

PLAN CHANGE 6 (PC6)– SUMMARIES OF SUBMISSIONS

Lower Port Hills and Summit Road Protection Area

Submission Number	Submitter	Point	Position	Summary		Decision Requested
1259	Ogg Ralph Edwin	1259.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	The contour lines should remain at 60 metres. The submitter's house is at about 50 metres and is not visible from the main Akaroa highway or the Old Tai Tapu Road. Most of the houses around the submitter's are also up the hill, close to the 60 metre line. The submitter does not agree that these houses are visual pollution if the house and landscaping is designed appropriately.	That the contour lines remain at 60 metres.
1260	Rogers John F & Jill A	1260.1	Support	Entire Plan Change	The submitter supports the change as it brings the protection of the Port Hills, as an area of outstanding natural landscape, down to the toe of the hill. Future generations will benefit.	Approve the change.
1262	Young Roger & Kaye	1262.1	Support	Entire Plan Change	The submitter supports the Plan Change in its entirety.	Adopt the Plan Change
		1262.2	Support	Rezoning Rural Inner Plains to Rural Port Hills	The submitter supports the rezoning of the lowest slopes of the Port Hills between the 20-60m contour line from Rural Inner Plains to Rural Port Hills.	Rezone the lowest slopes.
1263	Watson RK Family Trust	1263.1	Oppose	Rural Rule 3.10.3 "Grandfather clause"	<p>The submitter considers that "separate saleable allotments" limits the application of the grandfather clause to only those lots where titles have been issued following the completion of the S.224(c) requirements. From the date of subdivision consent being granted, this could take up to 8 years.</p> <p>The current wording of the grandfather clause would therefore preclude those 4ha blocks from development, where a survey plan and conditions of consent have not yet been completed due to time constraints.</p> <p>The submitter says that the Council has a</p>	Remove any references to "separately saleable allotment" or similar from grandfather clause. Amend proposed Rural Rule 3.10.3 to read "Any dwelling on an allotment with a continuous area of not less than 4 hectares..."

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					duty to those owners who have obtained subdivision consent prior to the notification, to ensure they are not excluded from this grandfather clause on the basis of not having yet obtained certificates of title for the new allotments.	
		1263.2	Oppose	Rural Rule 3.10.3 "Grandfather clause"	The submitter opposes the wording of the grandfather clause with regard to the inclusion of "any dwelling". The submitter says this could be interpreted that an allotment must already contain an existing dwelling to be covered by the clause.	Amend Rural Rule A3.10.3 to read: "The erection of a dwelling on an allotment with a continuous area of not less than 4 hectares..."
		1263.3	Oppose	Rural Rule 1.4.2.5 Earthworks	<p>The submitter opposes the proposed amendment to Rural Rule 1.4.2.5 on two grounds. Firstly it does not provide any exemptions for utility works or works authorised or permitted pursuant to subdivision or building consent. Secondly the permitted excavation maximum of 20m³ per site is considered to be an unnecessary restrictive threshold.</p> <p>The submitter notes that in both the Christchurch City Council (CCC) and Canterbury Regional Council (CRC) provide exemptions for utility works and works authorised or permitted pursuant to subdivision or building consent.</p> <p>The submitter also notes that the CCC and CRC provisions relating to permitted earthworks in rural areas on the Port Hills have thresholds considerably higher than those proposed by PC6. CCC permit 25m³ per ha and no more than 100m³ per site, while CRC permit earthworks where the volume is less than 100m³ per site or per</p>	Amend Rural Rule 1.4.2.5 to read: "Any other earthworks which shall not exceed 25m ³ per hectare or no more than 100m ³ per site (whichever is the lesser) in any five year period."

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					<p>hectare.</p> <p>The Port Hills require a consistent approach from all local and regional authorities to achieve integration and meet the purpose of the RMA 1991.</p>	
1264	Basapole Limited	1264.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	<p>The submitter seeks to have the Ahuriri Valley exempt from the proposed rezoning. They consider the topographic situation of the valley, its visibility from major view points and its already consented and modified appearance are points of difference from that of the surrounding "toe of the hill".</p>	<p>Exempt the Ahuriri Valley from the provisions of Proposed Plan Change 6.</p> <p>Or</p> <p>Introduce a new rule and related policy guidance to provide for minimum lot sizes in the Ahuriri Valley between 20m and 60m contour levels of 4 hectares.</p>
1265	Smith John	1265.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	<p>The proposed new zoning splits the submitter's property into both Rural Inner Plains and Rural Port Hills. This split reduces the ability to develop and use the property in an efficient and sustainable manner. The size of the property does not warrant having two zones. The submitter says that the District Plan does not contain any guidance as to how to interpret rules when a property is split zoned. This adds complications and confusion to any consideration of what may be done as of right on the property, including for example, whether the property can be subdivided and where a dwelling may be located as a permitted activity.</p> <p>This property is located north of Tai Tapu, an area considered (by Council's landscape report) less sensitive to change, than south of Tai Tapu.</p>	<p>To amend Planning Map 014 by moving the Inner Plains/Port Hills boundary to either follow the 60m contour or to follow the property boundary of Lot 1 DP 68416, being land located on Old Tai Tapu Road.</p>

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		1265.2	Oppose	Entire Plan Change	The submitter seeks consequential amendments to the rest of the Plan Change to address submission point 1265.1.	All other appropriate, necessary and consequential amendments including those to issues, strategy, objectives, policies, methods, explanations and reasons, rules and planning maps to give full effect to this submission.
1266	Horgan Greg	1266.1	Oppose	Entire Plan Change	<p>The submitter wishes that the whole of PC6 is withdrawn.</p> <p>The submitter states that PC6 fails to achieve the sustainable management purpose of the RMA 1991 by not providing for peoples social, economic and cultural wellbeing. It is not necessary to achieve the requirements of section 6(b) of the Act.</p> <p>The rules contained in PC6 provide an inappropriate level of control for the lower Port Hills and there has not been adequate consideration given to alternatives, costs and benefits.</p> <p>The s32 analysis does not adequately explain or justify the reasons for PC6.</p> <p>PC6 ignores earlier consultation over a long period of time with affected parties where the 60m contour was determined. That the selection of a 20m contour line appears to be for ease of plan administration and not for specific landscape protection reasons.</p>	That the proposed Plan Change 6 be deleted in its entirety.

