

Provisions for Subdivision: Rural and Rural Residential Zones

Tasman Resource Management Plan Summary Guide No. 6

Current: April 2015

The following is a *summary* of Plan provisions for subdivision in the Rural and Rural Residential 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. Rural 1 and 2 Zones

Subdivision in the Rural 1 and Rural 2 zones can be considered a **controlled** activity if it meets the following criteria:

- a. The **minimum area** is 12 hectares (for the Rural 1 Zone), 50 hectares (for the Rural 2 Zone), or 3 hectares (for the Rural 1 Coastal Zone).
- b. The **road frontage** length is a minimum of 100 metres for front allotments, 5 metres for single rear allotments or 6.5 metres for two or more allotments with combined frontage.
- c. **New boundaries** are drawn so that existing buildings, shelter belts, orchards or plantation forests comply with permitted activity conditions.
- d. **Roads, access and parking** comply with Council conditions and standards (refer to sections 16.2 and 18.8, and Schedule 16.3B).
- e. The land to be subdivided does not contain a **heritage site or item** listed in Schedule 16.13A.
- 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. The subdivision does not adjoin the **coast or streams** over 3 metres in width.
- h. 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 conditions then the activity is classed as a **restricted discretionary** or **discretionary** activity.

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

4. Rural 3

Subdivision in the Rural 3 zone can be considered a **controlled** activity if it meets the following criteria:

- a. The **minimum area** is 50 hectares.
- b. The **road frontage** length is a minimum of 100 metres for front allotments, 5 metres for single rear allotments or 6.5 metres for two or more allotments with combined frontage.
- c. **New boundaries** are drawn so that existing buildings, shelter belts, orchards or plantation forests comply with permitted activity conditions.
- d. **Roads, access and parking** comply with Council conditions and standards (refer to sections 16.2 and 18.8, and Schedule 16.3B).
- e. Each allotment intended to site any building has a **building location area** shown.
- f. The subdivision does not adjoin the **coast or streams** over 3 metres in width.
- g. The subdivision is not affected by the **Slope Instability Risk Area** or the **Fault Rupture Risk Area**.
- h. 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.

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. A **building location area** is shown.
- b. The subject land has not been the subject of a **subdivision consent** granted after 20 December 2003.
- 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.

NOTE:

- (i) Council has produced a **Coastal Tasman Area Subdivision and Development Design Guide** for subdivisions in the Rural 3 Zone and an application for discretionary activity subdivision will be assessed in terms of its consistency with this Design Guide (see Appendix 3) as well as other matters.
- (ii) A subdivision (other than a boundary adjustment or relocation) less than 50 hectares of land subdivided since 20 December 2003, and not showing a building location area, is a **non-complying activity**.

5. Rural Residential Zone

Subdivision in the Rural 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 16.3C below.
- b. A minimum **road frontage** length of 25 metres for front allotments, reducible to 5 metres for serviced allotments in a cul-de-sac head, or 5 metres for rear allotments.

Figure 16.3C: Minimum Allotment Areas in Rural Residential Zone

[Refer to planning maps for locations]

Location in Rural Residential Zone	Minimum Net Area
Allotments in: George Kidd Street Champion Road & Hill Street North Hill Street South scheduled area, Richmond, where wastewater servicing is required to be provided, and in the Richmond East Development Area where Schedule 16.3C servicing is required to be provided.	2,000 m ²
Allotments in other areas with reticulated wastewater servicing or where wastewater servicing is required to be provided, as follows: Pinehill Heights, Ruby Bay Korepo Road, Ruby Bay Seaton Valley Road, Mapua Collingwood Pohara Valley Road Ligar Bay South Central Takaka	2,500 m ²
Allotments at Motueka with reticulated wastewater servicing. Allotments at Milnthorpe without reticulated wastewater servicing.	3,000 m ²
Allotments without reticulated wastewater servicing at: Puponga Mackay Pass Road, Bainham Eliot Creek, Aorere Valley Tukurua/Parapara Upper Moutere	4 ha
Allotments without reticulated wastewater servicing at: Kina Redwood Valley Ligar Bay North Patons Rock Craigieburn Road, West Takaka Upper Haile Lane, Pohara Parapara Valley Rocklands Road North, Clifton	2 ha
Allotments at Mapua (including Seaton Valley Road) and Waimea Inlet	
Allotments in all other parts of the Rural Residential Zone without reticulated wastewater servicing, as follows: Eighty Eight Valley Hill Street South, Richmond Haycock Road, Richmond Kina Triangle Permin Road Spot Zone Pangatotara Alpine Meadows Tophouse Road Extension Onekaka Bay Vista Drive, Pohara Riwaka-Kaiteriteri Road, Kaiteriteri (Deferred) Old Coach Road, Mariri (Deferred)	5,000 m ²
Allotments at Tata Headland North and Upper Ligar Bay. Allotments without reticulated wastewater servicing in Permin Road (excluding Permin Road Spot Zone).	1 ha
Allotments to be used exclusively as a site for a network utility or public work.	1 m ²

NOTE: Minimum allotment net areas vary depending on location and whether wastewater services are available.

- c. **New boundaries** are drawn so that existing buildings, shelter belts, orchards or plantation forests comply with permitted activity conditions.
- d. **Roads, access and parking** comply with Council conditions and standards (refer to sections 16.2 and 18.8, and Schedule 16.3B).
- e. The land to be subdivided does not contain a **heritage site or item** listed in Schedule 16.13A.
- 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. The subdivision does not adjoin the **coast or streams** over 3 metres in width.
- h. 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**.

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.

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.

6. Historical Pesticide Contamination

Council holds records of established orchards in the 1970s that may have been exposed to persistent pesticides such as lead, arsenic, copper and DDT resulting in pesticide residues in the soil. Before any land inside these identified areas is subdivided for future residential use, Council will require specialised soil testing as part of any resource consent application.

7. 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.

Tasman District Council Email info@tasman.govt.nz Website www.tasman.govt.nz 24 hour assistance

Richmond	189 Queen Street, Private Bag 4, Richmond, Nelson 7050, New Zealand	Phone 03 543 8400	Fax 03 543 9524
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