

Planners Report 11

Variation 1: Lifestyle Zones and Minden Structure Plan Area

Lifestyle Section – Policies

1.0 Background

- 1.1** Policies 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 Policies employed set courses of action which determine the rules and methods used for achieving the Objectives.

2.0 Issues

- 2.1** 12 submission points were received in opposition to the Policies. 17 were received in support while 26 were received in support with amendments. Eight further submission point were also received on the Policies
- 2.2** The main issues raised by submitters can be summarised for each policy as follows:

Policy	Issues
1	<ul style="list-style-type: none"> - Opposed until Te Puna/Minden Road intersection improved. - Variation should have already considered and provided for effects of the strategic roading network. - NZTA support because it supports land transport provisions of the Regional Policy Statement. - Regional Council wants to add "local roading network". - TCC seek wording "For Minden, this means 97 additional dwellings or allotments".
2	<ul style="list-style-type: none"> - Include a reference to cycleways - Include car/trailer parks, camping facilities and dressage arenas. - Landowners should not have responsibility for provision of walkways, brideways or amenities. - Remove reference to "equestrian connectivity".
3	<ul style="list-style-type: none"> - Add the word "significant" before "landscape". - Replace the word "amenity" with the word "lifestyle". - Support but need to increase numbers off privateways.
4	<ul style="list-style-type: none"> - Use of transferable entitlements imposes additional costs

	<p>on future development without material benefits to community.</p> <ul style="list-style-type: none"> - Subdivision should also be provided through existing subdivision rights from Operative Plan.
5	<ul style="list-style-type: none"> - General support from a number of submitters. - Support but need to increase numbers off privateways. - Prohibitive costs and subsequent access negate purpose of people living in rural environment for its relative peace and privacy. - These benefits should apply to all zones not only the Minden therefore delete the reference to Minden.
6	<ul style="list-style-type: none"> - Reword to "Council shall work with NZTA to ensure potential effects on the State Highway are minimised". - Add "the release of development entitlements should balance the additional pressures on roading catchments with the council lifestyle zone objectives, Managed growth cannot be restricted by existing intersection deficiencies". - NZTA support policy as consistent with transport provisions of the Regional Policy Statement.
7	<ul style="list-style-type: none"> - Add that geotechnical design also mitigates the potential increase of siltation in waterways.
8	<ul style="list-style-type: none"> - Requires change to privateways rules. - Refer to cycleways. - Remove walkways, bridleways and infrastructure. - Add words "to merge into rural landscape character". - Regional Council seek extra wording "whilst taking into account safety and security". - Requires changes to privateway rules.
9	<ul style="list-style-type: none"> - Support as encourages people to stay and make a living in Te Puna. - Policy should be written in the affirmative. - Not required because businesses will fail if not needed in rural environment.
10	<ul style="list-style-type: none"> - Will take up valuable grazing land and disrupt farm practices unless full traffic assessment occurs before subdivision. - Delete as does not ensure traffic issues will be addressed. - Council should co-operate with lobby and NZTA to ensure State Highway intersections can safety accommodate growth. - NZTA supports policy.
11	<ul style="list-style-type: none"> - One submitter points to this policy being inconsistent with minor dwelling provisions. - Another seeks deletion as they feel it repeats Policy 3.
New	<ul style="list-style-type: none"> - Ensure all development takes into account particular cultural significance of the area including appropriate naming and signage.

3.0 Recommendation

3.1 That there is no change to Policy 1.

3.2 That Policy 2 is amended as follows;

"Subdivision, use and development shall provide greenlane ~~walkways,~~ and equestrian connectivity where relevant, and other high quality amenities or, where onsite provision of these amenities is not appropriate, shall integrate these elements into its own design."

3.3 That Policy 3 is amended as follows;

"Subdivision or development shall take into account site constraints including geotechnical, ~~landscape~~ and ecological limitations in determining an appropriate design that delivers a high quality and amenity lifestyle ~~amenity~~ environment."

3.4 That there is no change to Policies 4, 5, 6 and 7.

3.5 That Policy 8 is amended as follows:

"Ensure the layout of roads, ~~walkways, bridleways,~~ greenlanes and infrastructure are undertaken to best complement rural lifestyle character ~~outcomes, merge into the existing rural environment, and ensure safety and security.~~"

3.6 That there is no change to Policies 9 and 10.

3.7 That Policy 11 is amended as follows;

"To maintain the semi-rural feel nature of the Minden through ~~the encouragement of better amenity and ensuring~~ greater dwelling separation."

3.8 The following submissions are therefore:

3.9 Accepted

Submission	Point Number	Name
32	4	Anderton, SG & DS
35	4, 7	Brett, MM & DR
14	4, 5	Department of Conservation (BOP)
22	2	Gardiner, Hugh
38	9	Gravit, Jo
28	4	Gray, AD & MG
11	1, 2	Hart, G & A
34	4	Maunder, RL & JE
FS 90	7	Milne, Aaron Supports 38.9
58	5, 6, 7	NZ Transport Agency
FS 89	1	NZ Transport Agency

		Opposes 12.1
FS 89	5	NZ Transport Agency Opposes 49.14
FS 89	4	NZ Transport Agency Opposes 30.6
33	4	Poole, Duncan
57	4	Powerco Limited
6	4	Regional Council
23	2, 3, 4	Sparks Family Trust
49	13, 17, 18, 19	Surveying Services Ltd
8	1, 2	Wright, Wayne

