

Planners Report 2

Variation 1: Lifestyle Zones and Minden Structure Plan Area

Structure Plan – Boundary and Add to Zone

1.0 Background

- 1.1 The Proposed District Plan initially provided an area of 1150ha for the Minden Lifestyle Zone. This area is now proposed to be extended to 1670ha.
- 1.2 This report deals with those submission points supporting and opposing the extended area, and those requesting the removal and addition of other areas.

2.0 Issues

- 2.1 Two submission points were received in general support of the extended Structure Plan boundary. One submission point (and two further submission points) were opposed.
- 2.2 One submission point was received seeking the removal of other areas from the Structure Plan.
- 2.3 12 submission points were received from landowners requesting further areas to be added to the Structure Plan. Nine of these submission points related to the same area (Wairoa), so in total there are only a four "add to zone" requests.
- 2.4 Eight further submission points were received on this topic.
- 2.5 These have generated the following options below.

Note:

The areas in Options 1, 2 and 3 are shown on the Structure Plan.

The areas in Options 4, 5, 6 and 7 are shown on the attached map titled "Add to Zone Requests".

3.0 Options

3.1 Option 1

- 3.1.1 Retain the extended 1670ha Minden Structure Plan boundary as notified.

3.2 Option 2

- 3.2.1** Delete the extended Minden Structure Plan area e.g. revert back to the 1150ha area.

3.3 Option 3

- 3.3.1** Delete Area 1B from the Structure Plan.

3.4 Option 4 - (See Cooney)

- 3.4.1** Add Lot 1 DPS 60684 (18 Minden Road).

3.5 Option 5 - (See Wairoa various submitters)

- 3.5.1** Add land southwest of the 100m Tauranga Northern Link (TNL) line, between Wairoa Road and the floodline, up to the Wairoa and Crawford Road intersection.

3.6 Option 6 – (See Munro)

- 3.6.1** Add 284 to 318 Crawford Road and 250 Junction Road.

3.7 Option 7 – (See Richardson)

- 3.7.1** Add Lots 1, 2 and 3 DP 344296 (Junction Road).

4.0 Discussion

4.1 Options 1 and 2 – Extended Structure Plan Boundary

- 4.1.1** The “extended” boundary refers to those areas which have been added onto the original boundary which was first established under the Proposed District Plan (Decisions January 2010).

- 4.1.2** The entire area is now proposed for total of 1670ha, equating to an additional 520ha. The additional areas are;

- An extension of the northern boundary towards the Tauranga Northern Link (TNL).
- An extension of the upper western boundary from Minden Road (and paper road) to the Te Puna Stream.

- 4.1.3** These additional areas have been challenged by one submitter on the grounds that a substantive Section 32 has not been prepared to support the extensions. The “Minden Structure Plan - Section 32, RMA Evaluation” provides the following explanation on Page 6;

“Following consultation adjustments were made to the Structure Plan area bringing approximately 350 additional Ha under the Structure Plan. The land newly incorporated fills a void that existed between the proposed Tauranga Northern Link and the

Structure Plan area and moves the Northern Boundary towards the Te Puna Stream. In both cases, 'regularising' boundaries avoid creating isolated pockets of undevelopable land."

4.1.4 Northern Boundary (TNL)

4.1.5 As for the "void" between the original boundary and the TNL, this occurred because of some uncertainty that existed at the time about possible incompatibilities between the Minden Lifestyle Zone and TNL. During the preparation of the Structure Plan, discussions were held with NZTA to determine what a more appropriate setback may be in terms of this, which resulted in the extension of the northern boundary to the TNL, albeit with a 100m building setback restriction in place. This way there is a specific setback distance rather than the Zone boundary to manage reserve sensitivity effects.

4.1.6 If the original boundary was retained, this would have resulted in long narrow strip of Rural Zone being and 'trapped' between the Lifestyle Zone and the TNL. Rezoning this isolated strip of land to Lifestyle Zone allows this land to be used more efficiently.

4.1.7 Upper Western Boundary (Te Puna Stream)

4.1.8 In terms of the "Northern Boundary" shift (more accurately the upper western boundary) from Minden Road and paper road to the Te Puna Stream, this has been done for the following reason. The shift incorporates two large blocks of land, bounded by the Te Puna Stream, which have been granted resource consent for 25 additional lots each under the previous rural subdivision and TDR provisions.

4.1.9 These will become a virtual extension to the Minden Lifestyle Zone so in this sense it is logical to rezone these as Lifestyle to reflect what is already anticipated. This also resulted in the rezoning of adjoining land parcels to the north which would otherwise be left as undevelopable pockets of land (bounded by the Te Puna Stream and Lifestyle Zone),

4.1.10 On this rationale, the boundary was realigned with the Te Puna Stream to include these blocks, while also providing a distinct boundary for the zone. It also allows for traffic linkages through the zone to the Te Puna stream.

4.1.11 Alternative View

- 4.1.12** The view raised by the submitter is that while the extended area was added in consultation with landowners, it had not been subject to the same level of investigation as the original area.

4.2 Option 3 – Area 1B

- 4.2.1** Area 1B includes lower Minden Road, Perkins Drive, Marua Place and Corbett Drive which have all been developed under the previous Rural-Residential Zone. It also includes Ainsworth Road. The submitter lives on Perkins Drive and opposes subdivision and development within the area due to concerns about threats to existing rural amenity, ecology, quietness and enjoyment of current residents.

- 4.2.2** While further lifestyle development in this area may not have been foreseen by existing residents, this is not a reason to remove Area 1B from the Minden Lifestyle Zone. There will also be no impacts on ecological features.