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		1266.2	Oppose	Rural Rule 1.4.2.5 Earthworks	<p>The submitter states that proposed amendment to Rule 1.4.2.5 is unnecessary and too restrictive. It is considered appropriate that each 1ha property be allowed 20m³ of earthworks over a five year period as currently provided for. This restricts the amount of earthworks that can occur in any one hectare and thereby still limiting the visual impact of any particular earthworks activity.</p> <p>The submitter also notes that the Regional Plan provides for a maximum volume of earthworks 100m³ per hectare over any continuous period of 10 years; meaning that PC6 is inconsistent with the Regional Plan and contrary to the RMA 1991.</p>	Reject the proposed amendment to Earthworks Rule 1.4.2.5; amend rule 1.4.2.5 so that it is consistent with the maximum volumes of earthworks permitted as prescribed in the Land and Vegetation Management Regional Plan, Part II, Earthworks and Vegetation Clearance, Port Hills, so as to read: "any other earthworks not exceeding 100m ³ in any one hectare in any ten year period".
		1266.3	Oppose	Buildings and Residential Density	<p>The submitter refers to rule 3.2.3.2 saying that it is considered that some provision needs to be made for the appropriateness of the access to the building site, which can also be restricted due to various geotechnical conditions and site stability.</p> <p>The appropriateness of the accessway is often equally as important as the appropriateness of the building site and should also be included within the clause.</p>	Incorporate 'access' into clauses 3.2.3.2 and 3.10.4.2 so as to read: "the appropriateness of the building site <u>and access</u> having regards to geotechnical conditions and site stability".
		1266.4	Oppose	Definitions	<p>The submitter states that no definition is provided for "public viewing point" and as such there is uncertainty as to what constitutes a public viewing point. Visibility of a building from a 'public viewing point' may be significant, but the submitter states that this is dependant on the usage of the public viewing point, how modified the landscape is and how accessible the viewing point is.</p>	Incorporate within Proposed Plan Change a definition for 'public viewing point'.

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		1266.5	Oppose	Buildings and Residential Density	<p>The submitter identifies that the Matters of Discretion do not consider positive effects of a proposed building site.</p> <p>Clause 3.2.3.6 refers to creating opportunities to protect open space, indigenous vegetation or nature conservation values; however the submitter thinks that it is also important to assess the positive effects of a proposal to allow for a balanced assessment of activity.</p> <p>The submitter says use of restrictive covenants and consent notices are examples of this, which may need to be considered when assessing a building proposal.</p>	Incorporate an additional clause in 3.2.3 and 3.10.4 which allows for 'any positive effects of a proposed building or accessway' to be taken into account.
		1266.6	Oppose	Rural Rule 3.10.3 "Grandfather clause"	<p>The submitter states that the Plan Change does not provide for those landowners to establish a dwelling as a controlled activity, who have been granted resource consent to subdivide but have not created titles prior to the date of notification of the Plan Change. Rule 3.10.2.2 does provide for such circumstances, therefore it is appropriate for this grandfather clause to be amended along similar lines.</p> <p>The submitter suggests that the grandfather clause should allow for a dwelling to be established as a controlled activity where an allotment has been created by a subdivision preceding notification, or where subdivision consent has been granted to create the allotment within this timeframe and that consent has not lapsed.</p>	<p>The grandfather clause be amended to read:</p> <p>"any dwelling on a separately saleable allotment with a continuous area of not less than 4 hectares, located within the Lower Slopes of the Port Hills and created by subdivision prior to the 29 November 2008, or a subdivision consent has been granted to create the allotment within this timeframe and that subdivision consent has not lapsed".</p>

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					The submitter also states that the matters of control identified in 3.10.4 are far too restrictive and the same issue arises as per the Building and Residential Density rules, in relation to access, public viewing point and positive effects.	
1267	Selwyn District Council	1267.1	Support in Part	Rural Rule 3.10.3 "Grandfather clause"	<p>The submitter seeks to amend the wording of the grandfather clause 3.10.3 to ensure more consistency with the existing format and wording of the District Plan and to clarify that allotments consented but still to be created would also be permitted.</p> <p>The intention and purpose behind the rule is to allow existing (or approved) allotments to between 4ha and 40ha on the Lower Slopes of the port Hills to have a dwelling as a Controlled Activity.</p>	<p>Amend Rural Rules - Buildings, 3.10 Buildings and Residential Density by amending the wording of 3.10.2 and adding a new clause so that it reads as follows:</p> <p>"3.10.2 Any dwelling on any allotment which does not comply with Rule 3.10.1 shall be a permitted activity if the allotment is a separately saleable allotment with a continuous area not less than 4 hectares; and</p> <p>3.10.2.1 The allotment has been bought, sold or created by subdivision within the ten years immediately preceding notification of the Rural Volume of the Proposed District Plan (that is</p>

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						<p>on or after 12 September 1991 but before 12 September 2001) or a subdivision consent has been granted to create the allotment within this timeframe and that subdivision consent has not lapsed; or</p> <p>3.10.2.2 All of the following conditions are met:</p> <p>(a) the allotment is located within the Lower Slopes of the Port Hills; and</p> <p>(b) the existing ground level of the dwelling site is wholly located below 60m above mean sea level; and</p> <p>(c) the allotment is held in its own Certificate of Title which existed on or before 29 November 2008; or a subdivision consent has been granted to create the allotment on or before 29 November 2008 and that the subdivision consent has not lapsed.</p>
		1267.2	Support in Part	Buildings and Outstanding Landscape Areas	The submitter states that the Operative District Plan includes rules for buildings over a certain size threshold and separate rules for density. To complement the density rule for the Lower Slopes of the Port Hills it is proposed that the control relating to the scale and visual effects of buildings to be erected on "undersized" allotments (4ha-40ha) be provided for in a new rule as a Controlled Activity.	<p>Amend 3.2 Buildings and Outstanding Landscape Areas by adding the following new rules as 3.2.2 and 3.2.3 and renumbering all others accordingly:</p> <p>"Controlled Activities - Building and Outstanding Landscape Areas</p> <p>3.2.2 Any building which does not</p>

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						<p>comply with Rule 3.2.1 shall be a controlled activity if all of the following conditions are met:</p> <p>3.2.2.1 The building is located within the Lower Slopes of the Port Hills; and</p> <p>3.2.2.2 The existing ground level of the building site is wholly located below 60m above mean sea level.</p> <p>3.2.3 Under Rule 3.2.2 the Council shall restrict its consideration to:</p> <p>3.2.3.1 The design of the building including height, size/scale, site coverage, materials, façade articulation, colour and reflectance value;</p> <p>3.2.3.2 The appropriateness of the building site having regard to geotechnical conditions an site stability;</p> <p>3.2.3.3 The visibility of the building and if a dwelling, its curtilage from public viewing points;</p> <p>3.2.3.4 The design and siting of any access to the building, including the visibility of the access, any contrast with natural contours and the proposed</p>

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						<p>revegetation and naturalistic re-contouring of any earthworks;</p> <p>3.2.3.5 The siting of the building in relation to the natural landform, and in particular whether the building would break the skyline of the form of any ridges, hills or prominent slopes;</p> <p>3.2.3.6 The visibility of any utilities required to service the building;</p> <p>3.2.3.7 Landscape planning and earthworks that assists in mitigation of any adverse landscape effects.</p>
		1267.3	Support in Part	Buildings and Outstanding Landscape Areas	The submitter asks for consequential amendments to Restricted Discretionary Activities and other associated amendments.	<p>Amend Restricted Discretionary Activities - Building and Outstanding Landscape Areas existing Rule 3.2.2 so that the first sentence reads as follows:</p> <p>"Any building which does not comply with Rule 3.2.1 <u>or 3.2.2</u> shall be a restricted discretionary activity..."</p> <p>Along with any other consequential amendments to cross-references, reasons for rules or assessment matters that may be affected by the changed numbering and new provisions.</p>

