

Decision Report

Plan Change 67 – Rural Contractors Depots – Setbacks for Sensitive Activities

1.0 Introduction

- 1.1** This report shows the decisions on the topics in the Planning Report and then shows the whole of the Plan Change i.e. how the full notified Plan Change and subsequent decisions on topics are proposed to change the District Plan First Review.
- 1.2** Any changes to rules in the District Plan First Review are shown as follows; existing District Plan text in black, and changes in red.

2.0 Topic 1: Rule 18.4.1 (c) (i) (e) – Setbacks for Rural Dwellings, Minor Dwellings, Accommodation Facilities and Education Facilities

2.1 Decision

That the proposed amendments to the rural yard rules (18.4.1(c)(i)(e)) be retained as notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
8	12	Bay of Plenty Regional Council
FS53	7	Horticulture NZ and NZ Kiwifruit Growers
11	1	Stewart, David and Helen

2.2 Reasons

- 2.2.1** The submitters and further submitter support the amendments.
- 2.2.2** This removes the potential for adverse effects on landowners and reverse sensitivity effects on existing Rural Contractors Depots in most instances, and also avoids creating any unreasonable restrictions on landowners.

3.0 Topic 2: Setbacks for Future Urban & Rural-Residential Dwellings, Minor Dwellings, Accommodation Facilities and Education Facilities

3.1 Decision

That there is no introduction of setback rules within the future urban and rural residential yard rules for dwellings from rural contractor depots in the rural zone.

The following submission is therefore:

Rejected

Submission	Point Number	Name
21	6	Horticulture New Zealand

3.2 Reasons

3.2.1 The existing 5m yards are appropriate for the Future Urban and Rural-Residential Zones as they are both intended for more intensive development.

3.2.2 The introduction of new rules to set back dwellings, minor dwellings, accommodation facilities on Future Urban and Rural-Residential Zones from Rural Contractor Depots is unnecessary. There are very few instances where lots within the Future Urban and Rural-Residential Zones adjoin the Rural Zone as they are often separated by the likes of roads, railways, natural features such as rivers or harbour, and other zones.

4.0 Whole of Plan Change 67 - Changes to the District Plan First Review

4.1 Amend Rule 18.4.1 (c) (i) (e) as follows;

“(c) Yards

- (i) Dwellings, minor dwellings, accommodation facilities, education facilities

Minimum 30m.

Provided that:

A *side* or *rear yard* may be reduced to not less than 10m in one or more of the following circumstances

- (e) Where any new *dwelling, minor dwelling, accommodation facility* or *education facility* (including any

additions or alterations to these) can meet all of the following permitted activity performance standards;

- Shall not be located any closer than 60m to any existing *dwelling, minor dwelling, accommodation facility, or education facility* or *Rural Contractors Depot* that is located on a title separate to that of the subject site and in different ownership;”