

APPENDIX 1A - Support for Rural A Rezoning

Submitter Name: Peter Roy Warnock

Submission No: 3

Summary:

I support the proposal for minimum of 10 hectare lot size. Class I and Class II land should not be subdivided below 10 hectares.

Decision Sought: 1. I ask Council to make the 10 hectare minimum lot size change.

Submitter Name: John Smart

Submission No: 4

Summary:

- Submitter supports the minimum lot size of subdivision of 10 hectares for the Rural A zone.
- The Proposed Plan is not clear about what is the effective date for these changes are. The submitter is concerned that subdivision will occur before the Proposed Plan is approved.

Decision Sought:

1. Clause 3.4.1(h) be extended to say 'being 1 May 2014" at the end.
2. That clause 3.4.2(c)(ii) be extended with the following words "any subdivision requested after this date will not be permitted to have a dwelling"
3. 11.5.4 be effected from 1 May 2014.

Submitter Name: Allan Royce Anderson

Submission No: 5

Summary:

Submitter supports Plan Change 36. Subdivision of Class A land should be retained for agriculture, close subdivisions of non-serviced units render waste disposal unsustainable; already regular heavy transport user field complaint from lifestyles.

Decision Sought:

1. No change.

Submitter Name: Garland William Saunders

Submission No: 7

Summary:

Submitter supports the purposed allotment subdivision of small sections, off present land titles, as a one off event between 2500m² and 5000m² that would not apply to future subdivision. Submitter supports the 10 hectare minimum lot size. I would like to see entry costs for allotments set at a standard low cost to encourage up take of these rather than the 10 hectare blocks.

Decision Sought: That entry costs for allotments set at a standard low cost.

Submitter Name: Sue Huijs

Submission No: 12

Summary: The submitter supports the new changes. It is very important to protect rural, fertile soils for the future.

Decision Sought: No Change requested

Submitter Name: Alan Davison

Submission No: 19

Summary: Submitter Supports Rural A Zone changes 3.3.5 - 3.3.8 to protect the best soils and rural activities are not affected by lifestyle properties.

Decision Sought: No change requested.

Submitter Name: Margaret and Alan Cooper

Submission No: 20

Summary: Submitter generally supports the protection of Class I and II land for future productive use.

Decision Sought:

1. Preservation of Class I and II land.
2. If house are permitted to be cut off, balance area should be amalgamated to neighbouring properties.

Submitter Name: Clive Parnell Gibbard

Submission No: 67

Summary: I support the 10 hectare minimum lot size for subdivision on some Class I and Class II land.

Decision Requested: Proceed with the proposed plan change.

Council Decision:

That Submission 3 by Peter Roy Warnock, 4 by John Smart, 5 by Allan Royce Anderson, and 7 by Garland William Saunders, 12 by S Huijs, 19, by A Davison, 20 by M and A Cooper and 67 by CP Gibbard be **Accepted in Part**.

No amendments are made as a result of these Submissions.

Council Reasons for Decision:

1. The submissions in support of PC36 are noted and appreciated by Council.
2. The boundaries of the Rural A Zone are recommended to be adjusted through other submissions to the Plan Change, however these do not alter the fundamental objective of PC36 which is to recognise and protect the versatility of Class I and to a lesser extent Class II land, whilst also providing for a range of rural activities.

Submitter Name: Rural Community Board

Submission Number: 27

Summary:

- The submitter supports the objectives and policies of the proposed Plan change. The Board is pleased with the level of consultation provided over Proposed Plan Change 36 - Rural Zone. Public interest from the rural community has been high with a number of approaches to the Board members.
- The Board strongly supports the management and preservation of Class 1 and Class 2 soil resource and retaining it for productive purposes. The Board notes managing soil resource in this manner is consistent with the principles of the Rural Enterprise Project which promotes the intensification of high-value food production using Wanganui's best soils and climate regime.
- The objective is to significantly lift Wanganui's income through exports to the world's emerging and discerning markets, a key selling point is grown in a soil based (natural) clean environment. The value will also manifest itself in employment in food processing, transport, buildings, and management services.
- Reverse sensitivity is an issue and is exacerbated with an increase in lifestyle. The Board asks that Council work in a positive and supportive way with specific farms within the rural sector when issues of reverse sensitivity are raised, specifically around intensive agricultural production.
- The Board acknowledges the efforts already made to mitigate reverse sensitivity through the creation of the Rural A Zone.
- Damage to rural roads as a result of increased forestry activity can be mitigated in the future through a number of methods, including local, regional and national arrangements.