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		1267.4	Support in Part	Rural Rule 1.4.2.5 Earthworks	The submitter seeks to amend the Earthworks rules for the Port Hills by increasing the maximum permitted limit on any one site.	To increase the permitted volume of earthworks to a maximum that is greater than 20m ³ but does not exceed 150m ³ on any one site which is the maximum permitted in other Outstanding Landscapes in the District.
1268	Macartney Hugh James	1268.1	Oppose	Entire Plan Change	<p>The submitter states that there is no logic for lowering the Outstanding Natural Landscape contour to 20m. The landscape is developed, much is already in housing. The submitter states that his land is already cultivated and cropped and that the Plan Change ignores earlier consultation with landowners and the Council.</p> <p>The submitter says that the Plan Change would restrict the ability to provide for his family's future. It adds cost to any change of farming practices in the future. The Council has given no reason for the change.</p>	That the Council reject the Plan Change 6 in its entirety.
1269	KH Macartney Trust	1269.1	Oppose	Entire Plan Change	<p>The submitter states that the Council has failed to:</p> <p>Give reasons for the Plan Change; consider the desire of people to live on the lower slopes of the Port Hills;</p> <p>Accept that the slopes are of little production value and Council should promote building on these slopes rather than productive flats;</p> <p>Define how the lower slopes can be called Outstanding Natural Landscape (ONL) or what is an ONL;</p> <p>Listen to earlier consultation with landowners.</p>	That the Council reject the Plan Change 6 in its entirety.

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1270	Ahuriri Farm Ltd	1270.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	The submitter states that there should be no change to the rule of 4ha minimum permitted lot size between the 20m-60m contour line.	That the Council should remain with the current rules relating to subdivision and earthworks on the Port Hills Lower Slopes.
		1270.2	Oppose	Rural Rule 1.4.2.5 Earthworks	The submitter thinks that the Earthworks rule should be increased.	That the Council should remain with the current rules relating to subdivision and earthworks on the Port Hills Lower Slopes.
1271	Watson Raymond Keith	1271.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	<p>The submitter states that:</p> <p>The policies and rules contained within PC6 fail to achieve the sustainable purpose of the RMA 1991 and do not fulfil the requirements of s6(b).</p> <p>The proposed rules provide an inappropriate level of control for the lower Port Hills, and there has been inadequate consideration of alternatives, costs and benefits in a s32 analysis.</p> <p>PC6 ignores earlier consultation with affected parties on the 60m contour line where the line was determined based on historical development and horticultural practices.</p> <p>The Plan Change does not provide for those landowners to establish a dwelling as a controlled activity who have lawfully been granted resource consent to subdivide, or who have sought consent to subdivide, but have not created titles prior to the date of notification of the Plan Change.</p> <p>The justification for the 20m contour line appears to be for ease of plan</p>	That the Proposed Plan Chang 6 be in its entirety rejected.

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					administration purposes, and not for specific landscape protection reasons. Areas between the 20m-60m contour do not warrant the imposition of the restrictive controls proposed.	
1272	Logan Helen Elizabeth	1272.1	Oppose	Entire Plan Change	<p>The submitter states that: The policies and rules contained within PC6 fail to achieve the sustainable purpose of the RMA 1991 and do not fulfil the requirements of s6(b).</p> <p>The proposed rules provide an inappropriate level of control for the lower Port Hills, and there has been inadequate consideration of alternatives, costs and benefits in a s32 analysis.</p> <p>PC6 ignores earlier consultation with affected parties on the 60m contour line where the line was determined based on historical development and horticultural practices.</p> <p>The Plan Change does not provide for those landowners to establish a dwelling as a controlled activity who have lawfully been granted resource consent to subdivide, or who have sought consent to subdivide, but have not created titles prior to the date of notification of the Plan Change.</p> <p>The justification for the 20m contour line appears to be for ease of plan administration purposes, and not for specific landscape protection reasons. Areas between the 20m-60m contour do not warrant the imposition of the restrictive controls proposed.</p>	That Proposed Plan Change 6 in its entirety be rejected.

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1273	Canterbury Regional Council	1273.1	Oppose	<p>Rural Rule 3.10.3 "Grandfather clause"</p> <p>The submitter opposes Clause 3.10.3 because it confers development rights, as a controlled activity, on properties which were previously subject to a greater level of scrutiny and control.</p> <p>As the clause is currently drafted it will enable the erection of a dwelling on any existing 4ha or above allotment between the 60m - 160m contour as a Controlled Activity. Previously this would have been either a Discretionary or Non-complying activity. Clause 3.10.3, therefore, confers development rights that did not previously exist in this area.</p> <p>Reviewing Appendix 5 of the Plan Change it appears that there are 11 existing allotments that traverse the 60-160m contours on which dwellings could be erected as of right, if the grandfather clause be retained as proposed.</p> <p>The submitter states that it is unlikely that the Port Hills environment could accommodate that level of potential domestication and intensity of development. Retaining the right to decline resource consent applications is critical to sustainable development.</p> <p>Clause 3.10.3 is, at the very least, inconsistent with and will not achieve Objective B1.4.1 and Policies B1.4.2, B1.4.5 and B1.4.8 of the Rural Volume of the Selwyn District Plan; Landscape, Ecology and Heritage -Chapter 8, Objective 2 and Policy 3 of the RPS, and the purpose and</p>	<p>The submitter opposes Clause 3.10.3 because it confers development rights, as a controlled activity, on properties which were previously subject to a greater level of scrutiny and control.</p> <p>3.10.3 Any dwelling on a separately saleable allotment with a continuous area of not less than 4 hectares, located <u>between the 20m and 60m contours</u> within the Lower Slopes of the Port Hills and created by subdivision prior to the (insert date at which this Plan Change is notified).</p> <p><u>Note: Prior to Plan Change 6 to the Selwyn District Plan the land between the 20m and 60m contour was zoned Inner Plains. Subdivision to 4ha in area was provided for as a controlled activity with the erection of a dwelling on the allotment being permitted. Clause 3.10.3 enables the development rights to erect a dwelling on any allotment not less than 4ha created prior to (insert date) to be given effect too.</u></p>	<p>That clause 3.10.3 is amended to read as follows:</p> <p><u>Controlled Activities - Buildings and Residential Density</u></p>

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					principles of the RMA including Part 2, s5, s6(b) and s7(b), (c) and (f).	
		1273.2	Support	Entire Plan Change	<p>The submitter supports the remainder of the PC6, specifically; Earthworks provisions; Summit Road Protection Area provisions; and Forestry provisions.</p> <p>The provisions are seen by the submitter as being consistent with the Canterbury Regional Policy Statement and strengthen Selwyn District Council's ability to manage land use change on the Port Hills that would adversely affect landscape values.</p>	That in all other matters, Proposed Plan Change 6 be approved.
1274	Gillanders Jennifer	1274.1	Oppose	Entire Plan Change	The submitter states that the Plan Change ignores all previous consultation over a long period of time with affected parties, where the 60m contour was determined based on historical development and horticultural practices.	Please reject the Plan Change. I oppose proposed Plan Change 6 in its entirety including all policies, rules and assessment matters and reasons for rules.
1275	Gillanders Keith George	1275.1	Oppose	Entire Plan Change	The submitter seeks that the proposed Plan Change be rejected and that it ignores earlier consultation with affected parties where the 60m contour was determined based on historical development and horticultural practices.	To reject Plan Change 6 in its entirety.

