

V1 PART A: SUBDIVISION

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1 Scope of Report

- [1] This Recommendation Report prepared by the Independent Hearing Panel (IHP) relates to submissions and further submissions that were received on the Subdivision chapter of Part A of the SDC's Intensification Planning Instrument (IPI) which is otherwise known as Variation 1 to the PDP.
- [2] The IHP members were:
- Andrew Willis
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The Section 42A Reports¹ were:
- Section 42A Report, Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan, Report on submissions and further submissions, Subdivision, Rachael Carruthers, 4 April 2023; and
 - Officer's Response to Direction from Hearing Panel, Rachael Carruthers, 16 May 2023.
- [4] Our recommended amendments to the IPI provisions are set out in Appendix 1.

2 Our Approach

- [5] The April 2023 Section 42A Report helpfully outlined relevant background information on several matters:
- Resource Management Act 1991;
 - National Policy Statement on Highly Productive Land (NPS-HPL); and
 - National Planning Standards.
- [6] We adopt that background information without generally repeating it.
- [7] Ms Carruthers provided a description of each submitter's request. We adopt those descriptions without repeating them here. It is therefore imperative that readers of this Recommendation Report also read Ms Carruthers' April 2023 Section 42A Report.
- [8] Further submitters are not generally referred to in this Recommendation Report, because further submissions are either accepted or rejected in conformance with our recommendations on the primary submissions to which they relate.

3 Hearing and Parties Heard

- [9] The hearing was held on 9th and 10th May 2023. The parties who wished to be heard and who appeared at the hearing were:

Sub #	Name
V1-0055	AgResearch
V1-0067	Kevler Development Limited
V1-0068	Manmeet Singh
V1-0078	KiwiRail
V1-0113	Kāinga Ora

¹ No Section 42A Reply Reports were provided for the Variation 1 hearings.

- [10] The witnesses and counsel we heard from are listed in Appendix 2. A copy of their legal submissions and evidence is held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.
- [11] Cross examination is allowed through the intensification streamlined planning process (ISPP)². No submitter requested to cross-examine the witnesses of any other submitter.

4 Submitters – General

- [12] There were a number of submissions that either supported or opposed the notified provisions, but did not specify any relief. We have adopted Ms Carruthers' reasons and recommendations for those submissions.
- [13] A number of submissions were assessed by Ms Carruthers as being 'out of scope' because they did not address provisions that were subject to Variation 1. We also adopt her recommendations for those submissions.
- [14] The submissions that fall within the above categories are:

Sub #	Submitter	Submission Points
V1-0029	G & S Burgess	004, 005, 006, 035, 036, 037, 042, 043
V1-0032	Eliot Sinclair	001, 002, 003, 040, 008, 009, 011, 012, 013, 029, 031
V1-0034	M Rabani	002
V1-0035	S Rabani	002
V1-0056	Ara Poutama	004, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072
V1-0083	Waka Kotahi	012
V1-0090	FENZ	014, 013, 015
V1-0113	Kāinga Ora	020, 021, 022
V1-0114	CSI & RWRL	006, 007, 012, 023, 025, 080, 081
V1-0115	RIDL	004, 005, 012, 013, 014, 023

5 Schedule 1, clause 99(2)(b) Amendments

- [15] Under clause 99(2)(b) of Schedule 1 of the RMA³ the recommendations of the IHP must be related to a matter identified by the Panel or any other person during the hearing, but are not limited to being within the scope of submissions. We have made recommendations utilising clause 99(2)(b) of Schedule 1 and for ease of reference the affected provisions are:
- (a) SUB-R1 and SUB-R12, amended to make them CON (controlled activity) rules that are subject to a limited range of SUB-REQs (rule requirements).

6 Schedule 1, clause 16(2) amendments

- [16] Ms Carruthers recommended that we make a number of minor amendments under clause 16(2) of Schedule 1 to the RMA. We adopt her recommendations and for ease of reference the affected provisions and the amendments are:
- (a) SUB-R1.6 (matter for control) amended to align with standard PDP wording; and

² RMA s98(4).

³ A new Part 6 was inserted into Schedule 1 of the RMA by Part 2 the RMA-EHS.

(b) SUB-R12.18 (matter for control) amended to align with standard PDP wording.

