

7.5 Allow 1 hectare lot subdivision on sites already under 10 hectare minimum.

Submitter Name: Derek Alexander Priest

Submission No: 23

Summary:

Submitter seeks land already below 10 hectares to be subdividable. Land was purchased to subdivide.

Decision Sought: That land below 10 hectares to continue to be able to be subdivided.

Submitter Name: Donald George Kilpatrick

Submission No: 24

Summary:

Submitter oppose the 10 hectare minimum lot size for properties under 20 hectares. Submitter opposes 1 dwelling pre 10 hectare site area.

Decision Sought:

1. That a 4 hectare minimum lot size to be adopted.
2. That 1 dwelling per 4 hectares be allowed, exemptions be made for family circumstances.

Submitter Name: Rhonda Lynette Campbell

Submission No: 37

Summary: Submitter opposes the Rural A zone and a restriction of 1 dwelling per allotment. This is unfair and land owners will lose their current rights.

Decision Sought:

1. That two dwellings per 1 hectare or larger be permitted.
2. That existing lots less than 20 hectares be permitted to subdivide to 1 hectare.
3. Failing the above, existing landowners should be exempt from the restrictions until the property is sold.

Further Submitter Name: Keith Hey (368 Blueskins Rd)

Submission No: FS6

Supports the entire submission

Reason: Democratic rights of existing owners to govern their land use under the existing council rules at time of purchase.

Further Submitter Name: BR and JH Erni (290 Blueskins Rd)

Submission No: FS7

Supports the entire submission

Reason: Allow 2 dwellings per 1 hectare in case of need to care for family member. Better at home than in care.

Submitter Name: Keith Marshall Hey
Submission No: 39

Summary: Submitter opposes the 10 hectare minimum lot size for properties that are less than 10 hectares and one dwelling per allotment.

Decision Sought:

1. That all existing properties that are 20 hectares or larger should be restricted to 10 hectare minimum lot size.
2. That all existing properties that are less than 20 hectares be permitted to subdivided down to 1 hectare.

Submitter Name: Wilfrid Luke Emmett
Submission No: 50

Summary:

The submitter would like to see the 10 hectare minimum lot size lifted to 20 hectares. For people with uneconomic blocks under 10 hectares and surrounded by 1 hectare blocks they should be able to subdivide as neighbours have.

Decision Sought:

1. A 20 hectare minimum lot size restriction.
2. Existing small blocks be able to subdivide to 1 hectare minimum.

Submitter Name: Allan and Glenna Allott
Submission No: 53

Summary:

- The submitter seeks existing blocks below 10 hectares be allowed to be subdivided to 1 hectares. The submitter opposes the provision as smaller blocks will not become part of 10 hectare lots.
- The submitter wishes to be able to do a boundary adjustment and amalgamation with neighbouring properties without needing a Non-complying consent.

Decision Sought:

1. That existing lots less than 10 hectares to be able to subdivide down to 1 hectare.
2. That a boundary adjustment or amalgamation not be classed as a non-complying activity.

Further Submitter Name: L and B Graves
Submission No: FS4A.1 – 4A.4

Supports submissions 23, 39, 50 and 53

Reasons: Traffic on Rapanui Rd is principally generated from Mowhanau.

The Rural A zoning will cause: a significant drop in property values for properties comprising 2 – 20 ha, take away individual rights and limit options for those wanting smaller blocks. The land classification is not accurate for many blocks. Small block owners plant trees, use less sprays, are environmentally friendly, don't use land just

for income, often improve soil quality. Many rural communities are dying, rural block owners need to realise living in an industrial environment that operates 24/7 365 days a year and not complain. Vital that council balance the costs and benefits. Current proposal will mean costs, financial and lifestyle for many who gain nothing.

Officer Comments:

1. In relation to further submissions FS4A.1 – 4A.4, they do not strictly apply to these submissions as no submitter has requested their land be rezoned Rural C. The submitter has sought additional decisions which are not within the scope of a further submission.
2. The matters raised in the further submissions FS4A.1 – 4A.4 have little bearing on the decision to rezone the submitter's properties, as the principal consideration is the quality of the land for production. It is noted that significant areas of Class I land are located in and around the submitter's property at 527 Rapanui Road.
3. In relation to further submissions 6 and 7, section 10 of the RMA provides for existing uses to continue when the District Plan changes. No other right exists to enable people to continue to benefit from previous regimes, just because they purchased to benefit from specific regulation. Two dwellings per hectare would be directly contrary to the sustainable management of our most versatile soil resource which exists only in the areas proposed for Rural A zoning.
4. The Rural A zone has been targeted at areas that comprise of Class I and some of the District's Class II land, which are extremely important natural resources for Wanganui, as well as New Zealand.
5. The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources; including, safeguarding the life-supporting capacity of air, water, soil and ecosystems. Wanganui is fortunate to have areas of Class I and Class II land as well as a good climate. This is a rare combination in New Zealand.
6. In addition, the Act requires District Plan provisions 'give effect' to the Regional Policy Statement (section 75(3)). The Regional Policy Statement (RPS) is the main vehicle for interpreting and applying the sustainable management requirements of the Act in a local context, and in this regard, guides the development of lower tier plans, including the District Plan.
7. Horizons Regional Council's One Plan is relevant to PC36 as it includes requirements to prioritise Class I and Class II land when planning for growth and development.
8. The relevant One Plan provisions state:
*"Objective 3-1C:
To ensure that territorial authorities consider the benefits of retaining Class I and II versatile soils for use as production land when providing for urban growth and rural residential subdivision."*
*"Policy 3-3B:
In providing for urban growth and rural residential subdivision (lifestyle blocks), Territorial Authorities must place priority on:*