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1276	Drinnan Investments	1276.1	Oppose	Entire Plan Change	<p>The submitter states that: The policies and rules contained within PC6 fail to achieve the sustainable purpose of the RMA 1991 and do not fulfil the requirements of s6(b).</p> <p>The proposed rules provide an inappropriate level of control for the lower Port Hills, and there has been inadequate consideration of alternatives, costs and benefits in a s32 analysis.</p> <p>PC6 ignores earlier consultation with affected parties on the 60m contour line where the line was determined based on historical development and horticultural practices.</p> <p>The Plan Change does not provide for those landowners to establish a dwelling as a controlled activity who have lawfully been granted resource consent to subdivide, or who have sought consent to subdivide, but have not created titles prior to the date of notification of the Plan Change.</p> <p>The justification for the 20m contour line appears to be for ease of plan administration purposes, and not for specific landscape protection reasons. Areas between the 20m-60m contour do not warrant the imposition of the restrictive controls proposed.</p>	<p>The submitter states that: the policies and rules contained within PC6 fail to achieve the sustainable purpose of the RMA 1991 and do not fulfil the requirements of s6b. The proposed rules provide an inappropriate level of control for the lower Port Hills, and there has been inadequate consideration of alternatives, costs and benefits in a s32 analysis. PC6 ignores earlier consultation with affected parties on the 60m contour line where the line was determined based on historical development and horticultural practices.</p> <p>The Plan Change does not provide for those landowners to establish a dwelling as a controlled activity who have lawfully been granted resource consent to subdivide, or who have sought consent to subdivide, but have not created titles prior to the date of notification of the Plan Change.</p> <p>The justification for the 20m contour line appears to be for ease of plan administration purposes, and not for specific landscape protection reasons. Areas between the 20m-60m contour do not warrant the imposition of the restrictive controls proposed.</p>

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		1276.2	Oppose	<p>Rural Rule 3.10.3 "Grandfather clause"</p> <p>The submitter states that the current wording of the new grandfather clause fails to properly achieve the intent. The current wording has the effect of only applying to allotments where subdivisions have been completed and already have a certificate of title, thereby excluding properties which have approved subdivision consent, that are yet to be completed. The rule should be made clear that it also includes these properties, where consent has not lapsed.</p> <p>Dwellings on sites where subdivision consent has been approved by Council and has not lapsed should be a permitted activity in the District Plan, rather than a controlled activity. The development of dwellings on these lots can be appropriately addressed through permitted activity conditions. The permitted activity conditions that apply to dwellings in the rural area are sufficient, with the addition of a reflectivity condition.</p> <p>Alternatively to providing for all dwellings as a permitted activity, provide for dwellings on the submitters property as a permitted activity.</p> <p>If the relevant conditions are not met it should be a controlled activity.</p>		<p>Provide for dwellings located within the Lower Slopes of the Port Hills, having continuous areas of not less than 4 hectares, on allotments approved by Council prior to 28 November 2008 as a permitted activity as follows:</p> <p>"3.10 Buildings and Residential Density Permitted Activities - Building and Residential Density</p> <p><u>3.10.3 Any dwelling on an allotment located within the Lower Slopes of the Port Hills, with a continuous area of not less than 4 hectares where that allotment is associated with a subdivision consent granted by Council or where an approved subdivision consent has not lapsed prior the 29 November 2008, shall be a permitted activity if all of the following conditions are met:</u></p> <p>a) <u>No building has a maximum reflectance exceeding 37%.</u></p> <p>Controlled activities - Buildings and Residential Density <u>3.10.4 Erecting any dwelling on an allotment which does not comply with the conditions in Rule 3.10.3 shall be a controlled activity.</u></p>

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						<p><u>3.10.5 Under Rule 3.10.4 the Council shall restrict its consideration to:</u></p> <p><u>3.10.5.1 The design of the dwelling including height, size/scale, external finish and reflectance value;</u></p> <p><u>3.10.5.4 The design and siting of any access to the dwelling, including the visibility of the access, any contrast with natural contours and the proposed re-vegetation of any earthworks;</u></p> <p><u>3.10.5.5 The siting of the dwelling in relation to the natural landfall, and in particular with the dwelling would break the skyline or the form of any ridges, hills or prominent slopes;"</u></p> <p>Amend the grandfather clause in 3.10 to provide for dwellings to be erected if there have been minor adjustments in lot boundaries and right of way locations relating to Lot 1-6 of subdivision R307290, being a subdivision consent to subdivide Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu that do not result in additional lots or additional development potential to occur.</p>

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		1276.4	Oppose	Rural Rule 3.10.3 "Grandfather clause"	The grandfather clause should also allow for minor alterations and variations to any approved subdivision, including minor alterations to the lot and associated access configurations. Provided that the overall number or nature of the lots does not alter.	<p>Amend the subdivision rules to provide for minor adjustments in lot boundaries and right of way locations relating to Lots 1-6 of subdivision R307290, being a subdivision consent to subdivide Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu that does not result in additional lots or additional development potential occur. And any other consequential amendments necessary to give effect to the above.</p> <p>Or In The Alternative. Add the following to Rule 3.10.3 as follows:</p> <p>"3.10.3 Any dwelling on an allotment located within the Lower Slopes of the Port Hills, with a continuous area of not less than 4 hectares where that allotment is associated with a subdivision consent granted by Council or where an approved subdivision consent has not lapsed prior the 29 November 2008.</p> <p><u>Any dwelling on proposed or approved Lots 1-6 of subdivision R307290, being a subdivision consent to subdivide Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu is a permitted activity. This also</u></p>

