

Planning Report

Plan Change 34 – Additional Dwellings - Significant Issues, Objectives and Policies

1.0 Introduction

- 1.1 The purpose of this report is to provide recommendations on submissions to Plan Change 34 – Additional Dwellings - Significant Issues, Objectives and Policies.
- 1.2 Plan Change 34 proposes additional wording to two Significant Issues and proposes the introduction of a new policy to provide guidance, respectively, on why additional dwellings are Non-Complying and under which circumstance it would be appropriate to grant resource consent for these (when essential for productive rural purposes). No changes to the Objectives were proposed as they already generally cover the desired outcomes that the proposed policy and existing rules relating to additional dwellings would achieve.
- 1.3 For a full background to the Plan Change and the proposed provisions please refer to the Section 32 Report. For a list of the proposed provisions only, please refer to the document titled “Summary of Recommendations – All Section 32 Reports”.
- 1.4 Any recommended amendments to rules in this report will be shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this Planning Report in blue.

2.0 Topic 1: Significant Issues 2, 6 and New Policy 11.

2.1 Background

The proposed wording added to Significant Issues 2 and 6 and the proposed new Policy 11 are shown below.

18.1 Significant Issues

2. The *District's* rural land resource (including *versatile land*) is finite and productive capacity has been diminishing as a result of fragmentation into smaller *lots* through subdivision and the establishment of additional dwellings for non productive purposes. There has been increasing pressure for rural residential subdivision or 'lifestyle' use, particularly in close proximity to urban areas where much of the more *versatile land* and horticultural production is located. The challenge is to ensure that subdivision under the District Plan rules, in particular those stipulating

minimum *lot* sizes, results in the productive potential of the most *versatile land* not being compromised.

6. The cumulative effect of the fragmented pattern of rural subdivision and the establishment of additional dwellings for non productive purposes has led to inefficient use of physical resources and a gradual loss of rural character and degradation in rural amenity values.

The historical approach to subdivision within the rural area has been to provide for it throughout the *District* rather than to channel it into particular locations. Housing has traditionally been provided for in a similar way by allowing additional dwellings on lots. The effect of this pepper-pot approach to rural subdivision and the provision of housing was to spread adverse effects on rural amenity and *infrastructure* widely, such that they have been diluted. However, the cumulative effects of the large amount of rural subdivision that has occurred and the proliferation of additional dwellings for non productive purposes is now becoming evident.

18.2.2 Policies

11. Additional dwellings should not be provided for except where these are essential for the management of the land for productive rural purposes.

2.2 Submission Points

Three submission points were in support of the Plan Change while one submission point was in support subject to an amendment. No submission points were in opposition. No further submission points were received.

The main submission points made by submitters are as follows:

- 2.2.1** The Bay of Plenty Regional Council supported the Plan Change because it is consistent with the Bay of Plenty Land Transport Strategy, in particular Policy 38 which reads "Plan the location and design of new development in rural areas to minimise its impacts on the transport system, including transport energy use".
- 2.2.2** Horticulture NZ and NZ Kiwifruit Growers also supported the Plan Change but have requested that a definition be provided for the term "non productive" as follows:

"Non productive means for a use not associated with a rural production activity."

2.3 Option 1 – As proposed – Additional wording to Significant issues 2 and 6 and new Policy 11.

Advantages	<ul style="list-style-type: none"> Clears up most uncertainty surrounding planning issues associated with additional dwellings and the circumstances under which an additional dwelling could be granted resource consent.
Disadvantages	<ul style="list-style-type: none"> The term “non productive purposes” isn’t explicitly linked to rural production and could be misunderstood or misused if taken outside of the context of the Rural Section’s Significant Issues, Objectives and Policies which make numerous references to the likes of “primary production”, “rural production”, “rural production activities” and “productive rural purposes/land uses”.

2.4 Option 2 – As proposed but add a new definition for “non productive” as follows:

“Non productive means for a use not associated with a rural production activity.”

Advantages	<ul style="list-style-type: none"> This suggested definition is likely to resolve the uncertainty surrounding the term “non productive” given that the term “rural production activity” is already used and understood.
Disadvantages	<ul style="list-style-type: none"> Referring plan users to a definition isn’t necessary if the term can be clarified within the Significant Issues, which in this case it can be.

2.5 Discussion

The term “non productive purposes” refers to purposes other than those associated with rural production activities, as pointed out by the submitter. Rentals are one example of a non productive purpose. It would be beneficial to provide the clarification suggested by the submitter, though it would be more appropriate to provide this within Significant Issues 2 and 6, rather than through a definition. It would also be tidier to keep the extra wording to a minimum.

2.6 Recommendation

That the words “for non productive purposes” in Significant Issues 2 and 6 be amended as follows;

“for non rural productive production purposes”

The following submissions are therefore:

Accepted

Submission	Point Number	Name
15	2, 3, 4	Bay of Plenty Regional Council

Accepted in Part

Submission	Point Number	Name
20	1	Horticulture NZ and NZ Kiwifruit Growers

2.7 Reason

The revised wording clarifies that "non productive purposes" refers to purposes other than those associated with rural production activities. The clarification sought by the submitter is recommended within the Significant Issues rather than plan users having to refer back to a definition. The wording differs from that suggested by the submitter to keep the extra wording to a minimum. The term "rural production" is used a number of times in the Rural Section and hence this wording is just as appropriate as referring to "rural production activities".

3.0 Plan Change 34 - Recommended Changes to the District Plan First Review

3.1 The purpose of this part of the report is to show the Proposed Plan Change in full including any recommended changes in response to the submissions and further submissions.

3.2 Recommended changes to the District Plan First Review are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this Planning Report in blue.

3.3 That Significant Issues 2 and 6 are amended as follows;

2. The *District's* rural land resource (including *versatile land*) is finite and productive capacity has been diminishing as a result of fragmentation into smaller *lots* through subdivision and the establishment of additional dwellings for non rural productive production purposes. There has been increasing pressure for rural residential subdivision or 'lifestyle' use, particularly in close proximity to urban areas where much of the more *versatile land* and horticultural production is located. The challenge is to ensure that subdivision under the District Plan rules, in particular those stipulating minimum *lot* sizes, results in the productive potential of the most *versatile land* not being compromised.

6. The cumulative effect of the fragmented pattern of rural subdivision and the establishment of additional dwellings for non rural productive production purposes has led to inefficient use of physical resources and a gradual loss of rural character and degradation in rural amenity values.

The historical approach to subdivision within the rural area has been to provide for it throughout the *District* rather than to channel it into particular locations. Housing has traditionally been provided for in a similar way by allowing additional dwellings on lots. The effect of this pepper-pot approach to rural subdivision and the provision of housing was to spread adverse effects on rural amenity and *infrastructure* widely, such that they have been diluted. However, the cumulative

effects of the large amount of rural subdivision that has occurred and the proliferation of additional dwellings for non productive purposes is now becoming evident.

3.4 That a new Policy 11 is added as follows;

11. Additional dwellings should not be provided for except where these are essential for the management of the land for productive rural purposes.