

Planners Report 17

Variation 1: Lifestyle Zones and Minden Structure Plan Area

Lifestyle Section – Subdivision Activity Performance Standards General

1.0 Background

- 1.1 The "General" Subdivision Activity Performance Standards deal with shape factor and lot sizes.
- 1.2 Only the lot sizes were subject to amendments through this Variation. The notified amendments in this case were the reduction of the minimum average lot size in the Minden Lifestyle Zone from 5000m² to 4000m², and the added reference to further reductions available for Walkway and Equestrian Lot Entitlements

2.0 Issues

- 2.1 Six submission points were received which sought amendments to the General Subdivision Activity Performance Standards in Rule 16A.4.2 (a). One submission point was received in general support. Three further submission points were received on this topic.

- 2.2 The main issues raised by submitters can be summarised as follows:

16A.4.2 (a) (i) – Shape Factor

- 2.2.1 The 20m shape factor is not a good way of determining shape. Not many houses are built to this shape and it is impractical on difficult country where there are geotechnical constraints.

16A.4.2 (a) (ii) - Lot Size

- 2.2.2 Minimum lot sizes should be reduced to 2000m² where subdivision can comply with site constraints like geotechnical, landscape etc. There are existing lots between 2000m² and 2500m² in the same area (submitter is referring to the previous Rural-Residential Zone in the Minden Road Area).
- 2.2.3 All Lifestyle Zones should have the same minimum and average lot sizes.

Request for New Activity Performance Standard

- 2.2.4** Bay of Plenty Regional Council request the addition of a new standard (iii) to set subdivision platform levels above the secondary stormwater system flood level.

3.0 Options

3.1 Option 1

- 3.1.1** Retain the General Subdivision Activity Performance Standards in 16A.4.2 (a) as notified.

3.2 Option 2

- 3.2.1** Replace the 20m diameter circle shape factor with a non-circular 300m² building platform area with a "minimum dimension 10m exclusive".

3.3 Option 3

- 3.3.1** Decrease minimum lot size to 2000m².

3.4 Option 4

- 3.4.1** Apply the Minden Lifestyle Zone lot sizes to all other Lifestyle Zones.

3.5 Option 5

- 3.5.1** Add a new standard requiring elevated platforms above secondary stormwater system flood level.

Note: Full wording on page 2 of Bay of Plenty Regional Council Submission (Submitter 6).

4.0 Advantages and Disadvantages

4.1 Option 1: Retain the General Subdivision Activity Performance Standards in 16A.4.2 (a) as notified.	
Advantages	Disadvantages
<ul style="list-style-type: none">• 20m shape factor has been in place for some time in the rural zone without issue.• Reduction in average lot sizes for the Minden Lifestyle Zone to 4000m² allows greater yield, while still being an appropriate average size for lifestyle.• Minimum lot size of 3000m² allows for smaller lot sizes where constraints exist. It also allows for a variation of lot shapes and sizes within a subdivision.	<ul style="list-style-type: none">• Some issues have been raised by submitters (see options below).

<ul style="list-style-type: none"> Both of these are consistent with those which have been previously used for the Rural-Residential Zones. 	
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4.2 Option 2: Replace the 20m diameter circle shape factor with a non-circular 300m² building platform area with a “minimum dimension 10m exclusive”.

Advantages	Disadvantages
<ul style="list-style-type: none"> Submitter contends a 20m diameter circle is not a good way of determining house shape and cannot be utilized in difficult topography where geotechnical constraints and separation of buildings is an issue. 	<ul style="list-style-type: none"> Pre-determining the exact shape of a building site prescribes the type of house that can be built. People (purchasing new lots) may want to build houses that differ from the shapes pre-chosen for house sites by developers. Making changes to a building site later on requires further geotechnical assessment The existing 20m (minimum) shape factor is an indicative area which allows for choice. The 20m diameter is also only a minimum requirement and developers can choose to nominate a larger area if necessary to work around any geotechnical and other issues.

4.3 Option 3: Decrease minimum lot size to 2000m².

Advantages	Disadvantages
<ul style="list-style-type: none"> Submitter believes this would be consistent with other subdivision in the area. Allows more options for lot shapes and sizes in multiple lot subdivisions where constraints exist. 	<ul style="list-style-type: none"> Takes away from the levels of privacy and open space that are expected in a rural lifestyle setting. Contrary to the submitter’s estimate, existing lots in the Rural-Residential Zone have been subdivided to a minimum of 3000m² and average of 4000m² as has been proposed for the Minden. Lot sizes of 2000m² would therefore be substantially smaller than what currently exists.

