

## **Private Plan Change Request 76 – Hearing Statement for H and M Moynihan**

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### **Introduction**

1. This hearing statement is filed for Hayley and Michael Moynihan. The Moynihans own the property at 627 East Maddisons Road, Rolleston. Their property is subject to Private Plan Change Request 76 (**PC76**).
2. The Moynihans made a submission in support of PC76, subject to the Outline Development Plan and any accompanying plans that form part of PC76 recognising and accounting for the location of the existing dwelling and curtilage at their property.
3. This statement:
  - (a) Summarises the reasons for the Moynihans' submission; and
  - (b) Sets out their position on the Section 42A Report and evidence filed for the Applicant.

### **Summary of Submission**

4. In brief, the reasons for the Moynihans' submission are that the rezoning proposed by PC76:
  - (a) Is a logical extension to the existing consented, zoned and implemented residential development in the surrounding areas;
  - (b) Has the necessary supporting infrastructure; and
  - (c) Is consistent with and achieves the relevant planning framework.
5. However, the Moynihans consider that PC76 can, and should, recognise and account for the location of the existing dwelling and curtilage on their property.

### **Section 42A Report and Applicant's Evidence**

6. The Moynihans support the assessment in the Section 42A Report that PC76 satisfies the relevant statutory tests and the recommendation that the rezoning request be granted. In particular, the Moynihans agree with the assessment that the plan change area is transitioning from a semi-rural setting to a mixed-density residential environment and consider that the rezoning proposal reflects this change in the character of the environment
7. The evidence for the Applicant is generally in agreement with the Section 42A Report and the Moynihans accordingly also support the position of the Applicant. The Moynihans note that the indicative design concept attached as Appendix B to Ms Lauenstein's urban design evidence for the Applicant accommodates their existing dwelling and curtilage and this is supported.
8. In terms of the remaining differences between the Section 42A Report and the Applicant, the Moynihans' position is:
  - (a) *Road alignment and walking/cycling connections* – the Moynihans prefer the position of the Applicant as shown on the Applicant's revised Outline Development Plan, attached as Appendix 1 to Mr Thomson's planning evidence. This position is based on the traffic evidence of Ms Williams and the urban design evidence of Ms Lauenstein. The Moynihans agree that the alignment shown on Applicant's revised Outline Development Plan is more appropriately aligned with the existing and future road network, includes sufficient walking and cycling opportunities and connections, and would create a more balanced distribution of road network within the plan change area.

- (b) *Medium density buffer area* – the Moynihans do not agree with the urban design position for the Council that a buffer is required between the areas of medium density housing in the plan change area (shown shaded in pink) and the adjacent land to the north. This is because the medium density areas are next to areas that are already zoned or developed for residential purposes, and it is considered that a buffer would potentially isolate future development, rather than provide an opportunity to better interact with those existing zoned/developed areas. The Moynihans note that this matter has not been addressed in the Applicant's evidence, however, they support the depiction of medium density in these areas as shown on an earlier version of the Outline Development Plan proposed by the Applicant.
- (c) *Water race* – the Moynihans agree with position of Applicant that the water race is a rural feature and should not be included in the Outline Development Plan. In this respect, the Moynihans adopt the reasons set out in the urban design evidence of Ms Lauenstein for the Applicant.
- (d) *Location of reserve* – while not a fundamental point for the Moynihans, they support the urban design position of the Council that the reserve location should be changed, as shown on the Outline Development Plan attached to the Section 42A Report. It is noted that this matter has not been addressed in the evidence for Applicant.

### **Conclusion**

9. Overall, the position of the Section 42A Report and the evidence for the Applicant is closely aligned and, in the Moynihans' view, illustrates that PC76 satisfies the relevant requirements and should be approved.

**27 October 2021**

**Hayley and Michael Moynihan**

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