Decision Sought:

1. That Council implement policies that support reverse sensitivity.
2. That Council consider building the issues of damage to rural roads from increased forestry activity into the District Plan.

Further Submitter Name: Transpower NZ Ltd

Submission Number: FS5.2

Supports Decision point 1

Reason: Agrees that reverse sensitivity effects need to be managed and extended to address direct adverse effects.

Council Decision:

That Submission 27 by Wanganui Rural Community Board and Further Submission 5.2 by Transpower NZ Ltd be **Accepted in Part**.

No amendments are made as a result of this submission.

Council Reasons for Decision:

1. It is noted that the Rural Community Board supports the objectives and policies of the Plan Change. The Submitter identifies reverse sensitivity is an issue facing the rural environment and acknowledges efforts made to address this through the creation of the Rural A Zone.
 2. Issues relating to damage of rural roads from increased forestry activities are acknowledged. These issues are better addressed through the Long Term Plan rather than under the Act and District Plan.
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Submitter Name: Ridgway Trust

Submission No: 69

Summary:

- Strongly supports Proposed Plan Change 36 with modifications.
- Wanganui's land resource is largely rolling-to-steep in topographical terms with most soils having low fertility. However, there are inliers of high quality Class I and Class II land.
- Wanganui's District is blessed with a temperate climate suitable for growing a wide range of food and fibre. This combination is unusual in New Zealand.
- The last half century has witnessed an acceleration of buildings constructed on quality soil. Currently 15 to 20% of Wanganui's Gross Domestic product is derived from our agriculture resource and the potential for the largest increase in this lies with better use of, and more intensive and valuable production from our best soils.
- John Dymond a Landcare Research Senior Scientist has warned against further fragmentation of rural land. "Fully one-tenth of New Zealand's most productive land has already been converted to lifestyle sections and this has increased rapidly in the last 10 years". Dymond goes on to say "smallholders overall did not engage in high levels of production once subdivided, the land was generally unlikely to return to economic for production".
- Reverse sensitivity is anecdotal, but real. Conventional scale farmers talk of instances of pressure to cease aspects of, or their total operation. Agrichemical application, fertiliser spreading, livestock effluent disposal etc. lead to tensions between lifestyle dwellers and more conventional farmers.
- Neighbour behaviour can have unintended negative economic impacts. This might be as little as unwanted shading of ground or as large as significant bird and insect damage to crops facilitated by a neighbour's tree planting programme.
- Increased subdivision has the potential for the demand and cost implications of urban services such as water, wastewater, rubbish collection and increased road maintenance.
- The submitter argues that allowing smaller titles will not necessarily mean rates take will increase, as spread of development is not making use of our existing services, and conversely creating demand for more.
- The submitter argues that the 'one off' provisions for further subdivision on already approved lots (as of 1st May 2014) smaller than 10 hectares be removed.
- The submitter argues that the 10 metre minimum distance from boundary for tree planting should apply to all trees within the Rural A zone, closer than this can lead to issues when properties are sold.

Decision Sought:

1. Supports the restriction of the defined Class I and Class II land.

2. Seeks the removal of the "one off" subdivision for lots less than ten hectares that are subject to the 1st May 2014 exemption.
3. That all trees plantings on boundaries are subject to the 10 metre set back in the Rural A Zone.

Further Submitter Name: Horticulture NZ

Submission No: FS3.7

Opposes Submission 69

Summary: To ensure that there is adequate provision for orchard trees and shelterbelts to be established, particularly in the Rural A zone, where Council promotes use of land for high value production. The changes sought would limit the optimum use of that land.

Council Decision:

Submission 69 by Ridgeway Trust and Further Submission 3.7 by Horticulture NZ be **Accepted in Part.**

Make the following amendments as a result of these Submissions.

Amend Performance Standard 3.5.8 Trees to read:

- a. *No-shelter belt shall exceed 4 metres in height-*
- b. *Trees shall be planted to ensure that at maturity, the base of the tree shall fit within a recession plane which commences at 2 metres above existing ground level at least 2 metres from any boundary and then projects from this line inwards at a 45 degree angle;
Except that this standard does not require any tree to be planted more than 10 metres from a boundary.*

Council Reasons for Decision:

