

**PART 5 ALTERNATIVE SUBDIVISION APPROACHES**

**ALTERNATIVE SUBDIVISION APPROACHES**

**5.1 STATUS QUO**

The “status quo” approach would continue the existing controls which are contained in the Manukau City Operative District Scheme for the Takanini and Ardmore areas, the Papakura City Operative District Scheme for part of the Keri Hills area, and the Franklin County Operative District Scheme for part of the Keri Hills, Ardmore, Hingaia and Karaka areas.

**Advantages:**

- maintains existing controls which people are familiar with
- maintains larger lot sizes with flexibility for future activities
- identifies areas with potential for horticultural development and provides some protection from subdivision to a size which restricts future horticultural use.

**Disadvantages:**

- includes independent economic unit concept which by experience has been shown is not an effective control in that proposed economic uses are not always established. The economic unit concept also suffers from the defect that it cannot accommodate and reflect changing economic circumstances or the effects of global events, e.g tariff barriers etc.
- Council would find itself continually having to consider various proposals for novel economic uses of rural land.
- retains different rules over land of similar character
- difficult to administer
- the 1 hectare intensive use provision (Franklin) has shown to result largely in residential development rather than intensive rural uses.
- does not provide for part-time or hobby farm or lifestyle demand.
- recent Environment Court and Planning Tribunal decisions suggest that a new approach to planning for rural subdivision is needed.

**5.2 MARKET LED**

This approach proposes no control on where subdivision occurs or on the lot sizes. There would be environmental performance controls on the achieving of a stable building platform, access, effluent disposal, stormwater disposal and protection of natural features.

**Advantages:**

- allows the market to determine where subdivision occurs and within the physical constraints of the land (as determined by the Council), what size of lots are required.
- allows a maximising of choice
- provides for control by the Council on development and the associated environmental effects.

**Disadvantages**

- does not provide for the impact on the rural character of an area
- could result in concentrations of smaller lots in specific areas with cumulative adverse impacts on the servicing aspects of closer development
- does not take account of loss of land from rural production
- provides potential for conflict between existing rural use and new residential use of rural land.

**5.3 ECONOMIC UNITS**

This approach is to allow subdivision only for the purposes of providing new lots for economic farming units.

**Advantages:**

- seeks to provide for continued productive use of the rural land resource
- prevents non-productive activities (including residential, rural-residential, etc) being established on productive land.
- provides the Council with control over rural subdivision by it having to confirm information provided to support economic unit concept.

**Disadvantages**

- experience has shown this control is not effective in that proposed economic uses are not always established or have difficulties following subdivision, and associated “bonding” arrangements have been shown to increase the sale prices of the subdivided lots.
- the Council has continually to be considering various proposals for novel economic uses of rural land
- difficult to administer
- tends to dictate the activities which can occur on rural land
- does not provide for the demand for rural lifestyle lots or hobby farms
- can result in rural lifestyle interests buying more rural land than they require so rural land is under-utilised.

#### **5.4 PRESCRIPTIVE ZONING**

This approach is for the zoning of specific areas for certain types of development, that is, hobby farms or part-time farms in specified locations.

##### **Advantages:**

- identifies the areas in which the Council is providing for the various demands to be met.
- can provide servicing advantages by concentrating smaller lots into specified areas.
- can provide protection of areas with special features. For example, character or amenity, productive soils, natural features etc.

##### **Disadvantages:**

- difficult to justify choice of specified areas for development at the expense of the loss of potential development rights in other areas.
- inequitable in conferring development rights on landowners in some areas and not in others.
- limits choice and flexibility
- does not meet the demand for persons wishing to reside in a rural area in that they need to reside within a location more closely settled than desired.
- rural character of areas selected for development is lost
- areas selected for development need to be more closely controlled with respect to environment effects, eg stormwater runoff.

#### **5.5 MAINTAINING EXISTING RURAL LAND SUBDIVISION PATTERN**

This approach is to maintain the existing pattern of rural land subdivision on the basis that there is a variety of lot sizes sufficient for any proposed activities.

