

Planners Report 10

Variation 1: Lifestyle Zones and Minden Structure Plan Area

Lifestyle Section – Objectives

1.0 Background

- 1.1** Objectives had not previously been identified specifically for the Lifestyle Zones because the rules for these zones were included within the Rural Section as a part of the overall rural subdivision strategy. Now that a further review has been undertaken to establish these zones in their own right, it is appropriate that they have their own policy framework as does any other zone.
- 1.2** The Objectives chosen set desired outcomes which if met, will solve or minimise Significant Issues that are identified.

2.0 Issues

- 2.1** Three submission points were received in opposition to the Objectives. Five were received in support while nine were received in support with amendments. Three further submissions were received on the topic.
- 2.2** The main issues raised by submitters can be summarised as follows:

Objective 3

- 2.2.1** One submitter seeks an amendment to recognize that there will be varying requirements for infrastructure within the zone depending on the density of development.
- 2.2.2** Powerco have sought that this Objective includes reference to the security of electricity supply.
- 2.2.3** Bay of Plenty Regional Council requires safety of cyclists to also be considered, for consistency with Outcome 4 of the Regional Land Transport Strategy.

Objective 4

- 2.2.4** Two submitters seek the deletion of this Objective for reasons such as infrastructure costs, maintenance issues with Council, loss of privacy and the potential for complaints from new residents about smells and noises from nearby farming activities which were established first.

- 2.2.5 One submitter has requested that this be amended so that location and design of greenlanes minimises effects on the integrity of ecological features.
- 2.2.6 DOC seeks the addition of an advice note or similar stating that the location of the walkways and bridleways are not prescriptive and the exact position will be determined at the time of subdivision in discussion with landowners.
- 2.2.7 Another submitter has sought the inclusion of walkways and cycleways and associated complexes, as these are mentioned in the Explanatory Statement.
- 2.2.8 One submitter seeks the removal of equestrian farm parks.

Objective 5

- 2.2.9 One submitter believes there should be a reference to a safe residential environment rather than specifically to stormwater.
- 2.2.10 DOC seeks a new Objective to address the potential impact of development on ecological features.

3.0 Options

3.1 Option 1

- 3.1.1 Retain the Objectives as Proposed.

3.2 Option 2

- 3.2.1 Amend Objective 3 by adding to it the following sentence;

“The design of the infrastructure and requirement for amenity shall be appropriate to the density of development and sensitivity of the environment”.

3.3 Option 3

- 3.3.1 Amend Objective 3 so that it reads “...will be safe for pedestrians, and meets anticipated demand...”

3.4 Option 4

- 3.4.1 Amend Objective 3 so that it reads “...will be safe for pedestrians and cyclists...”

3.5 Option 5

- 3.5.1 Delete Objective 4.

3.6 Option 6

- 3.6.1 Amend Objective 4 by adding a reference to ensuring the integrity of ecological features.

3.7 Option 7

3.7.1 Amend Objective 4 by adding an advice note or similar stating that;

“The location of the walkways and bridleways are not prescriptive and at subdivision their location and alignment would be discussed with individual landowners”.

3.8 Option 8

3.8.1 Amend Objective 4 by referring to walkways and cycleways.

3.9 Option 9

3.9.1 Amend Objective 4 by deleting the reference to equestrian farm parks.

3.10 Option 10

3.10.1 Amend Objective 5 by;

Deleting the words “to dispose of stormwater in avoiding effects on the environment due to increased development”

Replacing them with “to create a safe residential environment, minimizing the environmental effects caused by the more intensive development”.

3.11 Option 11

3.11.1 Add a new Objective which addresses the potential impact of development of ecological features.

4.0 Recommendation

4.1 That Objective 3 is amended as follows;

“To provide for a standard of infrastructure, recreational and amenity services that will be safe for pedestrians and cyclists, and that complements the lifestyle character of the area.

4.2 That there is no change to Objective 4.

4.3 That Objective 5 is moved to 16A.2.2 (Policies) and replaced as follows;

~~“To ensure the effective use of geotechnical information to dispose of stormwater in avoiding effects on the environment due to increased development”.~~

“To provide a safe lifestyle living environment free from the risk of land instability and other effects of increased development”.

- 4.4** That a new Objective (6) is added in respect to rural lifestyle character as follows;

“The retention of rural lifestyle character that contributes to the high quality environment of the lifestyle zones”.

- 4.5** That a new Objective (7) is added in respect to ecological features as follows;

“Local ecological features are protected against subdivision and development”.

- 4.6** The following submissions are therefore:

4.7 Accepted

Submission	Point Number	Name
14	2	Department of Conservation (BOP)
49	5, 6	Surveying Services Ltd

4.8 Accepted in Part

Submission	Point Number	Name
35	6	Brett, MM and DR
14	3	Department of Conservation (BOP)
22	1	Gardiner, Hugh
30	4	McCulley, Shirley
58	4	NZ Transport Agency

4.9 Rejected

Submission	Point Number	Name
29	1	Cobb, Ray and Michelle
62	1	Earp, Jacqueline
FS 88	30	Hatton, GW & M Supports 29.1
FS 88	20	Hatton. GW & M Supports 46.1
30	5	McCulley, Shirley
FS 90	9	Milne, Aaron Supports 49.9
57	3	Powerco Limited
46	1	Purves, D & S
49	8, 9	Surveying Services Ltd

5.0 Reasons

5.1 Option 1

- 5.1.1** The Objectives are retained as notified other than in response to Options 4, 10 and 11 for the reasons below.

5.2 Option 2

5.2.1 It is accepted that infrastructure needs to match the density of the area and will only be provided once development necessitates it. This does not warrant becoming an Objective.

5.2.2 In terms of the wording "sensitivity of environment" this has been incorporated into new objectives for rural lifestyle character and local ecological features. It is arguable whether this is within the scope of the submission point; however these are consistent with Significant Issues 3 and 4 and should have been followed through into objectives and policies in the notified Variation for consistency.

5.3 Option 3

5.3.1 Objective 4 from the Subdivision and Development Section already covers this issue.

5.4 Option 4

5.4.1 The safety of both pedestrians and cyclists is important.

5.5 Option 5

5.5.1 Report 3 (Walkways and Bridleways) recommends that these networks are retained.

5.6 Option 6

5.6.1 This option is not directly accepted but is covered by the new Objective relating to local ecological features added in response to Option 11.

5.7 Option 7

5.7.1 An advice note is not appropriate under an Objective. This was instead considered for inclusion under Matter of Control 16A.5.2 (c) which requires the taking and planning of these networks. It was felt however that this could be misinterpreted by developers so was not recommended.

5.7.2 Developers are instead encouraged to meet with Council at subdivision stage to discuss options for walkway and bridleway alignment under the "Package of Plans" approach to determine better outcomes.

5.8 Option 8 and 9

5.8.1 The wording "greenlane" is to be used to cover all of walkways, cycleways and bridleways so is retained.

5.8.2 Equestrian farm parks have also been retained in Objective 4 as there is still a vision to establish these in some way.

5.9 Option 10

5.9.1 This wording was adopted in principle to replace Objective 5 because it reflects an outcome (as an Objective should). It is the intention to provide this outcome of a safe living environment in the midst of potential hazards e.g. instability and stormwater issues.

5.9.2 Existing Objective 5 reads as a policy (action) and supports this outcome so is recommended to be shifted to 16A.2.2 (Policies) rather than deleted. It was simply in the wrong place.

5.10 Option 11

5.10.1 This new Objective on local ecological features provides a desired outcome to Significant Issue 3 and is supported by Policy 3.