4.3 Option 4 – Cooney

- 4.3.1** The submitter requests the rezoning of this property from Rural to Lifestyle because it has been deemed inappropriate for commercial use. This property adjoins existing State Highway 2 (to the south) and is situated on the opposite of the proposed TNL to the rest of the Minden Lifestyle Zone. It is not a logical extension to the Minden Lifestyle Zone for this reason.

4.4 Option 5 – Wairoa Various Submitters

- 4.4.1** This area of land has a case for rezoning. It is already of a rural lifestyle nature with 16 out of 25 lots (other than WBOPDC land) being one hectare or less with the 9 remaining lots being no larger than four hectares (other than one at 25ha). The land is also relatively flat so there would be fewer challenges for developing it. There is potential for views over the Wairoa River so the area will have a good outlook.

- 4.4.2** The boundary shown on the attached map provides an accurate delineation of the existing lifestyle development. The only exception being that the non-flood zone portion of the larger lot (total 25ha) is also included. This larger lot is quite distinct from the rest of the area as it has no existing lifestyle character, has steep contours, and falls on the other side of the escarpment. It

is the escarpment, rather than the flood hazard zone, which appears to be the defining characteristic on which to draw a line.

- 4.4.3** The existing area of development, minus the larger lot, should be considered for inclusion into the Minden Lifestyle Zone primarily due to its existing lifestyle character.

4.5 Options 6 and 7 - Munro and Richardson

- 4.5.1** In Option 6, the submitter requests the rezoning of seven properties (approx total 30ha) off Crawford and Junction Road because due to their small size, altitude, southern outlook, and slope, they cannot be productive horticultural or pastoral blocks. The submitter points out that the rezoning will have no impact on rural amenity and would not be inconsistent with other properties included in the Zone, which have similar steep contour and south facing nature.
- 4.5.2** In Option 7, the submitter proposes the addition of 157ha (approx) of land south of Junction Road because it offers extensive views over Tauranga City due to the position of the ridgeline.
- 4.5.3** Instead of arguing each of these points for and against, the main considerations should be where the line is to be drawn on the Minden Lifestyle Zone and whether further areas are needed.
- 4.5.4** The original boundary sought to include land that was generally north facing and which was likely to have north facing views. The areas proposed by submitters for inclusion are south facing, and although they will still have views and a level of rural amenity, they fall outside of what was generally intended. It is acknowledged that there are properties within the existing boundary that will also be south facing.
- 4.5.5** As discussed, an exception was made with the extension of the zone boundary towards the Te Puna Stream. The distinguishing factor in that case though was the zoning followed the subdivision, rather than the other way around. It also gives the benefit of additional connectivity to the Te Puna Stream.

4.5.6 Another main consideration should be whether the additions are required at this stage in terms of overall zone size. The zone provides a large number of opportunities already and will also take a number of years to develop (including the extension of servicing).

5.0 Recommendation

- 5.1** That the extended 1670ha Minden Structure Plan boundary is retained.
- 5.2** That the land shown as "Wairoa Various Submitters" (Option 5) is also added to the Minden Structure Plan - with the exception of LOT 7 DP 404323.
- 5.3** The following submission points are therefore;

5.4 Accepted

Submission	Point Number	Name
FS 89	22	New Zealand Transport Agency (Opposes 74.1)
FS 89	19	New Zealand Transport Agency (Opposes 31.1)
FS 89	17	New Zealand Transport Agency (Opposes 7.1)

5.5 Accepted in Part

Submission	Point Number	Name
32	3	Anderton, SG & DS
18	2	Blyth, H & D
35	3	Brett, MM & DR
28	3	Gray, AD & MG
55	2	Legco Limited
34	3	Maunder, RL & JE
31	1	Moynahan, Kevin
43	1, 3	Orton Trust
33	3	Poole, Duncan
52	1	Stonehill Family Trust

5.6 Rejected

Submission	Point Number	Name
74	1	Cooney, M & J & others
38	2	Gravit, Jo
FS 88	10	Hatton, GW and M Supports 38.2
FS 90	2	Milne, Aaron Supports 38.2
41	1	Milne, Aaron
37	1	Munro, DB & CM
FS 89	18	New Zealand Transport Agency (Opposes 18.2)
FS 89	21	New Zealand Transport Agency

		(Opposes 55.2)
FS 89	20	New Zealand Transport Agency (Opposes 43/1)
7	1	Richardson, Trevor

6.0 Reasons

6.1 Options 1 and 2

6.1.1 The reasons for the extended 1670ha Minden Structure Plan boundary were given in the Minden Structure Plan - Section 32, RMA Evaluation.

6.1.2 These were to regularise boundaries and avoid creating isolated pockets of undevelopable rural land. This has been explained further in this report.

6.1.3 The extensions also provide connectivity to esplanades.

6.2 Option 3

6.2.1 The concerns raised by the submitter do not provide a reason to delete Area 1B from the Structure Plan.

6.3 Option 4

6.3.1 This property is not a logical extension to the Lifestyle Zone, because it will be isolated from the rest of the zone on the opposite side of the proposed TNL.

6.4 Option 5

6.4.1 This area is already largely developed into rural lifestyle and adjoins the proposed Lifestyle Zone. Rezoning to Lifestyle Zone reflects what development has already occurred.

6.4.2 Lot 7 DP 404323 is not recommended because it has no existing lifestyle character and is distinctly separated from the rest of the area by the escarpment.

6.5 Option 6

6.5.1 This area is south facing and has no existing lifestyle development therefore does not meet the general rationale for zone inclusion (as has been used to date).

6.6 Option 7

- 6.6.1** This area is south facing and has no existing lifestyle development, other than one lot, therefore does not meet the general rationale for zone inclusion (as has been used to date).