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
						<p><u>provides for any minor adjustments in lot boundaries and right of way locations relating to Lots 1-6 of subdivision R307290, being a subdivision consent to subdivide Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu that do not result in additional lots or additional development potential to occur."</u></p> <p>And any other consequential amendments necessary to give effect to the above.</p>
		1276.4	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	Another alternative that the submitter seeks is that subdivision approval has been granted by Selwyn District Council for Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu - the zoning on this land should be retained as Inner Plains.	<p>Or In The Alternative. Retain the zoning of Lot 2 DP 336164 and Lot 3 DP 300940, Otahuna Road, Tai Tapu as Inner Plains.</p> <p>And any other consequential amendments necessary to give effect to the above.</p>
1277	Watson Robyn Joyce	1277.1	Oppose	Entire Plan Change	<p>The submitter states that: The policies and rules contained within PC6 fail to achieve the sustainable purpose of the RMA 1991 and do not fulfil the requirements of s6(b).</p> <p>The proposed rules provide an inappropriate level of control for the lower Port Hills, and there has been inadequate consideration of alternatives, costs and benefits in a s32 analysis.</p> <p>PC6 ignores earlier consultation with affected parties on the 60m contour line where the line was determined based on historical development and horticultural</p>	That Proposed Plan Change 6 in its entirety be rejected.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>practices.</p> <p>The Plan Change does not provide for those landowners to establish a dwelling as a controlled activity who have lawfully been granted resource consent to subdivide, or who have sought consent to subdivide, but have not created titles prior to the date of notification of the Plan Change.</p> <p>The justification for the 20m contour line appears to be for ease of plan administration purposes, and not for specific landscape protection reasons. Areas between the 20m-60m contour do not warrant the imposition of the restrictive controls proposed.</p>	
1278	Stackwood Thora	1278.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	The submitter objects to PC6 because land from Early Valley Road to and including Holmeswood Rise is exempt from the Plan Change. Holmeswood Rise adjoins the submitter's property on the north side and the Spencer property on the south side is already built on at a height greater than the top of the submitter's hill block, leaving the submitters land the only block affected by the Plan Change.	That Mrs Stackwood's hill block be listed as exempt along with those on Early Valley Road and Holmeswood Rise.
1279	Ryan Grania Helen	1279.1	Oppose	Entire Plan Change	<p>The submitter believes that further opportunities for the current level of development should continue and that PC6 ignores earlier consultation over a number of years, where the 60m contour was determined based on historical development and horticultural practices.</p> <p>The submitter feels that the restrictions imposed by the Plan Change are not necessary or conducive to the achievement</p>	That proposed Plan Change 6 in its entirety is rejected.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					of the purpose of the RMA, including s6(b).	
1280	Ryan John Joseph	1280.1	Oppose	Entire Plan Change	<p>The submitter states that PC6 is inappropriate. No consideration has been given to alternatives, costs and benefits as required under the Act.</p> <p>Previous consultation involving two separate Council decisions have declared the Inner Plains zoning up to 60m above sea level and this should not change. The contour was determined based on historical development and horticultural practices. The chosen 20m contour is inappropriate to be administered the same as other Outstanding Natural Landscapes when there are no specific landscape protection reasons.</p> <p>The landscape is already developed to a high level with further development proposed. Such a level of existing land use and activity would indicate that the PC6 is not for a constructive purpose, ignores the high level of existing use and fails to recognise that the area in question is in fact a working landscape and must continue to remain so.</p>	That proposed Plan Change 6 is revoked in all forms.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
1281	Parkinson Annette Eva	1281.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	The submitter states that there are over 50 houses already at this level and this change affects a very small area on the Port Hills, which is surrounded by Christchurch City. The submitter thinks that the proposal is very unfair.	To leave this as the status quo.
1283	Summit Road Society (Inc)	1283.1	Support	Entire Plan Change	The submitter supports PC6 for its protection and conservation-oriented management of the Port Hills.	That Plan Change 6 be adopted.
1284	Florance David & Andrew	1284.1	Oppose	Entire Plan Change	<p>The submitter opposes the following provisions of PC6:</p> <p>1.4 Earthworks in Outstanding Landscape Areas; 3 Rural Rules - Buildings and Reasons for Rules; 10 Rural Rules - Subdivision; Amendment to Planning Maps 9 and 14.</p> <p>The submitter refers to the 'shared values approach' that was taken by Council and the Focus Group of landowners in defining the Port Hills Zone above the 60m contour. The submitter notes that the contour provided for the long term sustainable management of the Port Hills, including providing for some economic return for landowners. The Plan recognised that the area below the 60m contour was generally the most modified part of the Port Hills and had the greatest capacity to absorb more development.</p> <p>The submitter considers that it is important to consider differing capacities to absorb change. He suggests that different rules apply to the three distinct areas of the Selwyn Port Hills, namely the Upper (above 160m), Lower (60-160m) and Lowest (20-</p>	<p>That those parts of Plan Change 6 relating to earthworks, buildings, subdivision and the zone boundary of the Port Hills and Inner Plains Zones and Outstanding Landscape notation on the planning maps be deleted in their entirety i.e the proposed amendments listed under 3, 12, 13, 14, 17 and 18 in the notified change document.</p> <p>Less preferred option: That those parts of Plan Change 6 relating to earthworks, buildings, subdivision and the zone boundary of the Port Hills and Inner Plains Zones be deleted. Rezone the land between the 20m and 60m contour in the Selwyn District as a Visual Amenity Port Hills Zone and amend the District Planning Maps to remove the Outstanding Landscape notation from this area. The following rules below shall apply to subdivision, dwellings and earthworks in the</p>

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>60m) Slopes, with highest level of protection applying to the Upper Slopes. The submitter is concerned that the contours are not accurately mapped.</p> <p>The submitter is concerned that the proposed earthwork rules severely restrict the amount of earthworks permitted per property. A larger property should be allowed a greater volume of earthworks. The restrictions are more serious given that possible house sites on lower slopes are even more limited.</p> <p>The submitter also considers that the s32 analysis is inadequate and incomplete, in that it does not consider Option 3, based on the identification of a Visual Amenity Landscape.</p> <p>The submitter also considers that PC6 is contrary to the DP objectives and policies, particularly those applying to the Port Hills, and it does not meet the purpose and requirements of the RMA.</p>	<p>Visual Amenity Port Hills Zone. In all other respects the rules shall be as for the Lower Port Hills Zone:</p> <ul style="list-style-type: none"> • Subdivision is a controlled activity for allotments of 4ha or greater, and non-complying below 4ha; • Earthworks exceeding 100m³ in any one hectare area, are a controlled activity with respect to the visual effects of the earthworks • Dwellings are a controlled activity and the Council shall restrict its considerations to: <ul style="list-style-type: none"> - The design of the dwelling including height, size/scale, external finish, colour and reflectance value; - The appropriateness of the building site having regard to geotechnical conditions and site stability; - The visibility of the dwelling and its curtilage from public viewing points; - The design and siting of any access to the dwelling, including visibility of the access, any contrast with natural contours and the propose re-vegetation of any

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
						<p>earthworks;</p> <ul style="list-style-type: none"> - The siting of the dwelling in relation to the natural landform and in particular whether the dwelling would break the skyline or the form of any ridges, hills or prominent slopes; - The visibility of any utilities required to serve the dwelling; - Landscape planting, earthworks and any other measures or features that assist in mitigation of any adverse landscape effects <ul style="list-style-type: none"> • The District Plan rules shall also be amended to state that any application for consent under the above subdivision, earthworks and land use rules i.e. for controlled activity subdivision or land use consent in the Visual Amenity Port Hills Zone shall not require the written consent of other persons and shall be non-notified • The above rules shall also apply to earthworks, dwellings and subdivision in the Port Hills Zone where it can be illustrated by survey that the actual location of the activity is below the 60m

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
						<p>contour</p> <p>Consequential amendments are sought as necessary to the District Plan objectives and policies to give effect to the above amendments e.g. Policy B1.4.5 should be amended to recognise that only the Port Hills above the 60m contour is outstanding landscape, additional explanation and Reasons for Rules may be necessary to explain the Visual Amenity Landscape provisions and new/amended rules.</p> <p>Least preferred relief: As for the less preferred relief outlined above except that the Visual Amenity Port Hills Zone and deletion of the Outstanding Landscape notation on the District Planning maps shall only apply to land between the 20m and 60m contour located north of the southern edge of the North/South demarcation line shown on the map (Appendix 1 of the Peter Rough Landscape Architects 2006 report)</p>
1285	Duff Ian Hartley	1285.1	Support in Part	Rezoning Rural Inner Plains to Rural Port Hills	Appendix 1, page 2, Explanation, first bullet point. The submitter says the use of the wording "whole of the Port Hills" is sloppy and is likely to cause confusion. The submitter requests that the words Rural and zone should be added to the clause to clearly acknowledge the proposed exclusion areas of existing development from the	Reword appendix 1, page 2, Explanation first bullet point to "identifying the whole of the <u>Rural Port Hills zone</u> as an Outstanding Landscape on the Planning Maps 9 and 14."

