

# Decision Report

## Plan Change 1 – Rural Contractors Depots

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### Important Note

The Proposed District Plan May 2011 Annotated Version was the current version of the District Plan when Plan Changes 1-27 were notified in November 2011 and this version was therefore used as the base document for preparing the Plan Changes and the Section 32 and Planning Reports.

Since then the District Plan has been made operative (16 June 2012). The Operative District Plan 2012 is now the current version of the District Plan and therefore Plan Changes 1-27 are proposed to change this version only.

For the purpose of understanding how decisions on this Plan Change relate to the Section 32 and Planning Report and to both versions of the District Plan discussed above, this Decision Report is divided into three parts.

Part A contains the decisions made on the topics in the Planning Report and uses the Proposed District Plan May 2011 Annotated Version as the base document.

Part B shows how the full notified Plan Change and subsequent decisions on topics would change the Proposed District Plan May 2011 Annotated Version Base Document.

Part C shows how the full notified Plan Change and subsequent decisions on topics are proposed to change the Operative District Plan 2012.

### Advice to Submitters:

Submitters will be familiar with the rule and map numbers from the Proposed District Plan May 2011 Annotated Version and so should refer to Parts A and B of this report to understand the decisions on their submission points.

However any submitter wishing to make an appeal will need to refer to the rule and map numbers of the Operative District Plan 2012 in Part C and reference these in their appeal.

## Part A: Decisions on Topics in the Planning Report

Any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in [red](#), and any changes resulting from decisions on the topics in the Planning Reports in [blue](#).

### Topic 1: Whole of Plan Change

#### Decision

That Plan Change 1 – Rural Contractors Depots proceed subject to any below changes.

The following submissions are therefore:

## Rejected

Submission	Point Number	Name
39	1	D'Emden, George Allan
FS75	65	Federated Farmers of New Zealand

## Accepted

Submission	Point Number	Name
FS47	2	New Zealand Transport Agency

## Reason for Decision

Provision needs to be made for Rural Contractors Depots as they are integral part of the rural environment.

## Topic 2: Rule 16.3.1(t) – Permitted Activities – Rural Contractors Depots

### Decision

That there is no change to Proposed Rule 16.3.1(t) as notified.

The following submissions are therefore:

## Accepted

Submission	Point Number	Name
45	1	Federated Farmers of New Zealand
FS 79	1	Surveying Services Limited

## Reason for Decision

Provision needs to be made for Rural Contractors Depots as they are integral part of the rural environment.

## Topic 3: Activity Performance Standards Rule 16.4.1(k)

### Decision

That Proposed Rule 16.4.1 (k)(i) be deleted in its entirety.

~~(i) Shall be conducted in an area not exceeding 1000m<sup>2</sup> of which a maximum of 200m<sup>2</sup> shall be of building area.~~

That Proposed Rule 16.4.1(k)(ii) is amended as follows:

~~(ii) The Rural Contractor Depot operation is carried out by a maximum of three persons five persons, a minimum of one who shall reside on the site.~~

That Proposed Rules 16.4.1(k)(iii) and (iv) remain as notified.

That Proposed Rule 16.3.4(k)(v) is amended as follows;

~~(v) The Rural Contractor Depot operation is shall not be located within 60 metres of any existing Dwelling, Minor Dwelling, Education Facility or Accommodation Facility that is located on a title separate to that of the subject site and in different ownership to that of the Rural Contractor Depot operator.~~

The following submissions are therefore:

### Accepted

Submission	Point Number	Name
45	3	Federated Farmers of New Zealand
45	4	Federated Farmers of New Zealand
47	2	Horticulture New Zealand and New Zealand Kiwifruit Growers Incorporated
FS72	1	Ministry of Education
FS75	1	Federated Farmers of New Zealand
FS75	2	Federated Farmers of New Zealand
FS79	2	Surveying Services Limited
FS79	3	Surveying Services Limited

### Accepted in Part

Submission	Point Number	Name
38	1	Western Bay of Plenty District Council
45	2	Federated Farmers of New Zealand
47	1	Horticulture New Zealand and New Zealand Kiwifruit Growers Incorporated

### Rejected

Submission	Point Number	Name
45	5	Federated Farmers of New Zealand
47	3	Horticulture New Zealand and New Zealand Kiwifruit Growers Incorporated
FS74	1	New Zealand Transport Agency
FS75	3	Federated Farmers of New Zealand
FS75	4	Federated Farmers of New Zealand
FS79	4	Surveying Services Limited
FS79	18	Surveying Services Limited
FS79	19	Surveying Services Limited

### Reason for Decision

1. The increase in the number of permitted workers from three to five is consistent with other business establishments in the Rural Zone such as Education Facilities.
2. Rural Contractors Depots have more of a genuine rural location need in the Rural Zone compared with other "rural" Home Enterprise businesses such as accountants and other general service providers.
3. The change in employees from three to five will not lead to a noticeable increase in traffic volumes, as the same number of vehicles are required to service the same number of rural properties i.e. the traffic movements will be on the same roads regardless of the number of depots, where they are located, and how many employees are based at each.
4. The area and building footprint rule is not required as any potential effects are addressed by Rule 16.3.4(k)(v). This is also in recognition that the Rural Contractor may have equipment stored in separate locations on their property. The important aspect is a separation distance to sensitive activities on the neighbouring properties such as dwellings.

## Part B: Changes to the Proposed District Plan May 2011 Annotated Version Base Document

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

That a new Permitted Activity be added to Rule 16.3.1 to read as follows:

- (t) Rural Contractors Depots

That the existing Discretionary Activity under Rule 16.3.4 (g) be amended to read as follows:

- (g) Rural Contractors Depots not meeting Rule 16.4.1(k)

That New Permitted Activity Performance Standards be added for Rural Contractors Depots under 16.4.1 as follows:

- (k) Standards for Rural Contractor Depots:

- (i) The Rural Contractor Depot operation is carried out by a maximum of five persons, a minimum of one who shall reside on site.
- (iii) Does not involve the sale of goods from the site, other than those that are produced on the site.
- (iv) Does not have access within 30 metres of a State Highway or Strategic Road.
- (v) The Rural Contractor Depot operation shall not be located within 60 metres of any existing Dwelling, Minor Dwelling, Education Facility or Accommodation Facility that is located on a title separate to that of the subject site and in different ownership to that of the Rural Contractor Depot operator.

## Part C: Changes to the Operative District Plan 2012

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

That a new Permitted Activity be added to Rule 18.3.1 to read as follows:

- (t) Rural Contractors Depots

That the existing Discretionary Activity under Rule 18.3.4 (g) be amended to read as follows:

- (g) Rural Contractors Depots not meeting Rule 18.4.1(m).

**That New Permitted Activity Performance Standards be added for Rural Contractors Depots under 18.4.1 as follows:**

(m) Standards for *Rural Contractor Depots*:

- (i) The *Rural Contractor Depot* operation is carried out by a maximum of five persons, a minimum of one who shall reside on site.
- (iii) Does not involve the sale of goods from the site, other than those that are produced on the site.
- (iv) Does not have access within 30 metres of a State Highway or Strategic Road.
- (v) The *Rural Contractor Depot* operation shall not be located within 60 metres of any existing *Dwelling, Minor Dwelling, Education Facility or Accommodation Facility* that is located on a title separate to that of the subject site and in different ownership to that of the *Rural Contractor Depot* operator.