7 SUB-R1 in the RESZ (including MRZ)

[17] For the following submissions we adopt Ms Carruthers' recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0090	FENZ	011
V1-0113	Kāinga Ora	019

[18] In particular we note:

- the matter raised by FENZ was adequately addressed by the PDP Hearings Panel for the Subdivision chapter (Hearing 14) and we adopt their conclusions regarding requiring water supply to be provided in accordance with SNZ 4509:2008 New Zealand Fire Service Water Supplies Code of Practice; and
- the matter raised by Kāinga Ora regarding only applying SUB-R1 to vacant sites was adequately addressed by the PDP Hearings Panel for the SUB chapter and we adopt their conclusions.

[19] For the following submissions we depart from Ms Carruthers' recommendations:

Sub #	Submitter	Submission Points
V1-0055	AgResearch	002, 003, 019
V1-0114	CSI & RWRL	005
V1-0115	RIDL	011

[20] As Jason Jones for AgResearch noted, notified SUB-R1.5 for the MRZ contained 12 REqs (rule requirements or standards) that must be met in order for a subdivision to achieve a CON activity status. Where any one or more of those requirements are not met, a consent application is required as either a RDIS, DIS or NC activity, depending on which REqs were contravened.

[21] Mr Jones considered that under Schedule 3A clause 3 of the RMA, subdivision in the MRZ for the purpose of complying residential units (be they a permitted activity under Schedule 3A clause 2 or a consented activity under Schedule 3A clause 4) must always remain a CON (controlled activity). That was reinforced by Schedule 3A clause 7 which states "*any subdivision provisions must ... provide for subdivision applications as a controlled activity*".

[22] Counsel for AgResearch submitted that Mr Jones' planning evidence was consistent with Ministry for the Environment (MfE) guidance for territorial authorities on the MDRS which stated⁴:

Subdivision requires consent as a controlled activity for the purposes of the construction and use of residential units in accordance with the above land use rules. This applies regardless of whether or not a vacant lot is created, and is subject to section 106.

[23] Counsel also drew our attention to clause 8 of Schedule 3A which states "*Without limiting clause 7, there must be no minimum lot size, shape size, or other size-related subdivision requirements*" in the two scenarios in sub-clauses (a) and (b) of clause 8. Counsel observed that, notably,

⁴ Ministry for the Environment, Medium Density Residential Standards: A guide for territorial authorities, July 2022, page 3.

clause 8 did not require consent authorities to impose size and shape standards in other circumstances.

- [24] Mr Jones considered that the Schedule 3A statutory obligations did not enable SDC to impose a subdivision rule in the MRZ that contained REQs where the consequence of non-compliance with the REQs was a more stringent activity status than CON. He recommended a new CON rule with matters of control that he said were similar in scope to those otherwise referred to in the notified rule, including legal access, water supply, wastewater disposal, stormwater management, communications, electricity and any relevant matters in an ODP.
- [25] We sought a legal opinion on this matter from SDC's solicitor (Kate Rogers) which we received on 13 June 2023⁵. The salient points from that opinion are:
- Under clause 3 of Schedule 3A of the RMA, subdivision must be a controlled activity where the subdivision is for the purpose of construction and use of a building which complies with the MDRS density standards or where the construction and use of a building does not comply with one of the MDRS density standards (and therefore, defaults to restricted discretionary under clause 4 of Schedule 3A of the RMA);
 - Clause 7 of Schedule 3A of the RMA only limits subdivision activity status to controlled where it relates to a level of development permitted under Schedule 3A of the RMA. That is, where the MDRS density standards are met;
 - Clause 8 of Schedule 3A of the RMA does not deal with activity status. It only prevents subdivision provisions setting minimum lot size, shape size, or other size-related subdivision requirements in the situations set out in that clause (namely, where the MDRS density standards either will be breached (or further breached) or where each allotment cannot contain a permitted residential unit or where a vacant allotment is created); and
 - Subdivision can default to a 'harsher activity status' than controlled where a qualifying matter applies or the associated activity is governed by standards that are not 'density standards' in Schedule 3A of the RMA
- [26] Having considered the legal advice, we find in favour of an amended CON rule for subdivision in the MRZ. We find that in order for subdivisions in the MRZ to always be CON there can be no reference in SUB-R1.5 to any SUB-REQs (rule requirements which are effectively standards) that limit the MDRS density standards. The reason being that when those REQs are breached the activity must axiomatically default to a harsher rule category (RDIS, DIS or NC) which would be contrary to Schedule 3A of the RMA.
- [27] However, having regard to Ms Rogers' legal opinion and Ms Caruthers' 16 May 2023 'Response', we consider that SUB-R1.5 in the MRZ can, and should, refer to the rule requirements that address ODPs, access and development 'conditions precedent'⁶ (SUB-REQ3, SUB-REQ6 and SUB-REQ13). In addition, we consider that SUB-R1.5 in the MRZ should also refer to rule requirements that address walkable blocks, corner splays, water and wastewater disposal (SUB-REQ7, SUB-REQ8, SUB-REQ9 and SUB-REQ10). In our view none of those important matters limit the MDRS density standards.

