan (TRMP). You will need to refer to the Policy and the TRMP to see what contributions are payable and whether any limitations apply.

Council will not issue the completion certificate until all contributions have been paid in full.

**This guide is a summary of Plan provisions only. Other conditions may apply. Do not rely on this guide to make decisions about your property. Please see the Plan for full details or seek advice from Council staff at one of the Tasman District Council offices below.**

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