

SmartGrowth Strategy 2023–2073

ISSUES AND OPTIONS PAPER

Rural

Author: Tracey Miller

Topic	SGS23-05 – Rural
Issue	<ol style="list-style-type: none">1. Ensuring the protection of rural land, in particular highly productive land2. Looking after rural communities3. Opportunities for rural residential / lifestyle living4. A more enabling approach for housing on rural properties

Staff Narrative

Overview of feedback received

Eight submissions were received on the Rural topic from:

- Goodall, Andrew
- Hayley
- Bowden, Beth
- Robson, John
- Envirohub
- Upper Ohauiti Landowners Group
- Underwood, Ruth
- New Zealand Kiwifruit Growers
- Foster, Andrew
- Ngai Tukairangi Hapu Trust

Two submitters raised matters in relation to the Rural chapter at the hearings on 4 and 5 December 2023, being The Child Poverty Action Group and LandPlay.

Note that other submitters may have referred to rural matters in their submissions but those matters have been addressed in other more appropriate Issues and Options Papers (IOP). For example, Upper Ohauiti Landowners Group/ Land Play has been addressed in the Future Development Strategy IOP.

A lot of the feedback received was consistent with what is proposed through the Rural Chapter of the Strategy. The following commentary is provided on the key themes of submission.

The submissions can be categorised into the following themes:

1. Ensuring the protection of rural land, in particular highly productive land
2. Looking after rural communities
3. Opportunities for rural residential / lifestyle living
4. A more enabling approach for housing on rural properties

Ensuring the protection of rural land

The majority of submitters supported the approach of the rural chapter and seek that the current approach in relation to ensuring the protection of rural land is retained. There are a range of existing policy provisions in place to ensure the protection of rural land including the National Policy Statement for Highly Productive Land, which remains in place at the time of drafting this IOP. Bay of Plenty Regional Council (BOPRC) is in the process of identifying and mapping areas of highly productive land to be protected for rural productive purposes in accordance with the requirements of the NPS-HPL. BOPRC will then need to update its Regional Policy Statement, by way of maps, showing all the land in the region that is protected by the NPS-HPL.

The Regional Policy Statement (RPS) provides a framework for sustainably managing the region's natural and physical resources. It provides objectives, policies and methods that the city and district councils must give effect to in their Plans and through implementation of resource consents.

Urban and rural growth management is considered in Section 2.8 of the RPS. The RPS identifies that accommodating and managing growth can be a challenge particularly given the importance of primary industries (agriculture, horticulture, forestry, quarrying and mining) to the economy.

Both the Tauranga City Plan and Western Bay of Plenty District Plan have stringent rural subdivision rules to ensure the protection of rural land.

It was expressed through submissions that the protection of rural land is particularly important to provide suitable land for key local industries, in particular avocado and kiwifruit. Horticultural land with suitable elevation, specific soil characteristics and terrain are particularly important to protect as prime growing land is competing with land for housing. Once land has been lost to housing it is gone forever. Horticultural land must be protected as it is the economic basis for the region.

One submitter noted the importance of rural land and the necessity of ensuring the preservation of the rural character from nearby urban expansions.

As mentioned above, the importance of protecting the rural environment to ensure land can continue to be used for important rural activities such as productive purposes, critical for the sub-regional economy has been identified through submissions. Due to urban expansion and the need for new housing, rural areas face continuing pressure for greenfield development.

The SmartGrowth Strategy identifies areas of land known as Priority Development Areas (PDA's) in the Future Development Strategy section of the Strategy. The Priority Development Areas have long been recognised as future growth areas and have associated programmes of work to endeavour to realise development potential. However unplanned and out of sequence development can and still occurs, particularly through private plan change requests.

No further evaluation of these submissions is necessary because there are no practicable options to address these matters through the SmartGrowth Strategy. Highly Productive Land is protected through a National Policy Statement and in addition both the City and District Council have stringent rules in place to protect both productive and highly productive land. Subdivision in the rural zones is discouraged to ensure protection of versatile land. Therefore, it is considered that the best protection mechanisms possible are already in place.

Looking after rural communities

It was highlighted by some submitters that farmers and rural communities are an integral part of broader communities and that there is a strong reliance on the rural sector by urban communities.

It is noted that there is a range of groups that are focused on advocating for rural needs and providing wider support to that sector, e.g. Federated Farmers and Rural Womens New Zealand Network. Whilst this is an important issue for the rural sector it's considered outside the scope of the purpose of the SmartGrowth Strategy.

