

Planners Report 7

Variation 1: Lifestyle Zones and Minden Structure Plan Area

General - Miscellaneous

1.0 Background

- 1.1 There were a number of miscellaneous submission points asking for additional rules and initiatives to complement the Minden Structure Plan.
- 1.2 Some of these can be considered under the District Plan; however others will need to be addressed under other Council plans and policies which are subject to review at different times.

2.0 Issues

- 2.1 11 submission points were received of this nature, generating the following options below.

3.0 Options

3.1 Option 1

- 3.1.1 Review private way rules for the Minden Lifestyle Zone, increasing the number of lots allowed on each private way to allow for yield to be met.

3.2 Option 2

- 3.2.1 Delineate existing outstanding landscape feature S3 (Minden Peak and Main Ridgeline) on Planning Maps and in Appendix 2 to include the Minden peak and plateau as described in landscape background S32 report.

3.3 Option 3

- 3.3.1 Add cultural features (as identified in preliminary cultural assessment) into Appendix 3 of the District Plan, with associated rules protecting, enhancing and adequately signing these features.

3.4 Option 4

- 3.4.1 Provide an area within the Structure Plan for smaller and more affordable sections to allow Maori and local community to obtain an area within the Lifestyle Zone.

3.5 Option 5

3.5.1 Establish and maintain the name "Te Rangituanehu" and its associated stories in development contexts and public reserves.

3.6 Option 6

3.6.1 Add rules that outline responsibilities of horse owners.

3.7 Option 7

3.7.1 Give landowners naming rights of walkways and bridleways to encourage them to establish these.

4.0 Discussion

4.1 Option 1 – Privateways

4.1.1 It has been agreed by staff that there is a need to review the existing privateway rules for the Minden Lifestyle Zone due to topographical constraints which may potentially limit yield. The proposed amendments to the District Plan and Development Code are Attachment A to this report.

4.2 Option 2 – Extension of Minden Landscape Feature (S3)

4.2.1 The Minden Peak and Main Ridgeline is scheduled as an outstanding landscape feature (S3) in Appendix 2 of the District Plan and protected under the provisions of Section 6 – Landscape.

4.2.2 As a part of the structure planning process, a landscape and visual assessment (Section 32 Report) was carried out. This divided the Structure Plan into three landscape units. The Minden peak and plateau was one of these landscape units. Council's submission was to adjust the existing outstanding landscape feature (S3) to include this additional area of peak and plateau.

4.2.3 Doing so would move the boundary of the existing feature (S3) south to align directly with Minden Road, as opposed to following contours as it does currently. It would also add a further area to the existing feature (S3) to the south of the Minden lookout east of Junction Road.

4.2.4 The landscape planner who prepared this Section 32 Report advises Council that the peak and plateau identified in this report only aligns with Minden Road because this was the edge of the Structure Plan study area. They also advise that the

purpose of the report was not to re-define the extent of the existing feature.

- 4.2.5** It is therefore recommended that the existing boundaries and description of outstanding landscape feature "Minden Peak and Main Ridgeline" (S3) are not changed.

4.3 Option 3 – Addition of Cultural Features

- 4.3.1** Pirirakau have requested the addition of a number of cultural features to the District Plan, and associated rules for their protection. These features have been identified by Pirirakau in a preliminary cultural assessment undertaken through the structure plan process and are shown on page four of this report.

- 4.3.2** In order for these cultural features to be scheduled under the District Plan (Appendix 3 - Schedule of Historic Heritage Features) they must first be evaluated against the Heritage Criteria of Change 1 to the Bay of Plenty Regional Policy Statement. Council is currently working with iwi on a cultural heritage Plan Change. Assessments of Pirirakau's sites of significance can either be undertaken as a part of this process, or separately under the Minden Variation and incorporated into decisions.

- 4.3.3** Staff have met with and discussed this matter with Pirirakau who are now considering their options in terms of completing these assessments.

4.4 Option 4 – Providing an area for smaller, more affordable sections.

- 4.4.1** Making available affordable housing is not an issue addressed under the Resource Management Act.

4.5 Option 5 – Establishing the name and stories of "Te Rangituanehu" in developments and reserves.

- 4.5.1** The Sparks Family Trust has submitted the following reason for this request (as taken from the summary of submissions).