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					Outstanding Landscape area.	
		1285.2	Oppose	District Plan Maps	<p>The submitter wishes that Planning Maps 9 and 14 be amended. The submitter seeks the correction of the Inner Plains/Port Hills boundary to follow the 60m contour across his property at 60 Early Valley Road. Then pass broadly north along the eastern boundary to meet the 20m contour. (The submitter has appended a map in the original submission to show this).</p> <p>The submitter also states that the green line shown on Map 14 (and associated maps) along the whole of the Early Valley Rd frontage as the exclusion area edge is not clear and needs a more precise boundary that links 60 and 20m contours along internal property boundaries where applicable. It needs to be a readily defined by simple measurement in most cases, without resort to a formal survey.</p>	<p>The correction of Map 14 errors (both sheets) and the associated maps in Appendix 5 relating to our property at 60 Early Valley Road as detailed in the above text and broadly in accordance with my Map A.</p> <p>- Replace the green line on Map 14 indicating exclusion areas by a boundary that is definable along internal property boundaries and by reference to specified contour heights (e.g. 20 & 60 metres) where applicable. The same request is made in respect of the other 3 exclusion zones on Maps 9 & 14 and on the maps in Appendix 5 that these exclusion zones are clearly labelled as being zoned Rural Inner Plains.</p> <p>- Amend Planning Maps 9 & 14 by adjusting the zone boundary of the Port Hills as shown on the attached map (after correcting errors) and include the notation for Outstanding Natural Landscape over the whole of the Rural Port Hills.</p>

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						- That all contour heights be referred to in the District Plan are referenced back to a clearly defined datum zero. That datum zero could be either MSL, MHWS, a spheroid zero defined by LINZ, or a defined height below a specified benchmark. The key thing is that it needs to be specified in the District Plan.
		1285.3	Oppose	Rural Rule 3.10.3 "Grandfather clause"	Appendix 1, page 6, Amendments.	3.10.3 Substitute 29 November 2008 for the current last 9 words in 3.10.3. It would then read: "3.10.3 Any dwelling on a separately saleable allotment with a continuous area of not less than 4 hectares, located within the Lower Slopes of the Port Hills and created by subdivision prior to 28 November 2008."
		1285.4	Oppose	Rural Rule 1.4.2 Earthworks	The submitter wishes that the reference to "rural" and "zone" should be added into Rule 1.4.2. He states that the proposed earthwork rules are completely wrong. The submitter wishes that the earthworks volume be increased to 100m ³ as 20m ³ is unrealistic. A 20m ³ excavation is very small, about the size needed to place a pair of 25000 litre water tanks on.	Change rule 1.4.2 to by adding the words Rural and Zone. "1.4.2 Within <u>Rural</u> Port Hills <u>Zone</u> , the following earthworks shall be a permitted activity:" Delete existing rule 1.4.2.5 and replace with: "1.4.2.5 Any other earthworks where the volume of earth disturbed, removed or deposited does not exceed 100m ³ per

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
						project."
		1285.6	New	Rural Rule 1.4.2.6	The submitter states that ECAN's earthworks rules allow for 100m ³ with a cut height not exceeding 1m as a permitted activity. The submitter thinks that the Selwyn and ECAN rules should be aligned. The submitter suggests a new rule to be inserted.	Add a new rule: "1.4.2.6 Any such excavation as in 1.4.2.5 shall have a cut height not exceeding one metre".
1286	Cameron Norma Rose	1286.1	Oppose	Entire Plan Change	<p>The submitter states that the policies and rules fail to achieve the sustainable management purposes of the RMA 1991 or to fulfil the requirements of section 6b of the RMA. The submitter is concerned that PC6 will limit future business growth, particular vineyard plantings and winery plans, making their business unviable. The rules in the proposed PC would also inhibit the development of sensible high-class life-style blocks, most of which would be out of sight of the Main Akaroa Road.</p> <p>The submitter thinks that the rules contained within PC6 provide an inappropriate level of control for the Lower Port Hills, and there has been inadequate consideration given to alternatives, costs and benefits as required by the Act.</p> <p>Furthermore the submitter considers that the grandfather clause is too limited; height restrictions on horticultural structures is ridiculous; the proposed earthworks limit is too low and the rules should focus on good design, removal of spoil and landscaping to make it more beneficial.</p>	Rejection of Plan Change 6 in its entirety.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					The submitter also states that PC6 ignores earlier consultation. The justification for the 20m contour line appears to be for ease of planning administration purposes, and not for specific landscape protection purposes. Most areas between 20m and 60m do not warrant restrictive controls.	
1287	Cameron Brian Kennedy	1287.1	Oppose	Entire Plan Change	<p>The submitter states that the policies and rules fail to achieve the sustainable management purposes of the RMA 1991 or to fulfil the requirements of section 6b of the RMA. The submitter is concerned that PC6 will limit future business growth, particular vineyard plantings and winery plans, making their business unviable. The rules in the proposed PC would also inhibit the development of sensible high-class life-style blocks, most of which would be out of sight of the Main Akaroa Road.</p> <p>The submitter thinks that the rules contained within PC6 provide an inappropriate level of control for the Lower Port Hills, and there has been inadequate consideration given to alternatives, costs and benefits as required by the Act.</p> <p>Furthermore the submitter considers that the grandfather clause is too limited; height restrictions on horticultural structures is ridiculous; the proposed earthworks limit is</p>	Rejection of Plan Change 6 in its entirety.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>too low and the rules should focus on good design, removal of spoil and landscaping to make it more beneficial.</p> <p>The submitter also states that PC6 ignores earlier consultation. The justification for the 20m contour line appears to be for ease of planning administration purposes, and not for specific landscape protection purposes. Most areas between 20m and 60m do not warrant restrictive controls.</p>	
1288	Whelan Grant Andrew	1288.1	Oppose	Entire Plan Change	<p>The submitter states that the policies and rules fail to achieve the sustainable management purposes of the RMA 1991 or to fulfil the requirements of section 6b of the RMA. The submitter is concerned that PC6 will limit future business growth, particular vineyard plantings and winery plans, making their business unviable. The rules in the proposed PC would also inhibit the development of sensible high-class life-style blocks, most of which would be out of sight of the Main Akaroa Road.</p> <p>The submitter thinks that the rules contained within PC6 provide an inappropriate level of control for the Lower Port Hills, and there has been inadequate consideration given to alternatives, costs and benefits as required by the Act.</p> <p>Furthermore the submitter considers that the grandfather clause is too limited; height</p>	I seek that this Plan is rejected in its entirety.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>restrictions on horticultural structures is ridiculous; the proposed earthworks limit is too low and the rules should focus on good design, removal of spoil and landscaping to make it more beneficial.</p> <p>The submitter also states that PC6 ignores earlier consultation. The justification for the 20m contour line appears to be for ease of planning administration purposes, and not for specific landscape protection purposes. Most areas between 20m and 60m do not warrant restrictive controls.</p>	
1289	Whelan Helen Gwenda	1289.1	Oppose	Entire Plan Change	<p>The submitter states that the policies and rules fail to achieve the sustainable management purposes of the RMA 1991 or to fulfil the requirements of section 6b of the RMA. The submitter is concerned that PC6 will limit future business growth, particular vineyard plantings and winery plans, making their business unviable. The rules in the proposed PC would also inhibit the development of sensible high-class life-style blocks, most of which would be out of sight of the Main Akaroa Road.</p> <p>The submitter thinks that the rules contained within PC6 provide an inappropriate level of control for the Lower Port Hills, and there has been inadequate consideration given to alternatives, costs and benefits as required by the Act.</p> <p>Furthermore the submitter considers that the grandfather clause is too limited; height restrictions on horticultural structures is ridiculous; the proposed earthworks limit is too low and the rules should focus on good</p>	I seek that this Plan is rejected in its entirety.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>design, removal of spoil and landscaping to make it more beneficial.</p> <p>The submitter also states that PC6 ignores earlier consultation. The justification for the 20m contour line appears to be for ease of planning administration purposes, and not for specific landscape protection purposes. Most areas between 20m and 60m do not warrant restrictive controls.</p>	
1290	Chapman Dennis & Deborah	1290.1	Oppose	Entire Plan Change	<p>The submitter's own land immediately adjoins Rocklands existing development area. They purchased the land for residential purposes as it was not viable for rural use. The submitters state that classing their property as Outstanding Natural Landscape is incorrect and it does not qualify under s6(b) of the RMA.</p> <p>PC6 fails to achieve the sustainable management purpose of the RMA, and that the restrictions imposed by PC6 are not necessary or conducive to the achievement of the purpose of the Act, the statutory assessment under s32, or to fulfil the requirements of section 6(b) of the Act. The provisions of PC6 and the extension of the Outstanding Natural Landscape overlay are not the most appropriate way to meet the settled objective and policies of the Selwyn District Plan.</p>	<p>That PC6 be deleted in its entirety. That the submitter's land be excluded from the effect of PC6.</p> <p>Or, in the alternative, that the submitter's land be excluded from the effect of PC6; and in addition, that the construction of a new residential dwelling on the submitter's land be provided for as a permitted activity in recognition of the level of development currently surrounding the land.</p>

