

DECISION REPORT

PLAN CHANGE 89 – RURAL CONTRACTORS DEPOTS – SEPARATION DISTANCES

INTRODUCTION

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 to Plan Change 89 – Rural Contractors Depots – Separation Distances.

The decision is set out as follows:

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

DECISIONS ON SUBMISSIONS

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

DECISION

That the Plan Change be retained as notified.

The following submissions are therefore:

Accepted

| Submission | Point Number | Name |
|------------|--------------|----------------------------------|
| 13 | 17 | Horticulture New Zealand |
| 19 | 7 | Federated Farmers of New Zealand |

Accepted in part

| Submission | Point Number | Name |
|------------|--------------|------------------------------------|
| 11 | 6 | Te Puke Economic Development Group |
| 21 | 14 | New Zealand Kiwifruit Growers |

REASONS

The Plan Change as proposed is considered to be the most effective and efficient method to address the confusion regarding application of Rule 18.4.1(p)(v), which requires a Rural Contractors Depot to achieve a 60m separation from existing dwellings, minor dwellings, education facilities or accommodation facilities on adjoining properties not on the same site as the Depot.

In this regard, the plan change (as notified) addresses an issue that has been existing for a number of years, and makes it clear for District Plan users how the performance standard is to be interpreted.

Applying the separation distance rule to dwellings (and other sensitive activities) rather than property boundaries is consistent with the existing rules framework which provides separation between activities.

The distance from the activity is considered to be most relevant because it would allow a rural contractors depot to be closer to the boundary where there are no sensitive activities nearby, and also protects the sensitive activity where they exist.

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 18 – Rural

Retain Activity Performance Standard Rule 18.4.1(p)(v) as notified and set out as follows:

The *Rural Contractors Depot* (including any associated vehicle accessways, driveways, vehicle parking and/or manoeuvring areas) shall not be located within 60 metres of any existing or consented 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 Contractors Depot* operator.

Retain Activity Performance Standard Rule 18.4.1(c)(i)(e) as notified and set out as follows:

(c) Yards

(i) Dwellings, minor dwellings, accommodation 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 or consented *dwelling, minor dwelling, accommodation facility, education facility, rural contractors depot* (including vehicle accessways, driveways, vehicle parking and/or manoeuvring areas associated with a rural contractors depot), or approved building site assessed as part of a subdivision in accordance with Rule 12.4.1(b), that is located on a title separate to that of the subject site and in different ownership;...