⁵ Ms Rogers' opinion was informed by legal submissions filed on this issue by submitters Trices Road Rezoning Group (dated 2 June 2023) and Yoursection Limited (dated 2 June 2023).

⁶ Matters such as groundwater, riparian management, springhead protection, and off-site roading improvements.

- [28] In addition, we agree with Ms Carruthers' recommendation that the SUB-REQ1 provisions not apply to subdivision in MRZ, with the effect of retaining a minimum site dimension of 16m by 23m for vacant sites, while removing the 400m² minimum site area. This would ensure that vacant sites are large enough to enable three residential units of 8m by 15m to be established, without requiring sites in the MRZ to be larger than the minimum site size in the GRZ (500m²) or LRZ (600m²), as this would defeat the purpose of MRZ. Reflecting on the evidence provided by submitters, we also recommend that SUB-R1 requires that any vacant site is able to accommodate a building square with dimensions that are no less than 8m by 15m.
- [29] We observe that if the remaining rule requirements are omitted from SUB-R1.5 in the MRZ, decision-makers will still be able to impose conditions on subdivision applications in accordance with the matters of control specified in the SUB-MATs (matters of control) and particularly SUB-MAT1.6. In that regard, and noting our conclusions above, we consider that the notified SUB-MATs are adequate and they can be referred to in the amended SUB-R1.5 (as was contained in the notified Variation 1 version of SUB-R1 for the MRZ) and there is no need for bespoke matters of control recommended by Mr Jones.
- [30] Having said that we note that SUB-REQ11 was recommended for deletion and SUB-REQ13 was recommended to be relocated into the Earthworks chapter by respective PDP Hearing Panels. We show those provisions in 'strike out' in Appendix 1.
- [31] Consequently, we recommend that EW-R5A applies in the MRZ.
- [32] In recognition that subdivisions in the MZR can occur for purposes other than for the purpose of the construction and use of residential units, we recommend that SUB-R1 in the MRZ should provide for those 'other' subdivisions as a DIS.
- [33] We find the same overall conclusions apply to SUB-R12 dealing with boundary adjustments.
- [34] We do not consider that other provisions relating to subdivisions in the PDP chapters (such as in the Transport chapter) need to be amended. If subdivisions in the MRZ fall foul of those provisions then the subdivision consent can 'default' to the relevant consent category, as those 'transport standards' would not be a 'density standard'. An example would be 'TRAN-REQ2 Vehicle crossing access restrictions'. Another example would be non-compliance with 'conditions precedent' in ODP's relating to matters such as off-site roading network improvements that were included in Variation 1 for SUB-REQ13.
- [35] Regarding the specification of a 'minimum lot size, shape size', we agree with counsel for AgResearch⁷ that Schedule 3A clause 8 "*...does not require consent authorities to impose size and shape standards in all other circumstance*". However, we find that a minimum lot size and shape should be considered by decision-makers to prevent the (albeit unlikely) situation arising whereby a developer might seek to promote a subdivision with lot sizes that do not enable reasonable MDRS compliant buildings to be subsequently constructed. In that regard we favour the evidence of Mr Jefferies who recommended the wording "*contains a building square of not less than 8m x 15m*". We note that same building square dimension was included in SUB-REQ2.3.b as notified in Variation 1.

⁷ Her paragraph 2.8.