4.4 Option 4: Apply the Minden Lifestyle Zone lot sizes to all other Lifestyle Zones.	
Advantages	Disadvantages
<ul style="list-style-type: none"> • Would provide a consistent approach across all Lifestyle Zones and with the existing Rural-Residential Zones. 	<ul style="list-style-type: none"> • Structure plans have not yet been prepared for the Lifestyle Zones at Te Puke (except Stage 1) and Katikati, where individual circumstances need to be considered.

4.5 Option 5: Add new standard requiring elevated platforms above secondary stormwater system flood level.	
Advantages	Disadvantages
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • These requirements are already established in Council's Development Code.

5.0 Discussion

5.1 General

- 5.1.1** The first option of retaining the general subdivision activity performance standards is best considered against the merits of the specific changes sought, as discussed below.

5.2 Option 2 – Shape Factor

- 5.2.1** The shape factor rule has been carried over from the Rural Zone where it has worked to date. The 20m diameter circle is an indicative area to ensure a reasonable sized dwelling could be erected and allows more than a reasonable area of 314m² for a house site, while allowing a larger house site if necessary.
- 5.2.2** The circle shape allows people to consider various options for the shape, size and orientation of their house, rather than confining them to a pre-determined shape and hence outcome (possibly chosen by a developer) which may result from accepting Option 2.
- 5.2.3** A further problem of Option 2 is that if people needed to make variations to the pre-determined house site for whatever reason, they would then be required to get geotechnical approval for an extension to that approved building site. These problems can be best avoided by retaining the circular shape.

5.3 Options 3 and 4 – Lot Sizes

- 5.3.1** In Option 3, a reduction of the minimum lot size from 3000m² to 2000m² was requested on the basis that existing lot sizes in the area (Minden Road) were already at this density. This is not the case with a desktop review of lot sizes showing that lot sizes are no smaller than 3000m² and have an average exceeding 4000m² in accordance with previous Rural-Residential Zone rules.
- 5.3.2** Furthermore, a minimum lot size of 2000m² is substantially smaller than what has been intended for the lifestyle zone. One other submitter and further submitter actually seek that the 3000m² minimum is retained.
- 5.3.3** Option 4 makes the point of enquiring why the reduced average lot size of 4000m² has only been applied to the Minden Lifestyle Zone. This is a fair point given the 5000m² average lot size for the Te Puke and Katikati Lifestyle Zones differs from any other requirement in the District Plan.
- 5.3.4** Nevertheless, regardless of whether the change is made or not, it will carry the same effect because the Te Puke (except Stage 1) and Katikati Lifestyle Zones cannot yet be subdivided until structure plans have been prepared. Further, lot sizes remain subject to review to determine what sizes are appropriate for these zones.

5.4 Option 5

- 5.4.1** Council staff consider that the Regional Council's suggested rules are already satisfactorily contained within Council's Development Code – Section 4.5 DS5.

6.0 Recommendation

- 6.1** That NO CHANGE is made to the General Subdivision Activity Performance Standards in 16A.4.2 (a).
- 6.2** The following submissions are therefore:

6.3 Accepted

Submission	Point Number	Name
FS 83	1	Gibbs, Peter Supports 51.2
51	2	Malcolm, PM & JE
FS 90	10	Milne, Aaron Opposes 10.1
FS 89	6	NZ Transport Agency Opposes 10.1

6.4 Rejected

Submission	Point Number	Name
6	5	Bay of Plenty Regional Council
10	1, 2	Carroll, Paul & Jennifer
49	30, 31	Surveying Services Ltd

7.0 Reasons

7.1 Option 1

7.1.1 The General Subdivision Activity Performance Standards for shape factor and lot sizes are recommended to remain unchanged for the reasons below.

7.2 Option 2

7.2.1 The existing 20m diameter shape factor provides a reasonable minimum area of 314m² for a house site while allowing landowners the freedom to choose shape, size and orientation of dwellings.

7.2.2 The suggested 300m² non-circular option, allowing for pre-shaped house sites, would constrain these options for landowners and in the event of any required variations, require further geotechnical assessment.

7.3 Option 3

7.3.1 A 2000m² minimum lot size is substantially smaller than what has been anticipated for the Lifestyle Zone. Existing lifestyle development in the area has been established at the same average and minimum lot sizes as proposed for the Minden Lifestyle Zone.

7.4 Option 4

7.4.1 Lot sizes will be subject to review through structure planning for the other Lifestyle Zones.

7.5 Option 5

7.5.1 Council staff consider that the Regional Council's suggested rules are already satisfactorily contained within Council's Development Code – Section 4.5 DS5.