##### **Advantages:**

- does not require further consideration of applications for subdivisions until there are clear signs of insufficient existing lots for proposed activities.
- does not result in further fragmentation of rural land.

##### **Disadvantages:**

- does not satisfy demand if existing lots are not available
- does not satisfy demand in areas where demand may exist
- unrealistic in presuming demand can be met in terms of existing lots since experience of continuing demand for subdivisions is evidence against it.

## 5.6 PRESCRIBED MINIMUM LOT SIZES

This approach is to allow rural subdivision to a prescribed minimum lot size across the District or major parts of it.

### Advantages:

- provides certainty to potential subdividers.
- ease of administration for the Council which need not be concerned with land use or activities proposed on the lots.

### Disadvantages:

- does not take account of differences in land characteristics relating to features such as topography, ground soakage, access, etc.
- if not set sufficiently large would remove rural character of the District.
- would result in uniformity of lot sizes across the District and therefore not provide for variety of activities which require a variety of lot sizes.
- need to be confident that lot sizes set will not jeopardise future rural land use options which may be desired.

## 5.7 DEMAND LED

This approach is to allow the creation of new rural lots only when the availability of existing lots falls below a certain level.

### Advantages:

- maintains existing pattern of subdivision
- allows the market to determine when subdivision occurs
- ultimate control by the Council.

### Disadvantages:

- restrictive and limits choice.
- unlikely to be able to react to market changes quickly enough
- requires re-evaluation of where subdivision should be permitted to occur following each subdivision cycle unless there is some provision for staging across the District or in certain areas.
- does not provide for any certainty to individual landowners or to community with regard to how the rural area is to develop.
- difficulty with accuracy of base information and influences upon it.

## **5.8 FLEXIBLE APPROACH**

This approach is to maintain specified minimum and average lot sizes which would provide subdivision to a variety of lot sizes.

In this respect it seeks to recognise the need to maintain larger lots to accommodate current and future rural production activities which require larger lots but also to recognise the need to provide for covered cropping on small lots and also hobby farms and/or lifestyle properties.

### **Advantages:**

- allows a balance to be achieved between maintaining lots of a sufficient size for continued rural production and providing for lifestyle demands to be met.
- provides for rural character of area to be maintained by “scattering” of lifestyle lots.
- provides for hobby farmers on lots of 2 hectares to 4 hectares who do not wish to be on 1 hectares rural-residential areas on hill country nor desiring a larger block for pastoral or horticultural activity.
- averaging provision seeks to ensure that a minimum of rural land is taken up for residential use demands, that is extra land is not included just to meet minimum lot size standards.
- averaging helps protect the character of the rural area by providing for a lower density of development.
- provides flexibility
- removes arbitrary distinction between zones
- equitable and certain

### **Disadvantages:**

- areas which currently include concentrations of smaller lots may need to be excluded in order to avoid further small lots with consequent impact on servicing aspects of the area.
- provides potential for conflict between existing rural uses and lifestyle uses of a more residential nature.
- averaging provision has to be carefully determined on basis of existing lot sizes in the District.

All of the above approaches could include special provisions for matters such as bush lots, existing dwellings, retirement lots, etc.

## **5.9 THE COUNCIL'S APPROACH**

Based on its assessment of the alternatives the Council has decided that the flexible approach is the most appropriate means of achieving the Council's strategy for the rural area and can be developed to include specific average and minimum lot sizes to suit the strategy.

The specifics of the subdivisional regime have been determined by the Council having considered the information which was produced by the Ministry of Agriculture and Fisheries.

That analysis shows dairy farming is unlikely to be a growth industry given the demise of town milk supply and increasing land values. Indeed, given the relatively high costs of production, dairying is likely to become considerably less prevalent in the District in future. Significant growth in greenhouse crops, such as export flowers, can be expected. In considering orchard and horticultural uses, the analysis refers to the need to maintain property sizes at 10 to 12 hectares, although acknowledging that horse training and agistment can be carried out on small lot sizes, as evidenced by the subdivision pattern in Takanini, and covered cropping on even smaller sites accommodating 2,000 to 3,000 square metres in greenhouses.