- [36] On that matter we accept the evidence of Mr Jefferies who had considered whether the shape factor sought by Kāinga Ora could lead to the creation of vacant allotments that were not of a sufficient size to accommodate an appropriate dwelling. Mr Jefferies set out architectural modelling undertaken by Tauranga City Council as part of their Plan Change 33 which demonstrated how that shape factor could accommodate a viable building that complies with the MDRS.
- [37] Finally, we turned our minds to how best the statutory obligations in Schedule 3A clause 8 could be encapsulated in the PDP. In her April 2023 Section 42A Report Ms Caruthers recommended using those obligations as ‘entry conditions’ for SUB-R1 and SUB-R12, but of course that cannot occur if applications for subdivision in the MRZ are to remain CON activities. We consider that referring to a ‘shape factor’ in SUB-MAT1 adequately addresses the Schedule 3A clause 8 matters.
- [38] We recommend that the SDC:
- (a) amends SUB-R1 and SUB-R12 to be CON rules that are subject to a limited range of rule requirements;
 - (b) amends the SUB-REQ1, 2, 4, 11 and 12 so that they do not relate to the MRZ; and
 - (c) inserts ‘minimum lot size, shape size’ considerations into SUB-MAT1.
- [39] We recommend for the following submissions:

Sub #	Submitter	Submission Points	Recommendation
V1-0055	AgResearch	002, 003, 019	Accept in part
V1-0114	CSI & RWRL	005	Accept in part
V1-0115	RIDL	011	Accept in part

8 SUB-REQ1, REQ2, REQ3, REQ4, REQ7, REQ9, REQ10 and REQ13

- [40] Given our above findings for subdivision in the MRZ, we recommend that submissions seeking the deletion of REQs are accepted in part, submissions seeking the retention of the REQs with no change or their retention with only additions are rejected, and all other submissions are accepted in part as follows⁸.

Sub #	Submitter	Reject	Accept in part
V1-0025	Yoursection	004	
V1-0029	G & S Burgess		028, 029, 030, 031, 032, 033
V1-0032	Eliot Sinclair		005, 006, 014, 007, 015, 030
V1-0055	AgResearch		004, 005, 006, 007, 008, 009
V1-0067	Kevler		003, 004, 005
V1-0080	CCC	026	
V1-0092	SDC	010, 011, 012, 013	
V1-0112	Hughes	004, 005, 014, 015	
V1-0113	Kāinga Ora	025	024, 026
V1-0114	CSI & RWRL	008, 010, 011, 012, 013, 024	009
V1-0115	RIDL	018, 019, 020, 033	015, 016, 017

⁸ Readers should note that some submission points on the SUB-REQs are addressed in section 4 of this Recommendation Report.

9 SUB-MAT1

[41] For the following submissions we generally adopt Ms Carruthers' recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0113	Kāinga Ora	027
V1-0114	CSI & RWRL	014
V1-0115	RIDL	021

[42] In particular we agree that:

- the title of the provisions need not be amended to refer only to 'vacant sites', rather it should apply to all subdivision applications in the MRZ where the MDRS are not met and the landuse application would be assessed as an RDIS; and
- in response to the submissions of CSI & RWRL and RIDL, SUB-MAT1.6 should be amended to refer to 'the extent to which' as opposed to 'Whether'. Also, the term 'best and' should be deleted from SUB-MAT1.6. Those amendments will better provide for decision-makers to exercise their discretion when assessing the merits of subdivision proposals requiring consent.

[43] However, in relation to V1-0113.030 Kāinga Ora, the Hearing Panel for the PDP Subdivision chapter recommended replacing the words 'anticipated character' with 'planned form' and so we recommend that this submission is accepted, but that the words 'planned urban form' be used to align with previous amendments recommended to the PDP provisions.

[44] We also agree with the evidence of Mr Jeffries⁹ for Kāinga Ora that the amendment recommended by Ms Carruthers to SUB-MAT1.6 might be interpreted to mean that car parking and vehicle crossings are required in all cases. We therefore recommend that the SUB-MAT1.6(a)(iv) and (v) are qualified as recommended by Mr Jefferies.

[45] We therefore recommend as follows:

Sub #	Submitter	Submission Points	Recommendation
V1-0113	Kāinga Ora	027, 030	Accept

[46] We recommend that the SDC:

- (a) amends SUB-MA1.6 as outlined above and shown in Appendix 1.

10 SUB-MAT12

[47] For the following submissions we adopt Ms Carruthers' recommendations and reasons. This results in no change to the notified Variation 1 provisions.