1. The Submitter's support is acknowledged and appreciated in relation to the importance of protecting versatile soils and Class I and Class II Land. It is noted that the Submitter recognises an increased trend in lifestyle development and reserves sensitivity within the rural environment.
2. The one-off subdivision rule was introduced through the consultation process. Concerns were raised around farmers wanting to sell off the farm and still retire on the block of land. This enables owners of properties comprising more than 10 hectares to sell off a smaller block e.g. to retire on. This allows for some flexibility within the Rural A Zone.
3. Other submitters (Federated Farmers and Horticulture New Zealand) have opposed the tree rule 3.5.8 and sought amendments to provide for other trees such as orchard trees to be planted closer to boundaries where effects are mitigated or closer where neighbours agree. This approach is likely to be more effective than a blanket rule as proposed by Ridgeway Trust.
4. In relation to decision point 3, a more flexible approach to tree planting setbacks was preferred to limit loss of productive use of land in the Rural A Zone. .

Submitter Name: Wanganui District Council

Submission No: 54

Summary:

- Rename each zone as the proposed names are potentially confusing for Plan users.
- Include Residential activities excluding Residential Care Facilities as this enables residential activities to occur in the rural area.
- To change the wording in 3.4.1(e) and 3.4.3(b) to be consistent with the wording in 3.5.10(b).
- To clarify that 3.5.2 applies to all adjacent properties.
- To clarify that rules 3.5.8(b), 3.7.5(b) and 3.9.8(b) applies to all other trees other than Shelter Belts and Forestry.
- As the rules 3.4.1(h) and 3.8.1(e) are currently written there is a risk of consents being granted for subdivision which will create substandard lots requiring resource consent to build a single dwelling. This is contrary to the intention of the rule which is intended to provide for dwellings on substandard lots created before the rules take full effect.
- 5000m² minimum site area is constant with the Horizons One Plan. Maximum site area of 1 ha is included to ensure protection of Class 1 and Class II land.
- The table in 3.11.6 is a double up from the subdivision section. Having the table in two different sections is unnecessary and confusing for users.
- The submitter seeks that 3.4.2(c)(ii) and 3.10.2(b)(ii) be constant with the wider rural area. To achieve urban design outcomes are unnecessary.
- Two metres for antenna dishes is constant with the reviewed section of the plan.

Decision Sought:

1. That the Rural A be renamed Rural Soil Protection Zone, Rural B be renamed Rural Living Zone and Rural C be renamed Rural General Zone.
2. That 'Residential activities – excluding Residential care facilities' be included under Permitted Activities in the Rural A, Rural C and Rural Settlement zones.
3. That the words 'not exceeding' replace 'less than' and 'up to' in 3.4.1(e) and 3.4.3(b) respectively.
4. That the word 'property' replace 'zone' in 3.5.2.
5. That the word 'other' replace the word 'ornamental' in 3.5.8(b), 3.7.5(b) and 3.9.8(b).
6. That 'received before the date decisions on Plan Change 36 are released' replace the words 'granted on or before 1st May 2014' in 3.4.1(h) and 3.8.1(e)
7. That the words 'minimum of 5000m² site area maximum of 1 hectare site area' replace the words 'minimum site area of 2500m² and a maximum of 5000m² site area' in 3.4.2(c).
8. That the following text and table be removed from 3.11.6.

Sealed vehicular access shall be provided and formed to the widths detailed in the following table:

| <i>No of Units</i> | <i>Minimum</i> |
|--------------------|-------------------|
| <i>Served by</i> | <i>Width</i> |
| <i>Access</i> | <i>of Access</i> |
| <i>1 - 3</i> | <i>3.6 metres</i> |
| <i>4 - 6</i> | <i>6.5 metres</i> |
| <i>7 or more</i> | <i>Road</i> |

9. That the words 'ability of the site to achieve quality urban design outcomes' are removed from 3.4.2(c)(ii) and 3.10.2(b)(ii).
10. That '2 metres' replace '3 metres' in 3.5.5 and 3.9.5.

Further Submitter Name: Horticulture NZ

Submission No: FS3.3

Opposes decision sought for Point 1 and 5, but Supports decision sought for point 9.

Reasons:

1. Not appropriate to create a zone for the purpose of 'soil protection' so renaming as proposed in Submitter decision point (1) not supported.
2. In relation to rules 3.5.8(b), 3.7.5(b) and 3.9.8 (b) the further submitter seeks provisions that enable orchardists the ability to utilise land for horticultural purposes. The tree planting rules restrict the use of land for that purpose as proposed by submitter point 5.
3. In relation to 3.4.2(c)(ii) and 3.10.2 (b) ii), and submitter point 9. Urban design outcomes are not appropriate for the rural zones.

