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## Change 60: Rural Subdivision

## Decisions and Reasons

**Final Decision 602.1**

C60.35.2	Randall, C W A	Allow In Part
C60.806.37	NZ Transport Agency	Allow
<i>Allow</i>	FC60.806.14	
C60.1089.7	Nelson Forests Ltd	Allow
C60.1089.12	Nelson Forests Ltd	Allow In Part
C60.1089.13	Nelson Forests Ltd	Disallow
C60.1089.19	Nelson Forests Ltd	Disallow
C60.1089.20	Nelson Forests Ltd	Disallow
C60.1188.1	Drummond, Wendy	Disallow
C60.1227.4	Davis Ogilvie & Partners Ltd	Disallow
C60.1403.5	Muter, Frans	Disallow
C60.1430.1	Royal Forest & Bird Protection Society (Nelson/Tasman)	Allow
C60.1521.11	Federated Farmers of NZ (Inc.)	Allow In Part
<i>Disallow</i>	FC60.806.31	
C60.1521.19	Federated Farmers of NZ (Inc.)	Disallow
C60.1521.21	Federated Farmers of NZ (Inc.)	Disallow
<i>Allow</i>	FC60.806.32 FC60.2864.31	
C60.1521.22	Federated Farmers of NZ (Inc.)	Disallow
C60.1521.23	Federated Farmers of NZ (Inc.)	Allow In Part
C60.1521.24	Federated Farmers of NZ (Inc.)	Allow In Part
<i>Disallow</i>	FC60.806.33	
C60.1521.25	Federated Farmers of NZ (Inc.)	Disallow
C60.2852.2	Riley, Trevor H	Allow
C60.2852.3	Riley, Trevor H	Disallow
<i>Allow</i>	FC60.4032.3	
C60.2864.45	Horticulture New Zealand	Allow
C60.3015.1	Hoddys Orchard Ltd	Allow In Part
C60.3592.5	Golden Bay Community Board	Disallow
C60.3957.1	Adnams, Vicki	Disallow
C60.3987.2	Angelo, Joseph	Disallow
C60.3987.7	Angelo, Joseph	Disallow
C60.3989.3	Astill, Rosie	Allow In Part
C60.3989.6	Astill, Rosie	Allow
C60.4001.6	Butts, Joan E	Allow
C60.4001.7	Butts, Joan E	Disallow
C60.4003.1	Carson, Colin	Allow In Part
C60.4004.2	Cartwright, James E	Allow In Part
C60.4007.1	Crummer, Ani	Disallow
C60.4008.2	Drummond, Stuart	Disallow
C60.4012.1	Ford, Lillemor M	Disallow
C60.4012.3	Ford, Lillemor M	Disallow
C60.4013.6	Forest, Sage Joy	Disallow
C60.4013.9	Forest, Sage Joy	Allow In Part
C60.4013.10	Forest, Sage Joy	Disallow
C60.4014.1	Gall, Natasha	Disallow
C60.4016.3	Golden Bay Surveyors	Allow In Part
C60.4016.4	Golden Bay Surveyors	Allow
C60.4020.1	Hall, Pip	Disallow
C60.4020.2	Hall, Pip	Disallow
C60.4020.3	Hall, Pip	Allow In Part

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C60.4021.2	Halliwell, Cathleen	Allow In Part
C60.4021.4	Halliwell, Cathleen	Disallow
C60.4022.1	Halliwell, Marlene	Allow In Part
C60.4023.8	Hancock Forest Management (NZ) Ltd	Allow
C60.4023.12	Hancock Forest Management (NZ) Ltd	Disallow
C60.4023.13	Hancock Forest Management (NZ) Ltd	Disallow
C60.4023.17	Hancock Forest Management (NZ) Ltd	Disallow
<i>Disallow</i>	FC60.2864.32 FC60.4032.26	
C60.4023.18	Hancock Forest Management (NZ) Ltd	Disallow
C60.4023.19	Hancock Forest Management (NZ) Ltd	Disallow
C60.4024.2	Hannah, Lynda	Disallow
C60.4025.2	Harwood, Geoffrey	Allow In Part
C60.4030.1	Irvine, Donald & May	Disallow
<i>Allow</i>	FC60.2864.2	
C60.4032.2	Jelf, Iona	Allow
C60.4032.3	Jelf, Iona	Allow
C60.4032.12	Jelf, Iona	Allow
C60.4032.13	Jelf, Iona	Disallow
C60.4032.14	Jelf, Iona	Allow
C60.4034.21	Kebbell, John	Disallow
C60.4035.8	Kelsall, Julia	Allow
C60.4036.4	Kerrisk, Billy	Allow
C60.4036.10	Kerrisk, Billy	Allow
C60.4036.11	Kerrisk, Billy	Disallow
C60.4036.14	Kerrisk, Billy	Allow
C60.4040.1	Lang, Christian	Disallow
C60.4040.2	Lang, Christian	Disallow
C60.4044.1	Lochner, Richard	Allow
C60.4049.1	Manson, Mark & Laura	Allow
<i>Allow</i>	FC60.4032.19	
C60.4067.11	Rowse, Chris & Schneider, Silvia	Allow
<i>Disallow</i>	FC60.4032.4	
C60.4071.1	Schwarz, Ursus	Disallow
C60.4071.6	Schwarz, Ursus	Disallow
C60.4071.9	Schwarz, Ursus	Allow
<i>Disallow</i>	FC60.4032.6	
C60.4072.8	Scurr, Lorna	Allow In Part
<i>Disallow</i>	FC60.4032.5	
C60.4077.4	Stephenson, Andrew	Disallow
C60.4077.5	Stephenson, Andrew	Disallow
C60.4078.4	Stephenson, Petra	Disallow
C60.4078.5	Stephenson, Petra	Disallow
C60.4079.1	Strang, Dot	Disallow
C60.4084.5	Turner, Reginald E J	Allow
C60.4085.1	Staig & Smith and Alandale & Vailima Orchards	Disallow
C60.4086.2	Wallis, William G	Allow In Part
<i>Allow in Part</i>	FC60.4076.3	
C60.4091.2	Wells, Ned	Disallow
<i>Disallow</i>	FC60.4076.1	

