

PROPOSED PLAN CHANGE 60

RURAL LAND USE AND SUBDIVISION

Notified 30 January 2016

EXECUTIVE SUMMARY

Purpose of the Report

This Report is prepared under Section 42A of the Resource Management Act 1991 (RMA) to advise on matters raised in submissions following the public notification of Proposed Plan Change 60 Rural Land Use and Subdivision.

Proposed Plan Change 60 (the Plan Change) makes amendments to many provisions within the Tasman Resource Management Plan that affect rural land use and subdivision opportunity. Submitters have requested a number of improvements to this proposed Plan Change. These requests have been evaluated and many of them have been recommended to Council as improvements.

Background

The Plan Change was notified on 30 January 2016 and was open for written submissions until 14 March 2016. During this time the proposed Plan Change was made publicly available. Staff and Councillors presented an overview of the content of the Plan Change at three public meetings in Wakefield, Motueka and Takaka. A total of 145 written submissions were received on the Change.

The notified Proposed Plan Change was the outcome of the Council's review of the rural subdivision and land use objectives, policies and rules. The review process included a Plan effectiveness evaluation in 2012, community issues and options discussion in 2005 and 2013, and public discussion and responses to a Draft Plan change in 2013.

The process of development of the Plan Change up until the point of public notification is documented within the Section 32 evaluation report entitled "Report on the Assessment of Alternatives under Section 32- Rural Land Use and Subdivision Policy Review – Proposed Plan Change 60". The Plan Change, Section 32 evaluation report and other background information is on the Council website.

The Staff Evaluation Reports (SERs) contained within build on the original section 32 evaluation in accordance with Sections 32AA and 42A of the Resource Management Act.

Reporting

Plan Change 60 was developed with Tasman District Councillors and a team of staff led by Policy Officer, Mary Honey. Primary contributors to the process and staff reporting are Steve Markham, Policy Manager and Sonya Leusink Sladen, Planning Consultant.

Staff Evaluation Reports, the primary author involved, and a summary of topics covered within each report are listed below.

Generally, staff recommend that the overall direction, and proposed policy framework of proposed Plan Change 60 is retained with recommendations that improve the proposals. For more detail about what staff have recommended as improvements, as well as requests not recommended by staff, please refer to the individual SER reports.

SER 601 – Rural Policy and General (Sonya Leusink Sladen)

This staff evaluation deals with submissions requests affecting policies, objectives and definitions, being Plan provisions that form the basis for rules affecting rural land use and subdivision. Some improvements to the policy framework have been recommended by staff at the request of submitters.

SER 602 – Rural Subdivision (Sonya Leusink Sladen)

This staff evaluation deals with submission requests that relate to proposed changes to Rural 1 and Rural 2 Zone subdivision. Some amendments have been recommended by staff following submitter feedback. These include greater flexibility for boundary adjustments regardless of the age of a title, and a discretionary approach to all subdivision.

SER 603 – Rural Housing (Sonya Leusink Sladen)

This staff evaluation deals with submission requests that relate to proposed changes to housing in the rural zones, primarily the Rural 1 and Rural 2 zones. Changes that have been recommended by staff following submitter requests can ensure that the new housing provisions are clear and robust.

SER 604 – Multiple Housing and Cooperative Living (Mary Honey)

This report addresses submissions related to cooperative living. Some changes have been made to the proposed provisions as a result of requests from submitters. These include aligning the cooperative living consents framework with that of the general rural housing provisions.

SER 606 – Character and Amenity (Mary Honey)

This report addresses submissions related to character and amenity including cross boundary effects and setbacks. Staff have made recommendations for improvements to this as a consequence of submitter requests, including changes affecting the setback provisions for dwellings

SER 607 – Rural Business (Steve Markham)

This report addresses submissions requests that relate to rural industrial, industrial and commercial activities in the rural zones, including quarrying and home occupations. Some changes have been recommended by staff following requests from submitters, including refined policy recognition of appropriate rural business activity, and amendment to the provisions that regulate home occupations.

SER 608 – Temporary Activities (Mary Honey)

This report addresses submitter requests on the topic of temporary activities and wildfire risk in relation to temporary activities. Some improvement recommendations have been made at the request of submitters on the issues of wildfire risk and the regulation or not of temporary activities and events

SER 609 – Miscellaneous (Mary Honey)

This Report 609 addresses miscellaneous issues. These include, the road network, electricity transmission, wildfire and other natural hazards and specific plan provisions for Golden Bay. Many improvement recommendations have been made by staff at the request of submitters.

Issues Out of Scope

Many issues were raised by submitters. Most have been addressed within the above staff evaluation reports. However, not all requests were within the scope of the proposed Plan Change or within Council's powers under Plan Change processes defined by the Resource Management Act. This does not mean that they have been disregarded, rather that this process is not the place for their consideration.

Council is urged to take note of them, as they reflect opinions held within the community of concern to rural activities. These "out of scope" matters are listed below;

1. The request to review all rural zones, and/or re-zone specific locations on the basis of existing development patterns or land productivity values
2. The request for more accessible information about the proposed Plan Change, particularly for older people who may not have access to internet resources
3. An identified need for better information in the form of guidelines about consents processes and Council services
4. Issues around the building consents processes, and Building Act requirements for building development, particularly in respect of alternative forms of housing including temporary dwellings

5. The request for rates review in respect of multiple houses and cooperative living
6. Matters concerning the national electricity grid owned or used by Transpower
7. Matters concerning the complexity and costs associated with building and resource management consenting processes, including the request to simplify and improve the user-friendliness of the TRMP
8. Issues surrounding consultation of changes to and decisions made on applications for changes in land use and for additional buildings on property
9. Requests for plan change processes to be simplified.
10. The request that Plan Change 60 should consider and give effect to the National Policy Statement on Electricity Transmission in rural areas.

Hearings, Deliberations and Decisions

Hearings of all submitters who have identified that they wish to present their requests to Council in person have been scheduled for 16, 17 and 19 August. Following this, staff may make further recommendations to the Council and these will be made available to all affected submitters. Submitters' requests, the verbal and written presentation material from the hearings, staff evaluations and further evaluations will all contribute to the deliberations process of Council, scheduled for 2 - 8 September. Following this, decisions will be made and publically notified. There is an appeals process available in respect of these decisions, outlined within Part II Schedule 1, of the Resource Management Act.

Locating Your Submission in the Reports

To find where your submission is located in the reports, please refer to the Staff Consideration Index that follows. Please note, however, that this only lists *original* submissions. If you are a further submitter, you will need to refer to the submitter number of the original submission you supported or opposed (listed in the left-hand column) to find the relevant Recommendation number, e.g. 609.2 (in the right-hand column) where each specific submission point is addressed.