- a. the retention, as far as is reasonably practicable, of Class I and II versatile soils for use as production land, and
- b. considering the consolidation of existing or partly developed areas before opening up new areas to urban development.”

9. The Council has been silent on this issue in the past which has led to a trend of increasing lifestyle and residential development on this versatile land.
10. To allow existing blocks less than 20 hectares to subdivide down to 1 hectare would undermine the intention of this Plan change. Reverse sensitivity can arise as small allotments result in an increase in dwellings, which can have a flow on affect to neighbouring properties.
11. Allowing more than one dwelling as a permitted activity also has the potential to create reverse sensitivity issues. The proposed Plan Change does not prevent a second dwelling from being built on a property; it states a resource consent must be obtained to do so. Consideration can then be given to the likely effects on the environment.
12. In response to Submission 50 by Wilfrid Luke Emmett; as the minimum lot size is proposed to be 10 hectares, it would be against the principle of natural justices to recommend an increase of double what is proposed without clear justification to do so.

Officer Recommendation:

That Submission 23 by Derek Alexander Priest, Submission 24 by Donald George Kilpatrick, Submission 37 by RL Campbell, Submission 39 and Further Submission 6 by KM Hey, Submission 50 by Wilfrid Luke Emmett, Submission 53 by Allan and Glenna Allott and Further submissions FS4A.1 – 4A.4by L and B Graves, FS7 by BR and JH Erni and FS8 by MS Abbott be **Rejected**.

No amendments are recommended as a result of these Submissions.

Submitter Name: Quentin Handley
Submission No: 64

Summary:

The submitter supports the Rural A Zone in principle however the 'one off' subdivision for lots larger than 10 hectares should also apply to existing lots less than 10 hectares.

Decision Sought: That existing lots less than 10 hectares have the ability to do the one off subdivision.

Submitter Name: Peter Bridgland
Submission No: 73

Summary:

The submitter supports the proposal.

The submitter seeks the one off subdivision provision to relate to Rural A blocks that are less than 10 hectares. This will provide flexibility for small land owners and fairness to all Rural A landowners not just those over 10 hectares.

Decision Sought: That existing lots less than 10 hectares have the ability to do the one off subdivision.

Officer Comments:

1. The Rural A zone has been targeted at areas that comprise of Class I and some of the District's Class II land, which are extremely important natural resources for Wanganui, as well as New Zealand.
2. In addition, the Act requires District Plan provisions 'give effect' to the Regional Policy Statement (section 75(3)). The Regional Policy Statement (RPS) is the main vehicle for interpreting and applying the sustainable management requirements of the Act in a local context, and in this regard, guides the development of lower tier plans, including the District Plan.
3. Horizons Regional Council's One Plan is relevant to PC36 as it includes requirements to prioritise Class I and Class II land when planning for growth and development.
4. The relevant One Plan provisions state:
*"Objective 3-1C: Urban growth and rural residential subdivision on versatile soils
To ensure that territorial authorities consider the benefits of retaining Class I and II versatile soils for use as production land when providing for urban growth and rural residential subdivision."*
*"Policy 3-3B: Urban growth and rural residential subdivision on versatile soils
In providing for urban growth and rural residential subdivision (lifestyle blocks), Territorial Authorities must place priority on:
a. the retention, as far as is reasonably practicable, of Class I and II versatile soils for use as production land, and
b. considering the consolidation of existing or partly developed areas before opening up new areas to urban development."*
5. The Council has been silent on this issue in the past which has led to a trend of increasing lifestyle and residential development on this versatile land.
6. Allowing a one off subdivision for all existing properties less than 10 hectares would significantly increase the density of development across the Rural A zone. It would likely reduce the land safeguarded for future productive activities and further fragment the land, potentially increasing the risk of reverse sensitivity issues for surrounding productive farms.
7. This is contrary the objectives and policies proposed through this Plan Change.

Officer Recommendation:

Submission 64 by Quentin Handley and 73 by Peter Bridgland be **Rejected**.

No amendments are recommended as a result of this Submission.