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					<p>Furthermore the rules contained within PC6 provide an inappropriate level of control for the lower Port Hills. There has not been adequate consideration given to alternatives, costs and benefits. The submitter states that PC6 fails to take into account existing levels of development surrounding their land. Furthermore, the justification for the 20m contour line appears to be for ease of planning administration purposes, and not for specific landscape protection purposes.</p> <p>The submitter also states that PC6 is confused as to the appropriate activity status for dwellings on sites of 4 hectares or greater. The provisions suggest the status is intended to be 'controlled' but the operation of Rule 3.10.3 means that they in fact fall to be considered as 'restricted discretionary'.</p>	
1291	Mingard Hugh Francis	1291.1	Oppose	Entire Plan Change	<p>The submitter states that the proposal does not adequately address the economic and social wellbeing of the local community as required by the RMA;</p> <p>It will not meet the objective of protecting the area's natural beauty because of continued grazing on the lower slopes;</p> <p>That the landscape report could equally support the PC and other options available to the Council. Its conclusion was biased by its original remit (focusing on the 60m contour).</p>	I would like the Council to reject all aspects of the proposed Plan Change relating to the Lower Port Hills slopes.

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
		1291.2	Oppose	Rural Rule 3.10.3 "Grandfather clause"	The submitter states that the proposal will be economically damaging to the Selwyn District in a wider context because it does not honour previous lawful agreements with landowners. For example the grandfather clause does not protect existing consents.	The Council should honour all existing commitments to landowners (subdivision consents, building consents).
		1291.3	Oppose	Buildings and Residential Density	The submitter states that the Plan Change is not consistent with development in the Christchurch City Council plan, contrary to the statement in Part 9 (cross boundary issues). The City Council has allowed for development to extend past the 60m contour.	If the Council feels greater controls are necessary on building activities on the Lower Slopes it should consider discretionary controls, not changes in minimum subdivision size.
1292	Mingard Susan	1292.1	Oppose	Rezoning Rural Inner Plains to Rural Port Hills	The submitter states that the Plan Change is unnecessarily restrictive and it ignores the findings of recent and earlier consultations with affected landowners. Also that it does not represent sustainable management of natural and physical resources as required under the Act, and does not enable people and communities to provide for their social, economic and cultural wellbeing.	Reject Proposed Plan Change 6 where it relates to land between the 20m and 60m contour. Consider either Option 3 or retaining the status quo (option 1) with the addition of controls on the erection of dwellings.
		1292.2	Oppose	Rural Rule 3.10.3 "Grandfather clause"	The submitter says that the Council should include within the grandfather clause, provision to allow landowners to establish a dwelling as a controlled activity if they were legally granted resource consent to subdivide. If this is not included then as a result landowners may suffer significant financial hardship.	If option 2 is adopted then as a minimum: <ul style="list-style-type: none"> • Include landowners who have been legally granted consent to subdivide under the 'grandfather clause' even if they have not been granted separate titles.
		1292.3	Oppose	Entire Plan Change	The submitter thinks that subdivision on the Port Hills has the potential to enhance the landscape if done appropriately and can therefore be classed as an activity that will have a complementary effect on the landscape values of the area.	If option 2 is adopted then as a minimum: Give more consideration to what constitutes sustainable land management, reasonable and economic use of land and

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Submission Number	Submitter	Point	Position	Summary		Decision Requested
					The submitter does note the importance of design, siting and colour, and that those dwellings designed to be unobtrusive will not detract from the attractiveness of the landscape. Restricting development to below the 20m contour will bring it close to the State highway and make it more, rather than less, obvious from the road.	appropriate/inappropriate use and development in this area.
1293	Macartney Jennifer Robyn	1293.1	Oppose	Entire Plan Change	<p>The submitter states that initial consultation with landowners that set the 60m contour is now being ignored. That the landscape below 60m is more common to that of the Inner Plains. It is developed with cell phone towers, houses, horticulture, vineyards, farming and roading; it is, therefore not Outstanding Natural Landscape and above the 60m contour is slightly more natural.</p> <p>The submitter has 100 acres of hill that would have no value if the Plan Change goes ahead. The submitter says that they have not been consulted and that the Plan Change only takes one element of the RMA into account.</p>	The Selwyn District Council should reject the Plan Change in its entirety.
1294	Director General of Conservation	1294.1	Support	Rural Rule 1.4.2.5 Earthworks	<p>The submitter supports the intention of the Plan Change to address any ambiguity and inconsistencies that currently exist in the District Plan in relation to the outstanding natural features and natural values of the Lower Port Hills and Summit Road Protection Area.</p> <p>And that the Plan Change gives better effect to the Council's responsibilities under Part 11 of the RMA and proper regard is given to Section 74(c) in relation to the Selwyn District part of the Port Hills</p>	Accept the Plan Change in its entirety.

