

# SUB Subdivision - Te Wawaetanga

## Subdivision Provisions for Natural Hazard Overlays

<b>Subdivision Objectives</b>	
<b>SUB – O2</b>	<p>Subdivision occurs in locations and at a rate that:</p> <ul style="list-style-type: none"> <li>a. Is supported by the capacity of existing infrastructure networks, or provides for infrastructure facilities and networks that are sufficient to accommodate growth and development that meets the standards required by the Council and the Plan;</li> <li>b. Facilitates the operation of critical infrastructure;</li> <li>c. Enables access and connectivity;</li> <li>d. Provide for the health, wellbeing and safety of the West Coast/Te Tai o Poutini community;</li> <li>e. Provides for growth and expansion of West Coast/Te Tai o Poutini settlements and businesses; and</li> <li>f. Avoids significant natural hazards and are built to be resilient to natural hazards.</li> </ul>

<b>Subdivision Policies</b>	
<b>SUB - P4</b>	<p>Manage significant risks from natural hazards by <del>restricting</del> <u>avoiding</u><sup>1</sup> subdivision that:</p> <ul style="list-style-type: none"> <li>a. Creates new or exacerbates existing natural hazards including coastal hazards, erosion, slippage, subsidence, falling debris, fault rupture, severe ground shaking or flooding; or</li> <li>b. Results in adverse effects on the stability of land and buildings; and</li> <li>c. Does not provide safe, <del>flood free</del><sup>2</sup> and stable building platforms at the time of subdivision.</li> </ul>
<b>SUB - P6</b>	<p>Avoid subdivision:</p> <ul style="list-style-type: none"> <li>a. In the RURZ - Rural Zones that could result in the creation of an unplanned new settlement;</li> <li>b. In the Earthquake Hazard Overlay that could result in the creation of new allotments;</li> <li>c. Where detached minor residential units in RURZ - Rural Zones become legally separated from the main residential unit thereby creating cumulative effects on rural character and productivity;</li> <li>d. Where this could create significant reverse sensitivity issues in relation to the MINZ - Mineral Extraction Zone or Energy Activities;</li> </ul>

<sup>1</sup> Department of Conservation (S602.122), Toka Tū Ake (S612.090)

<sup>2</sup> Chris & Jan Coll (S558.190), Chris J Coll Surveying Limited (S566.190), William McLaughlin (S567.263), Laura Coll McLaughlin (S574.190)

	e. In the Coastal environment outside of areas that are already modified unless adverse effects on the natural character of the coastal environment can be avoided or mitigated; and
	f. In areas of significant risk of natural hazards, where this is for the purposes of accommodating and/or servicing people and communities.

## **Subdivision Rules**

### **Controlled Activities**

#### **SUB - R6**

**Subdivision to create allotment(s) in any RURZ - Rural Zone or MPZ - Māori Purpose Zone**

#### **Activity Controlled**

Where:

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3. This is not within an area of:

- i. Outstanding Natural Landscape as identified in Schedule Five;
- ii. Outstanding Natural Feature as identified in Schedule Six;
- iii. Sites of Historic Heritage as identified in Schedule One;
- iv. ~~Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay;~~
- v. ~~This is not within the Earthquake Hazard Overlay;~~

4. It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the:

- i. Flood Susceptibility, Flood Alert Earthquake Susceptibility, Land Instability, Coastal Alert, or Hokitika Coastal Hazard Overlay;
- ii. Westport Hazard Overlay;
- iii. Flood Severe, Coastal Severe, or Earthquake Severe Overlay

5. ~~This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay;~~

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#### **Activity status where compliance not achieved:**

Restricted Discretionary where 3 or 4(i) is not complied with.

Discretionary where 2, 4(ii) or 5-7 6-8 is not complied with.

Non-complying where 4(iii) or 5 is not complied with.

#### **SUB - R8**

**Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard**

#### **Activity Status Controlled**

Where:

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#### **Activity status where compliance not achieved:**