Council Decision:

Submission 54 by Wanganui District Council and Further Submission FS3.3 by Horticulture NZ be **Accepted in part**.

Make the following changes to the Plan as a result of these submissions:

Replace all references in the Plan to the Rural A, B and C zones with reference to *Rural Production, Rural Lifestyle and Rural General* zones respectively.

Include the following as a Permitted Activity in rules 3.4.1 and 3.8.1

"Residential activities excluding residential care facilities"

Amend Rules 3.4.1(e) and 3.8.1(e) read:

Retail activities not exceeding 75m² gross floor area.....

Amend Rules 3.4.3(b) and 3.8.3(b) read:

Retail activities not exceeding 75m² gross floor area adjoining a state highway.

Amend Rule 3.4.2(c) to read:

- c. *Subdivision to create one allotment with a minimum site area of 5000m² and a maximum site area of one hectare-site area....*

Amend Rules 3.4.2(c)(i) and 3.10.2 (b) ii) to read:

Council restricts its discretion to the following matters:.....

- *Impact on the character of the surrounding area, ~~ability of the site to achieve quality urban design outcomes.~~*

Amend Rules 3.5.2(a), 3.9.2(a) and 3.11.2(a) to read:

Artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in any other adjacent property

Amend Rule 3.5.5(b) and 3.9.5(b) to read

New structures shall be a minimum of 10 metres from any site boundary (except fences less than ~~three~~two metres high.....

Amend Rules 3.5.8, 3.7.5 and 3.9.8 relating to trees to read:

- a. *No shelter belt shall exceed 4 metres in height.*
- b. *Trees shall be planted to ensure that at maturity, the base of the tree shall fit within a recession plane which commences at 2 metres above existing ground level at least 2 metres from any boundary and then projects from this line inwards at a 45 degree angle;*
Except that this standard does not require any tree to be planted more than 10 metres from a boundary.

Delete Rule 3.11.6 Access.

Amend the Note at the start of Section 11.4 to read:

Note: The following provisions only apply to subdivision and land use activity in the Residential, Rural Production, Rural Lifestyle, Rural General and Rural Settlement, Neighbourhood Commercial and Reserves and Open Spaces zones

Council Reasons for Decision:

1. The intention to rename the rural zones to clarify the distinction in function and character between each zone is not contested. The Committee considered that a more appropriate name for the Rural A Zone is 'Rural Production Zone', and consequential changes to the names of the other rural zones to change Rural B Zone to Rural Lifestyle, Rural C Zone to Rural General.
2. For completeness it is appropriate to also make the same text changes promoted in WDC decision point 3 for rules 3.8.1(e) and 3.8.3(b), even though not specifically requested, it is within the range of intended outcomes for this submission.
3. In relation to decision point 4, the Committee considered that it also made sense to change reference to 'property' rather than 'zone' in the Rural General and

Rural Settlement zones by amending Performance Standards 3.9.2(a) and 3.11.2(a).

4. It is accepted that urban design outcomes are not appropriate considerations within the rural zones.
5. In relation to Decision point 6, reference to 1st May 2014 in rules 3.4.1, 3.4.2 and 3.8.1, it is accepted as impractical and unenforceable to apply rules which limit service connections or subdivision of sites of less than 10 hectares to only those in existence at 1st May 2014. This amendment to the plan change will result in greater loss of productive land but only for a finite set of properties. It is noted that subdivision does not necessarily, of itself, cause loss of productive capability for the future, but erecting a dwelling and providing urban service connections do.
6. Deletion of the table in Rule 3.11.6 is supported as it is a double up of a rule already in Chapter 11 Subdivision and Infrastructure, and reference to Rural Production zone has been added to the Introductory note in Section 11.4, as a minor amendment under Clause 16 First Schedule Act.
7. The submission from Horticulture NZ about restrictions on trees is noted. The concern in relation to trees at boundaries is essentially reduction of visibility at road boundaries caused by large trees and overhanging branches. It is not intended to capture productive tree crops where this effect is not present. The Committee revised the proposed rules to take account of the variety of trees planted in the rural zones.

Submitter Name: Kevin and Carol Battersby

Submission No: 60

Summary: No comment on Proposed Plan Change 36 made.

Decision Sought:

No remedy sought.

Council Decision:

That Submission 60 by Kevin and Carol Battersby is **Rejected**.

No amendments are made as a result of this Submission.

Council Reasons for Decision:

This Submission relates to Plan Change 37 – Papakainga only. The Submission has been dealt with in that Plan Change hearing and decision process.