**Plan Amendments**

Topic : 7.2.40

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Add to the end of performance monitoring indicators 7.2.40.1 and 7.2.40.2 the words:  
"including allotments created through amalgamation or the use of the subdivision averaging provisions".

**Topic : 16.3**

1. Amend condition (c) of 16.3.5.3A and 16.3.6.3A and where it appears elsewhere throughout the Plan to read:  
"Except as provided for by condition (e) or (f), the subdivision is of a title that existed on or before 31 January 2016, except where that title was created by way of subdivision decision not made under the Tasman Resource Management Plan."
2. Amend rules 16.3.5.3A and 16.3.6.3A to add a new condition:  
"(f) The subdivision is of a title that was created by the amalgamation of two or more titles that are physically contiguous."
3. Delete conditions 16.3.5.1(cb) and 16.3.6.1(ba).
4. Amend rules 16.3.5.5A and 16.3.6.5A by inserting "or condition (f)" after "condition (c)" in the first sentence.'
5. Insert condition (dd) to 16.3.5.1 and 16.3.6.1 as follows:  
"Building Location Area  
(dd) Every allotment on which any habitable building is intended to be located has a building location area shown which is set back 30 metres from internal boundaries except where the boundary is to the Residential, Rural Residential or Rural 3 zone."

**Topic : 16.3.5.1**

Amend matter (7A) to replace "reverse sensitivities" with "reverse sensitivity".

**Topic : 16.3.6.1**

Amend matter (7A) to replace "reverse sensitivities" with "reverse sensitivity".

**Other Action**

That Council make a commitment to a review of the rural land zones, including the pattern of zoning, allotment size thresholds and values underpinning the rural land resource.

**Reasons**

1. Council has maintained a policy framework that prioritises Rural 1 Zone land values above rural-residential activity. It maintains that the Rural Residential Zone and parts of the Rural 3 Zone are the most appropriate locations for small rural land-holdings.
2. Staff recognise that in certain locations the pattern of Rural 1 and Rural 2 zoning may not be appropriate. Actual development character and amenity attributes are more aligned with residential-type activity, and have very limited plant and animal production potential.
3. Flexibility has been provided for in the subdivisions framework in the form of the proposed average allotment size rule, which does enable smaller lots to be created, provided that an average minimum can be achieved overall.
4. There is opportunity in the Rural 2 Zone for Council to consider individual cases at its discretion.
5. The Plan Change does not propose resubdivision as a Prohibited Activity. A Non-complying status does allow for applications to be presented to Council for consideration on a case-by-case basis.
6. Staff accept that a subdivision that does not result in additional titles ought to be considered as a Restricted Discretionary Activity even if the parent title was created since 31 January 2016.
7. An initial amalgamation will result in a larger allotment and reduced number of titles. For this reason, staff accept that Discretionary Activity status is more appropriate than Non-Complying.
8. The circumstances where the Non-Complying status applies, being the re-subdivision of a title created since 31 January 2016 (excluding boundary adjustments and those created through an amalgamation, see above) and the subdivision of a Rural 1 Zone title below the threshold minimum, are significant in terms of its framework of policies and objectives.

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9. Boundary adjustments can facilitate improvements to landholdings in support of plant and animal production without further fragmentation of the rural land resource.
10. Council consider that the minimum allotment sizes of 12 hectares in the Rural 1 Zone and 50 hectares in the Rural 2 Zone can achieve the objectives and policies of the Tasman Resource Management Plan.
11. The amendments improve consistency of terminology in regards to reverse sensitivity and cross boundary effects.
12. In situations where a new title is created without subdivision approval through the Resource Management Act, it is appropriate to consider the new subdivision as a "first generation" one, exempt from the date restriction.