<p>3. This is not within an area of:</p> <ul style="list-style-type: none"> <li>i. Outstanding Natural Landscape as identified in Schedule Five;</li> <li>ii. Outstanding Natural Feature as identified in Schedule Six;</li> <li>iii. Sites of Historic Heritage as identified in Schedule One;</li> <li>iv. Sites and Areas of Significance to Māori as identified in Schedule Three;</li> <li>v. <del>Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay;</del></li> </ul> <p>4. <u>It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the:</u></p> <ul style="list-style-type: none"> <li>i. <u>Flood Susceptibility, Flood Alert, Earthquake Susceptibility, Land Instability, Coastal Alert, or Hokitika Coastal Hazard Overlay;</u></li> <li>ii. <u>Westport Hazard Overlay;</u></li> <li>iii. <u>Flood Severe, Coastal Severe, or Earthquake Severe Overlay.</u></li> </ul> <p>5. This is not within an area of <del>Flood Severe, Coastal Severe or Westport Hazard Overlay</del> or the Airport Noise Control Overlay;</p> <p>6. All Subdivision Standards are complied with; and</p> <p>7. Subdivision in the MPZ - Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site.</p> <p>8. This is not within the <del>Earthquake Hazard Overlay;</del></p> <p>...</p>	<p>Restricted Discretionary where 1, 3 or 4(i) or 5 is not complied with</p> <p>Discretionary where 2, 4(ii) or 6 is not complied with</p> <p>Non-complying where 4(iii) or 7-11 is not complied with</p>
<b><u>SUB-RX</u></b>	<b><u>Subdivision to create building platform(s) for Less Hazard Sensitive Activities in in the Flood Susceptibility, Earthquake Susceptibility, Flood Alert, Land Instability, Coastal Alert, Coastal Setback, Hokitika Coastal, Westport, Coastal Severe, Flood Severe, or Earthquake Severe Hazard Overlay</u></b>
<p><b><u>Activity Status Controlled</u></b></p> <p><b><u>Matters of Control:</u></b></p> <ul style="list-style-type: none"> <li>a. <u>Risk to people, buildings and regionally significant infrastructure from the proposal and any measures to mitigate those risks.</u></li> <li>b. <u>The location and design of proposed buildings, vehicle access, and regionally significant infrastructure in relation to the natural hazard.</u></li> </ul>	<p><b><u>Activity status where compliance not achieved:</u></b></p> <p><u>N/A</u></p>

<ul style="list-style-type: none"> <li>c. <u>The size, design, shape, location and layout of allotments.</u></li> <li>d. <u>The provisions of infrastructure and services for transport, drinking water, wastewater and stormwater, telecommunications and energy.</u></li> <li>e. <u>The adequacy of water supply for firefighting.</u></li> <li>f. <u>The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12.</u></li> <li>g. <u>The provision of esplanade reserves or strips and the need for access to be provided to any esplanade reserve or strip created.</u></li> <li>h. <u>The provision of easements.<sup>3</sup></u></li> </ul>	
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<b>Restricted Discretionary Activities</b>
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<b>SUB - R13</b>	<b>Subdivision to create allotment(s) <u>building platform(s)</u> for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Flood Susceptibility, <u>Flood Alert Flood Plain Earthquake Susceptibility</u>, Land Instability, Coastal Alert, Coastal Setback, <del>Lake Tsunami and Coastal Tsunami</del> <u>or Hokitika Coastal Hazard Overlays</u></b>
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<p><b>Activity Status Restricted Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. <del>The subdivision will not lead to use of the land within the Coastal Tsunami Overlay for critical response facilities;</del></li> <li>2. <del>This is accompanied by a <u>A</u> hazard risk assessment undertaken by a suitably qualified and experienced practitioner <u>is provided</u>, and</del></li> <li>3. <del>All Subdivision Standards are complied with.</del></li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Matters outlined in the accompanying hazard risk assessment;</li> <li>b. Risk to <del>life, property and the environment</del> <u>people, buildings and regionally significant infrastructure</u> from the proposal and any measures to mitigate those risks;</li> <li>c. The location and design of proposed buildings, vehicle access and <u>regionally significant infrastructure</u> in relation to <u>the natural hazard risk</u>;</li> <li>d. Whether the intended future use of the subdivision is for <del>sensitive activities</del>, or critical response facilities; and</li> <li>e. Any adverse effect on the environment of any proposed natural hazard mitigation measures.<sup>4</sup></li> </ol>	<p><b>Activity status where compliance not achieved:</b></p> <p>Discretionary</p>
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<sup>3</sup> Mr Kennedy for Westpower Ltd (S547)

<sup>4</sup> Frank and Jo Dooley (S478.030), Frank O'Toole (S595.018), Chris J Coll Surveying Limited (S566.238), William McLaughlin (S567.307), Laura Coll McLaughlin (S574.238)

<b>Discretionary Activities</b>	
SUB - R20	<b>Subdivision <u>to create building platform(s) for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities</u> of Land in the Westport Hazard Overlay</b>
Activity Status Discretionary	Activity status where compliance not achieved: N/A
<b><u>Non-complying Activities</u></b>	
SUB - R21	<b>Subdivision <u>to create building platform(s) for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities</u> within the Coastal Severe, and Flood Severe, or <u>Earthquake Severe</u> Natural-Hazard Overlays</b>
Activity Status Discretionary <b><u>Non-complying</u></b> <sup>5</sup>	Activity status where compliance not achieved: Non-complying N/A
SUB - R23	<b><del>Subdivision to create Allotments in the Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert, Coastal Setback, Lake Tsunami and Coastal Tsunami Overlays not meeting Restricted Discretionary Activity Standards</del></b>
Activity Status Discretionary	Activity status where compliance not achieved: N/A
<b><u>Non-complying Activities</u></b>	
SUB - R26	<b>Subdivision to Create Allotments in the Earthquake Hazard Overlay: 50m, 100m, 150m or 200m Buffers</b>
Activity Status Non-complying	Activity status where compliance not achieved: N/A
<b><u>Prohibited Activities</u></b>	
SUB - R28	<b>Subdivision to Create Allotments in the Earthquake Hazard Overlay: 20m Buffer</b>
<b><del>No application for resource consent will be accepted for this activity</del></b>	

<sup>5</sup> TTPP Committee (S171.006)