No further evaluation of these submissions is necessary because there are no practicable options to address these matters through the SmartGrowth Strategy.

Opportunities for rural residential / lifestyle living

LandPlay believes there needs to be further exploration of rural residential / lifestyle living options, in particular they believe it would be desirable to identify new suitable land for lifestyle living. LandPlay has stated that opportunities for rural residential / lifestyle zoning should be considered supplementary to

intensification and greenfield opportunities. LandPlay states that appropriate structure planning would be a critical component enabling this to occur, to ensure that appropriate services could be provided.

LandPlay acknowledges that the Lifestyle Zone in the Western Bay of Plenty District Plan enables a more 'self-sufficient' approach from a servicing perspective and this should also be considered as an option for providing housing.

It is the role of the Future Development Strategy to set out the settlement pattern and areas of further growth. The LandPlay proposal is specifically considered in that IOP.

At a broad level, lifestyle zoning is not supported as it's inconsistent with policy direction, in particular the NPS HPL, RPS, and the Western Bay of Plenty District Plan. It is also inconsistent with the connected centres, compact urban development approach adopted through UFTI.

Rural residential / lifestyle development is not considered an efficient land use for many reasons, most notably the cost of servicing discrete areas for infrastructure.

No further evaluation of these submissions is necessary because the matters are dealt with in the Future Development Strategy IOP.

A more enabling approach for housing on rural properties

Some submitters raised that some of the rules for housing in the rural zone are too restrictive. In particular, a 10m setback from boundaries on smaller blocks of rural land are too restrictive.

One submitter raised with regards to District / City Plan matters that councils rely too much on a complaints process when it comes to monitoring and enforcement.

One submitter noted the importance of the rural zone to preserving rural character from the protection of expanding urban communities, however noted that the rural zone rules contributed to the difficulty of achieving necessary infrastructure to provide servicing to rural properties. The submitter requests that exemptions or modifications to the City Plan (rural zone in Matapihi) to enable necessary infrastructure to support the population while also still maintaining the rural character in the area.

It is recommended to WBOPDC and TCC that they consider investigating whether existing rules in their respective rural zone chapters are suitable for allowing additional housing on rural zoned land by way of additional dwellings / minor dwellings where appropriate. It is noted that the current National Government have released some preliminary information about being more enabling of minor dwellings, and so in this regard it is possible that this is something councils will need to review in the near future.

In considering the themes raised in the submissions, the following issue has been identified:

1. Enabling additional housing and minor dwellings on properties in the rural zones.

Options overview

Issue 1: Enabling additional, secondary and minor dwellings on properties in the rural zones

<p>1A (Recommended)</p>	<p>TCC and WBOPDC review existing rules in the rural chapters of their respective City / District Plans to determine whether additional housing opportunities are feasible in the rural zone.</p> <p>Given the acute housing shortage and the need to provide additional, secondary or minor dwellings on properties it is appropriate that each Council reviews their existing rural zone chapters to determine whether or not there are appropriate opportunities to enable additional housing. WBOPDC has heard repeatedly from its communities that they would like to be able to place a secondary / minor dwelling on their property for family members to use but find the planning rules too restrictive.</p> <p>In the Western Bay of Plenty District this may include opportunities to reduce setbacks / yards where appropriate without requiring the written approval of neighbouring properties, or allowing the use of a separate access way where appropriate.</p> <p>Suitable infrastructure (3 waters and roading) has been a key limitation in enabling additional housing in the rural zone, as well as the need to retain the existing character and amenity of large areas of land, i.e., people enjoy the rural lifestyle for its peace and tranquillity with limited noise and views from other neighbouring properties. In addition,</p>
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	<p>reverse sensitivity matters such as spray drift (where new houses are built near productive land and existing land users and have an effect on people) have been consistent reasons why it is difficult to enable new / additional housing in the rural zone. However, as mentioned above, given the acute housing shortage we are facing in the sub-region it is appropriate that the existing rules in the City and District Plan be reviewed to determine whether there are opportunities to be more enabling of additional, secondary and minor dwellings.</p>
1B	Note the submission and make no changes.