Sub #	Submitter	Submission Points
V1-0029	G & S Burgess	034
V1-0032	Eliot Sinclair	034
V1-0055	AgResearch	010
V1-0067	Kevler	006
V1-0114	CSI&RWRL	015
V1-0155	RIDL	022

⁹ His paragraph 3.25.

11 Other Matters

[48] No other matters were brought to our attention.

Appendix 1: Recommended Amendments

Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Text proposed in Variation 1 is in blue font. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

There are no amendments recommended to PDP Planning Maps arising from our recommendations on the submissions and further submissions covered by this Recommendation Report.

Amendments to the PDP Text

Part 2 – District Wide Matters

SUB – Subdivision

SUB-Rules

SUB-R1	Subdivision in the Residential Zones	
MRZ	<p>Activity status: CON</p> <p>5. Subdivision <u>to create any site intended for the construction and use of a residential unit</u> not subject to any of SUB-R12, SUB-R13, SUB-R14, or SUB-R15.</p> <p>Where</p> <p><u>a. every vacant site (other than a site used exclusively for access, reserves, or infrastructure, or which is wholly subject to a designation) has:</u></p> <p><u>i. a dimension not less than 16m x 23m; and</u></p> <p><u>ii. a building square of not less than 8m x 15m.</u></p> <p>Where And this activity complies with the following rule requirements:</p> <p>SUB-REQ1 Site Area</p> <p>SUB-REQ2 Building Square</p>	<p>Activity status when compliance not achieved:</p> <p><u>7A. When compliance with any of SUB-R1.5 is not achieved: DIS unless any of SUB-R12, SUB-R13, SUB-R13A, SUB-R14 or SUB-R15 apply¹⁴.</u></p> <p>8. When compliance with any rule requirement listed in this rule is not achieved: Refer to SUB-Rule Requirements</p>

¹⁴ Clause 10(2)(b) consequential amendment

	<p>SUB-REQ3 Outline Development Plan SUB-REQ4 Road Frontage Width SUB-REQ6 Access SUB-REQ7 Walkable Blocks SUB-REQ8 Corner Splays SUB-REQ9 Water SUB-REQ10 Wastewater Disposal SUB-REQ11 Point Strips SUB-REQ12 Land Disturbance and Earthworks for Subdivision SUB-REQ13 Development Areas¹⁰</p> <p>Matters for control:</p> <p>6. The exercise of discretion <u>control</u>¹¹ in relation to SUB-R1.5 is restricted <u>to reserved over</u>¹² the following matters:</p> <ol style="list-style-type: none"> All matters set out in SUB – Matters for Control or Discretion, <u>and</u>¹³ Where any vacant site is created, NH-MAT3 Geotechnical Considerations. <p>....</p>	
SUB-R12	Boundary Adjustments in All Zones	
MRZ	<p>Activity status: CON</p> <p>17. Boundary adjustment.</p> <p>Where:</p> <ol style="list-style-type: none"> There is no increase in the number of sites created as a result of the boundary adjustment. For every site with an existing residential unit, either: <ol style="list-style-type: none"> the boundary adjustment does not increase the degree of any non-compliance with MRZ R2 Residential unit or other Principal Building; or land use consent for the non-compliance has been granted. <p>And Where this activity complies with the following rule requirements:</p> <p>SUB-REQ1 Site Area</p>	<p>Activity status when compliance not achieved:-<u>N/A</u></p> <p>20. When compliance with any of SUB-R12.17 is not achieved: Refer to SUB-R1.5</p> <p>21. When compliance with any rule requirement listed in this rule is not achieved: Refer to SUB-Rule Requirements.</p>

¹⁰ V1-055.009 AgResearch, V1-0067.005 Kevler, V1-0113.026 Kāinga Ora

¹¹ Clause 16(2) amendment to reflect the status of the activity.

¹² Clause 16(2) amendment to reflect the status of the activity.