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					<p>adjacent to the Christchurch City and Banks Peninsular boundaries.</p> <p>In particular, the Director General supports Part C1.4 Earthworks and Outstanding Landscape Areas Rule 1.4.2.5.</p> <p>The amendment as proposed makes clear that the rule is intended to apply to a 'site' and not a cumulative volume. A lower threshold for earthworks in an area identified as an Outstanding Natural Landscape is appropriate to properly consider the potential for adverse effects.</p>	
1295	Horticulture New Zealand	1295.1	Oppose in Part	Rezoning Rural Inner Plains to Rural Port Hills	<p>The submitter is concerned about the continued use of land for horticulture production in the identified area as the proposed changes would essentially mean current uses would require resource consent.</p> <p>The submitter does accept that that the Summit Road Protection area is more sensitive but the lower slopes should be able to be used for horticulture production without need for resource consent, particularly in relation to orchard trees, berry vines and shelterbelts.</p>	Provide for planting of berry and orchard trees on the lower Port Hills (20-60 metres contour, by deleting orchard trees and vines from the definition of 'plantation' or providing for such plantings as a permitted activity within the 20-60 metre contour lines of the Port Hills).
		1295.2	Oppose in Part	Definitions	<p>The submitter states that at present, orchard trees are included in the definition of plantation, although shelterbelts are not. The definition is broad and encompasses a range of plantings which is not an effects based approach. The effects of an orchard compared with forestry plantations are not comparable, but the plan puts them in the same category.</p>	Amend definition of 'plantation' by deleting 'orchard, vineyard'.

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					PC6 uses the term 'plantations', but there appears to have been no consideration of the effect or impact of the use of this broad definition. The submitter seeks to exclude orchard trees and vineyards from the definition.	
		1295.3	Oppose in Part	Policy B1.4.9 Buildings / Structures	<p>The submitter states that the Policy 1.4.9 that relates to buildings or structures that may be erected on the Port Hills, lacks clarity as there is no definition in the District Plan as to what 'structures' are defined as.</p> <p>If the structures that are to be subject to the policy are included as 'buildings' then there is no need to include 'structures' as a separate part of the policy and the word should be deleted.</p> <p>If the 'structures' the Council seeks to manage are not included as 'buildings'; then there should be a definition as to what 'structures' actually includes. The submitter states that the effect of structures can be significantly different depending on scale and location.</p>	Either delete 'structure' from Policy B1.4.9 or add a definition to clarify that it is structures over 2 metres in height and ensure that structures associated with horticulture activities are provided for as a permitted activity.

PLAN CHANGE 6 (PC6)– SUMMARIES OF SUBMISSIONS

Lower Port Hills and Summit Road Protection Area

Submission Number	Submitter	Point	Position	Summary		Decision Requested
1296	Orsum Park Ltd	1296.1	Oppose	Entire Plan Change	<p>The submitter acknowledges that it is important to identify Outstanding Natural Landscapes but the Lower Port Hills is highly modified. Until such time as it is identified as to what would be considered 'natural' then the submitter believes the Council has not completed its findings.</p> <p>The Council needs to listen to landowners and not external parties. No consideration has been given to the economic value of what is being planned.</p>	<p>I believe you have not completed your obligations to consult with the community.</p> <p>Request that PC6 be revoked and further consultation with the community start immediately.</p>
1297	Ahuriri Farm Limited	1297.1	Oppose	Objectives and Policies	<p>The submitter opposes the overall objective and policy approach adopted in PC6, in relation to residential density and subdivision. PC6 does not appear to support the rights of people who have gained subdivision consent under the previous zoning and who may not be able to realise the proposal consented to, because of the inadequacy of the controlled activity and grandfather clause exemption under the density provisions for the new zoning.</p> <p>Objectives and policies need to make it clear that exemptions will be made for property owners, where a subdivision consent has already been granted.</p>	<p>Include an objective and policy statement to cater for the grandfather clause already proposed through Plan Change 6 which enables a dwelling to be erected as a controlled activity on existing 4 ha allotments created up until the date of notification of this Plan Change and which also allows a similar grandfather clause where subdivision consent has been granted but titles have not yet issued.</p>

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		1297.2	Oppose	Rural Rule 3.10 Buildings and Residential Density	<p>The submitter is concerned that it would appear that any allotment qualifying for permitted activity status under 3.10.2 and is in the Lower Port Hills Zone will also qualify for controlled activity status under 3.10.3, and the more restrictive rule will apply.</p> <p>Further, the submitter is concerned that 3.10.3 requires a Title to be issued for the lot for erection of a dwelling to be a controlled activity. If a Title is not issued, but the land has subdivision consent, erecting a dwelling on the allotment could be a non-complying activity.</p> <p>Overall, rule 3.10.3 as written is confusing, and the terminology inconsistent with the intent of the rule as it will not enable someone who has subdivision consent, but Titles are not yet issued, to utilise the controlled activity status of this rule and have some certainty that a dwelling will be able to be erected on the lot.</p> <p>The submitter owns land which may be affected by clause 3.10.3. Others may be similarly affected, and it is important for the Council to cover all other situations potentially affected by this change.</p>	<p>i. Amend rule 3.10.3 so that the controlled activity status will also apply to lots where subdivision consent has been granted but Titles have not been issued: and further amend to make clearer how that rule fits with rule 3.10.2 by use of additional words to rule 3.10.3 or by adding notes or by use of alternative terminology. Alternative wording will be presented at the hearing on this matter for the Councils consideration.</p> <p>ii. Amend the reasons for rules as appropriate to giving effect to the proposed amendment above.</p>
1298	Federated Farmers (North Canterbury)	1298.1	Oppose	Entire Plan Change	The submitter has several concerns about PC6. The practical effects of this Plan Change restrict the ability to subdivide, build or carry out earthworks in affected areas, including ability to change land use, expand farming operations, or allow for alteration or diversification of farming	Federated Farmers seeks that the Council reject the proposed Plan Change.

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				<p>activities.</p> <p>This change would designate the area from the 60 to the 20m contour an outstanding natural landscape (ONL). This suggested alteration based on two landscape studies is not an accurate characterisation. Based on the Environment Court's decision in the Banks Peninsular landscape case (C45/2008) the Council should ensure the criteria for determining Outstanding Natural Landscapes are robust and any rules are fair, necessary and effects based. Federated Farmers do not believe there is a problem that requires changing activity status.</p> <p>The proposed Plan Change did not allow adequate consultation with landowners.</p> <p>The Plan Change is not in line with the "effects based" approach of the RMA.</p>	