Option 1A: Investigate existing provisions in rural and rural residential chapters to determine if the existing provisions are appropriate for enabling housing (additional, secondary and minor dwellings) (Recommended)

Advantages

- Opportunity to consider providing more housing in the sub-region through more enabling rules in the rural zones
- Provide access to a greater range of housing typologies, i.e., minor dwellings for elderly parents on existing sections
- WBOPDC is undertaking a review of its District Plan and looking at priority plan change options, and has heard from its communities that they would like more opportunities to provide additional housing on their rural zoned land for family members and workers without having to go through consenting hurdles
- The current government issued in their pre-election campaign information on how to increase housing supply which included making it easier to provide for minor dwellings, this may be something councils are going to need to consider anyway.
- Onsite infrastructure provision could be deemed suitable in some circumstances and this shouldn't be a determining factor in reducing the opportunity for the supply of minor / additional dwellings.
- Roading infrastructure may be able to sustain the increase of minor / additional dwellings.

Disadvantages

- Infrastructure availability and suitability e.g., water supply and wastewater
- Transportation impacts on rural roads
- Encouraging more housing on rural land will change the rural character and amenity of the rural zone unless appropriately screened / controlled
- Reverse sensitivity issues as described above
- Uncertainty of whether creating more enabling rules will result in a worthwhile uptake of additional, secondary and minor dwellings
- The existing City / District Plans do currently allow for additional, secondary and minor dwellings e.g., there is a consenting pathway where it can be demonstrated that it is appropriate. Therefore a review of the Plans may not result in any meaningful changes.
- It is noted that secondary dwellings are a permitted activity in the Tauranga City area.
- Staff resourcing / capacity to undertake this work with existing full workloads
- Need to consider NPS-HPL requirements, in particular the protection of highly productive land.

Financial implications

Staff resourcing to consider request

Other considerations

- There is considerably more rural land in the Western Bay of Plenty District compared to within Tauranga City, therefore any considerable material advantages to increasing housing stock may be limited in the limited land areas within Tauranga City.
- The National Policy Statement for Highly Productive Land intends to protect highly productive land so that it is protected for use in land-based primary production. The Bay of Plenty Regional Council are working to map all highly productive land, (being LUC 1, 2 or 3 land) as required by the NPS-HPL.
- It is noted that one of the submissions within the Tauranga City area notes infrastructure constraints within the Tauranga City area and that this particular concern of enabling infrastructure to rural areas is not within the scope of City and District Plan rule provisions, rather it is a funding and planning of infrastructure delivery issue.

Option 1B: Note the submissions and make no changes

Advantages

- No further pressure on staff workload / capacity to undertake scoping work to change rules in City / District Plan
- Reduces reverse sensitivity risk in the rural zone
- Infrastructure servicing issues won't need to be resolved
- Potentially protects any highly productive land that may be impacted by land fragmentation (through the placement of additional housing).

Disadvantages

- Will not enable additional housing in rural areas and does not acknowledge the shortage of housing in the sub-region.

Financial implications

None

Other considerations

- There is considerably more rural land in the Western Bay of Plenty District compared to within Tauranga City.
- The National Policy Statement for Highly Productive Land intends to protect highly productive land so that it is protected for use in land-based primary production. The Bay of Plenty Regional Council are working to map all highly productive land, (being LUC 1, 2 or 3 land) as required by the NPS-HPL.

- It is noted that one of the submissions within the Tauranga City area notes infrastructure constraints within the Tauranga City area and that this particular concern of enabling infrastructure to rural areas is not within the scope of City and District Plan rule provisions, rather it is a funding and planning of infrastructure delivery issue.
- Rotorua Lakes District Council are undertaking a review of their rural housing provisions, potential collaboration opportunities may exist.

Recommended Decision

Issue 1 Enabling additional, secondary and minor dwellings on properties in the rural zones

Option 1A: Investigate existing provisions in the sub-region's rural and rural residential chapters to determine if the existing provisions are appropriate for enabling housing (additional, secondary and minor dwellings)

Reason

- Opportunity to consider providing more housing in the sub-region through more enabling rules in the rural zones
- Provide access to a greater range of housing typologies, i.e., minor dwellings for elderly parents on existing sections
- WBOPDC is undertaking a review of its District Plan and looking at priority plan change options, and has heard from its communities that they would like more opportunities to provide additional housing on their rural zoned land for family members and workers without having to go through consenting hurdles
- The current government issued in their pre-election campaign information on how to increase housing supply which included making it easier to provide for minor dwellings, this may be something councils are going to need to consider anyway.

Decision

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Date approved:

Approved by: