

DECISION REPORT

PLAN CHANGE 83 - ACCOMMODATION FACILITY PERMITTED LIMIT

Pursuant to Section 10(1) of Schedule 1 of the Resource Management Act 1991, the District Plan Committee makes the following decisions on the provisions of the District Plan First Review and matters raised in submissions and further submissions to Plan Change 83 – Accommodation Facility Permitted Limit.

The decision is set out as follows:

- Decisions on submissions and further submissions
- Decisions on the provisions of the District Plan First Review

DECISIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS

The purpose of this part of the report is to show the decisions made on submissions and further submissions with reasons.

TOPIC 1: INCREASE THE ACCOMMODATION FACILITY PERMITTED ACTIVITY LIMIT

DECISION

That Plan Change 83 to increase the *accommodation facility* combined Permitted Activity maximum limit to five persons per title be adopted as notified.

The following submissions are therefore accepted:

| Submission | Point Number | Name |
|------------|--------------|---|
| S11 | 4 | Te Puke Economic Development Group |
| S13 | 10 | Horticulture New Zealand |
| S19 | 2 | Federated Farmers Of New Zealand (Inc.) |
| S20 | 5 | NZ Transport Agency |
| S21 | 10 | New Zealand Kiwifruit Growers |
| S21 | 11 | New Zealand Kiwifruit Growers |
| FS33 | 4 | Horticulture New Zealand |
| FS36 | 3 | NZ Transport Agency |

REASONS

Proposed Plan Change 83, provides increased consistency between the District Plan and the Building Act, which allows five persons in a boarding situation before a “change of use” under that Act is required.

The change to the *accommodation facility* provision will provide a small increase in accommodation which would still be considered residential in nature and will assist in a minor way with the current chronic shortage of accommodation for horticultural seasonal workers. It will also enable people to provide rental/boarding/commercial accommodation on a small scale that would be compatible with and complementary to the “usual” residential use of a property, or to establish an *accommodation facility* as a stand-alone business.

Any *accommodation facility* with more than five people and/or not meeting the Activity Performance Standards for an *accommodation facility* will continue to be a Discretionary Activity (with resource consent required including a comprehensive assessment of the effects of the proposal).

The change proposed is the most effective and efficient method to address the inconsistency between the District Plan and the Building Act provisions, and will achieve a good outcome for the District.

DECISIONS ON THE PROVISIONS OF THE DISTRICT PLAN FIRST REVIEW

The purpose of this part of the report is to show the decisions to change the provisions of the District Plan First Review.

Decisions are shown as follows; existing District Plan text in black and decisions in red.

Section 13 – Residential

Amend Rule 13.3.1 Permitted Activities as follows:

- (c) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (h) Accommodation facilities for a combined maximum of five persons (excluding staff).

Amend Activity Performance Standards 13.4.1 General as follows:

(f) Standards for Accommodation Facilities

- (i) Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen facility* or otherwise be self contained;
- (iv) For Discretionary *accommodation facilities*, information is to be provided in accordance with 4A.6.2.

Section 14 – Medium Density

Amend Rule 14.3.1 Permitted Activities as follows:

- (c) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (g) Accommodation facilities for a combined maximum of five persons (excluding staff).

Amend Activity Performance Standard 14.4.2 as follows:

14.4.2 Standards for Accommodation Facilities

In the event of any conflict or inconsistency between these rules and those set out in 14.4.1 above, the content of these rules shall prevail.

- (a) Have a maximum occupancy of ~~four~~ **five** persons at any one time (excluding staff);
- (b) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (c) Must not contain a kitchen or otherwise be self contained;
- (d) For Discretionary *accommodation facilities*, information is to be provided in accordance with 4A.6.2.

Section 15 – Future Urban

Amend Rule 15.3.1 Permitted Activities as follows:

- (f) ~~Accommodation or e~~*Education facilities* for a combined maximum of four persons (excluding staff).
- (j) *Accommodation facilities for a combined maximum of five persons (excluding staff).*

Amend Activity Performance Standards 15.4.1 General as follows:

(d) Standards for accommodation facilities

- (i) Have a maximum occupancy of ~~four~~ **five** persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen* or otherwise be self contained;
- (iv) For Discretionary *accommodation facilities*, information is to be provided in accordance with 4A.6.2.

Section 16 - Rural-Residential

Amend Rule 16.3.1 Permitted Activities as follows:

- (d) ~~Accommodation or e~~*Education facilities* for a combined maximum of four persons (excluding staff).
- (j) *Accommodation facilities for a combined maximum of five persons (excluding staff).*

Amend Activity Performance Standards 16.4.1 General as follows:

(e) Standards for Accommodation Facilities

- (i) Have a maximum occupancy of ~~four~~ **five** persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen* or otherwise be self contained;

- (iv) For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.

Section 17 – Lifestyle

Amend Rule 17.3.1 Permitted Activities as follows:

- (e) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (m) Accommodation facilities for a combined maximum of five persons (excluding staff).

Amend Activity Performance Standards 17.4.1 General as follows:

(d) Standards for accommodation facilities

- (i) Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen* or otherwise be self contained;
- (iv) For Discretionary *accommodation facilities*, information is to be provided in accordance with 4A.6.2.

Section 18 – Rural

Amend Rule 18.3.1 Permitted Activities as follows:

- (h) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (t) Accommodation facilities for a combined maximum of five persons (excluding staff).

Amend Activity Performance Standards 18.4.1 General as follows:

(e) Standards for accommodation facilities

- (i) Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen* or otherwise be self contained;
- (iv) For Discretionary *Accommodation Facilities*, information is to be provided in accordance with 4A.6.2.