- 4.5.2** "The name of this important sentinel offers a unique opportunity to consolidate the whole area of Te Puna, not just the Minden Lifestyle Zone, with a reason to be a community. Wherever you live in Te Puna, Te Rangituanehu is part of your landscape. Promoting understanding of, and giving prominence to the history and value of this geographic feature will assist in

connecting those who live on the upland side of SH2 with those who live on the flat. Honoring the name and places and park that the hill range contains will help Te Puna stay as a "green wedge" intended under SmartGrowth. Will also help Te Puna stay connected despite impact of road transport developments".

- 4.5.3** The Kaimai Reserve Management Plan was last reviewed in 2008 and is due for review again in 2013. This will be the opportunity to consider options for recognising and educating the public on the history and importance of "Te Rangituanehu".

4.6 Option 6 - Responsibilities for Horse Owners

- 4.6.1** There are various rules for horse users under Council's "Recreation and Cultural Facilities Bylaw" (2005). Horses are in fact not actually permitted within reserves unless specified by a Council resolution. Where horses are permitted, horse users must have reasonable consideration for other reserve users and avoid damage to surfaces and all other land with those reserves.

4.7 Option 7 – Naming rights for walkways / bridleways

- 4.7.1** It has been requested that landowners be given the rights to naming walkways and bridleways that they provide for the Minden Lifestyle Zone. The suggestion seeks to provide further incentive for landowners to provide these amenities.
- 4.7.2** Naming rights are dealt with under the generic policy sections within each reserve management plan. The process includes consultation with tangata whenua and interested parties, resolution from Council to choose a name, followed by a one month period allowing for public comment.
- 4.7.3** The policy also sets out the parameters under which names are generally chosen. Naming reserves and other amenities after people during their lifetime is generally discouraged. Names associated with deceased persons of significance and other names of historic, geographic or particular local significance are given priority.
- 4.7.4** Because the walkways and bridleways will be linked together over time, it may be some time before a name can be chosen.

5.0 Recommendation

5.1 Option 1

That specific private way rules are introduced for the Minden Lifestyle Zone in the District Plan and Development Code as per Attachment A.

5.2 Option 2

That there are no changes to the boundary or description of existing outstanding landscape feature "Minden Main Peak and Main Ridge Line" (S3).

5.3 Option 3

That the heritage sites of importance to Pirirakau are assessed against the Heritage Criteria in Change 1 to the Regional Policy Statement before inclusion into Appendix 3 of the District Plan.

5.4 Option 4

That there is no affordable housing area added to the Structure Plan.

5.5 Option 5

That opportunities to establish the name "Te Rangituanehu" in reserves are considered under the review of the Kaimai Reserve Management Plan in 2013.

5.6 Option 6

That existing rules for horse users are considered for the Minden Lifestyle Zone once these features have been established (as reserves).

5.7 Option 7

That naming rights are considered under the generic policies of reserve management plans.

5.8 The following submissions are therefore:

5.9 Accepted

Submission	Point Number	Name
11	2, 3	Hart, G & A
65	3	Reyland, Basil
64	3	Reyland, Bruce
8	1	Wright, Wayne

5.10 Accepted in Part

Submission	Point Number	Name
19	3	Pirirakau Incorporated Society
19	7	Pirirakau Incorporated Society
23	1	Sparks Family Trust
69	2	Zingel, Chris

5.11 Rejected

Submission	Point Number	Name
19	9	Pirirakau Incorporated Society
40	8	Western Bay of Plenty District Council

6.0 Reasons

6.1 Option 1

6.1.1 The current restriction of six lots off a private way (with two additional due to constraints) is not appropriate for the Minden Lifestyle Zone which is planned for more intensive development in an area with significant topographical constraints. The current restriction may prevent yield from being achieved.

6.2 Option 2

6.2.1 The purpose of the Landscape Section 32 report was not to re-define the extents of the existing outstanding landscape feature "Minden Peak and Main Ridgeline". Therefore making any boundary changes to this feature would not be justified.

6.3 Option 3

6.3.1 Heritage sites cannot be included in the District Plan until assessment is carried out against the Heritage Criteria in Change 1 to the Regional Policy Statement. When this can be done, depends on the timing and nature of the assessments.

6.4 Option 4

6.4.1 Affordable housing is not an issue addressed under the Resource Management Act.

6.5 Option 5

6.5.1 The review of the Kaimai Reserve Management Plan is the appropriate process under which to consider this issue. .

6.6 Option 6

6.6.1 The existing rules for horse users apply to all reserves. These should be considered for the Minden Lifestyle Zone at a later date when bridleways are established.

6.7 Option 7

6.7.1 Naming rights for reserves are dealt with under the generic policies of reserve management plans.