3.10 Accepted in Part

Submission	Point Number	Name
29	4	Cobb, Ray & Michelle
47	2, 3	Jamieson, Graham
30	4, 7	McCulley, Shirley
FS 90	5	Milne, Aaron Supports 47.2
FS 90	8	Milne, Aaron Supports 47.3
FS 89	2	NZ Transport Agency Supports 24. 2
49	12	Surveying Services Ltd
24	2	Te Puna Heartlands

3.11 Rejected

Submission	Point Number	Name
39	2	Ainsworth Farm Trust
12	1	Carter, Grant
29	2, 3, 5	Cobb, Ray & Michelle
62	1	Earp, Jacqueline
22	3	Gardiner, Hugh
38	7, 8, 10	Gravit, Jo
FS 88	31	Hatton, GW & M Supports 29.2
FS 88	32	Hatton, GW & M Supports 29.3
FS 88	22	Hatton, GW & M Supports 46.3
FS 88	23	Hatton, GW & M Supports 46.4
FS 88	24	Hatton, GW & M Supports 46.5
FS 88	21	Hatton, GW and M Supports 46.2
30	6	McCulley, Shirley
FS 90	4	Milne, Aaron Supports 39.2
FS 90	6	Milne, Aaron Support 9.2

FS 89	3	NZ Transport Agency Supports 9.2
46	2, 3, 4, 5	Purves, D & S
6	3	Regional Council
49	10, 11, 14, 15, 16, 20, 21	Surveying Services Ltd
9	2	Tauranga City Council

4.0 Reasons

4.1 Policy 1

- 4.1.1 Council is currently working with NZTA on solutions for the Te Puna/Minden Road intersection (see Report 1).
- 4.1.2 There are policies on the impacts of local roading in Section 4B – Transportation. This is not a Lifestyle Zone specific issue.
- 4.1.3 The wording “97 additional dwellings” is a rule rather than a policy. Also, this limit has not been deemed appropriate (see Report 12).

4.2 Policy 2

- 4.2.1 The word “greenlane” has been used in place of “cycleways” because a new definition for “greenlane” includes cycleways (see Report 20).
- 4.2.2 Lot entitlements for equestrian facilities have been deleted as this over-incentivized the provision of these features and provided for more subdivision potential than was anticipated. No further incentives should be provided for other features such as car parks and dressage areas for this same reason (see Report 20).

4.3 Policy 3

- 4.3.1 The word “landscape” has been deleted rather than adding the word “outstanding” before it. This is because policies for “outstanding landscapes” are provided under Section 6 – Landscape. This is also because it removes the policy wording around protecting general landscapes which have not been identified, therefore gives effect to submitters concern.
- 4.3.2 The word “amenity” is replaced with the word “lifestyle” as this makes better sense.
- 4.3.3 The reference to equestrian connectivity is retained because Council still anticipates that these features will be provided at a future date.

4.4 Policy 4

- 4.4.1 The Transferable Subdivision Entitlement provisions have been legally established under the District Plan Review and are therefore being retained (see Report 18).

4.5 Policy 5

- 4.5.1 Submitters in support of this Policy.
- 4.5.2 The reference to Minden is retained for now as structure plans have not yet been put in place for other Lifestyle Zones and there is no certainty that the same provisions will apply.
- 4.5.3 Rules for privateways are being established in response to submissions (see Report 7).

4.6 Policy 6

- 4.6.1 Council and NZTA have agreed to this approach of restricting subdivision and development until upgrades are made to the Strategic Roding Network.

4.7 Policy 7

- 4.7.1 This policy has not been changed because the focus of this policy is on managing geotechnical constraints to minimise risk to people and property. Siltation is an issue that should be addressed by Regional Council provisions.

4.8 Policy 8

- 4.8.1 The word "greenlane" has been used in place of "cycleways" because a new definition for "greenlane" includes cycleways (see Report 20).
- 4.8.2 The word "infrastructure" is retained as there is no valid reason to remove it.
- 4.8.3 The wording "merge into the existing rural environment" has been accepted because it aligns with Significant Issue 4 and a new Objective recommended (see Report 10).
- 4.8.4 The wording "and ensure safety and security" has been added in response to the submission from the Regional Council.

4.9 Policy 9

- 4.9.1 Wording is retained (rather than changing to the affirmative) because it makes it very clear what activities are not anticipated.

- 4.9.2 There is no guarantee that businesses will fail if located in a Lifestyle Zone.

4.10 Policy 10

- 4.10.1 Council and NZTA have agreed to this approach of restricting subdivision and development until upgrades are made to the Strategic Roding Network.

4.11 Policy 11

- 4.11.1 Policy 11 focuses on separation distances between dwellings and on maintaining existing rural character as opposed to Policy 3 which focuses on managing constraints. Both policies should be retained. The re-wording of Policy 11 helps with interpretation.
- 4.11.2 The number of minor dwellings is likely to be small as the 20m proximity requirement ensures they are used for their intended purpose. They will not therefore have an impact on rural amenity.

4.12 New Policy – Cultural Values

- 4.12.1 A new policy is not required because historic heritage provisions have not been introduced specifically for the Lifestyle Zones nor have any been recommended. The Historic Heritage Section of the District Plan contains all relevant policies and rules to address the protection of cultural values. This Section will be subject to review under an upcoming Plan Change on heritage sites that Council is working on in conjunction with iwi.