¹³ Clause 16(2) amendment

	<p>SUB-REQ2 Building Square SUB-REQ3 Outline Development Plan SUB-REQ4 Road Frontage Width SUB-REQ6 Access SUB-REQ7 Walkable Blocks SUB-REQ8 Corner Splays SUB-REQ9 Water SUB-REQ10 Wastewater Disposal SUB-REQ12 Land Disturbance and Earthworks for Subdivision SUB-REQ13 Development Areas</p> <p>Matters for control: 18. The exercise of discretion <u>control</u>¹⁵ in relation to SUB-R12.17. is restricted to <u>reserved over</u>¹⁶ the following matters: ...</p>	
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SUB-Rule Requirements

SUB-REQ1	Site Area	
MRZ	<p>13. For every site with an existing residential unit, either: a. the subdivision does not increase the degree of any non-compliance with MRZ R2 Residential Unit or other Principal Building; or b. land use consent for the non-compliance has been granted. 14. For every site without an existing residential unit, either: a. the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or b. Every site: i. has a minimum net site area of 400m², and</p>	<p>Activity status when compliance not achieved: 15. When compliance with any of SUB-REQ1.13 is not achieved: DIS 16. When compliance with any of SUB-REQ1.14 is not achieved: NC</p>

¹⁵ Clause 16(2) amendment to reflect the status of the activity¹⁶ Clause 16(2) amendment to reflect the status of the activity

	ii. that is, or that is proposed to be as part of the application, subject to a legal mechanism restricting the number of residential units which may be erected on the site has a minimum net site¹⁷	
SUB-REQ2	Building Square	
MRZ	3. For every site without an existing residential unit, either: a. The subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or b. Every site contains a building square of not less than 8m x 15¹⁸	Activity status when compliance not achieved: When compliance with any of SUB-REQ2.3 is not achieved: NC
SUB-REQ4	Road Frontage Width	
MRZ	3. For every site without an existing residential unit, either: a. the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or b. Every site, excluding any rear site, has a road frontage width not less than 10m.	Activity status when compliance not achieved: 4. When compliance with any of SUB-REQ4.3 is not achieved: RDIS Matters for discretion: 5. The exercise of discretion in relation to SUB-REQ4.4 is restricted to the following matters: a. Any adverse effects on amenity values. ¹⁹
SUB-REQ7	Walkable Blocks	
LRZ MRZ GRZ SETZ CMUZ	...	

¹⁷ V1-0067.003 Kevler

¹⁸ V1-0067.004 Kevler

¹⁹ V1-055.009 AgResearch, V1-0067.005 Kevler, V1-0092.013 The Council, V1-0113.026 Kāinga Ora

SUB-Matters of control or discretion

SUB-MAT1	Size and Shape
RESZ LLRZ LRZ GRZ SETZ	<p>3. Where any proposed site has a net area equal to, or larger than, twice the size required by SUB-REQ1.1. Site Area:</p> <ul style="list-style-type: none"> a. the maximum number of sites that could be developed in the area subject to the application, in accordance with SUB-REQ1.1. Site Area; and b. the nature and appropriateness of any ongoing legal mechanism(s) to ensure that the eventual residential density of the area subject to the application does not exceed the number in SUB-MAT1.3.a.
RESZ	<p>4. The extent to which the proposal provides a variety of site sizes that are in keeping with the recognised or anticipated character <u>planned urban form</u>²⁰ of the area.</p> <p>5. Whether the shape and alignment of sites relate well to existing roads, public spaces, and surrounding or neighbouring residential areas.</p> <p>6. <u>The extent to which</u> Whether²¹ the shape and alignment of sites enable all of:</p> <ul style="list-style-type: none"> a. the best and²² appropriate location of: <ul style="list-style-type: none"> i. the principal entrance to a residential unit; ii. outdoor living space; and iii. service areas for a residential unit; iv. car parking, <u>where provided</u>²³; and v. a vehicle crossing, <u>where provided</u>²⁴; b. energy efficiency and solar orientation; c. privacy for residents; d. passive surveillance; and e. place activation and a coherent street scene.

²⁰ V1-0113.027 Kāinga Ora

²¹ V1-0114.014 CSI & RWRL, V1-0115.021 RIDL

²² V1-0114.014 CSI & RWRL, V1-0115.021 RIDL

²³ V1-0113.030 Kāinga Ora

²⁴ V1-0113.030 Kāinga Ora

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
V1-0055	AgResearch	M Thomas Andy Carr Jason Jones	Counsel Transport Planning
V1-0067	Kevler Development Limited	Fiona Aston	Planning
V1-0068	Manmeet Singh	Ivan Thomson	Planning
V1-0078	KiwiRail	Jacob Burton Michelle Grinlinton-Hancock	Counsel Planner
V1-0113	Kāinga Ora	Bal Matheson Brendon Liggett Philip Osborne Joe Jeffries	Counsel Representative Economist Planner

Tabled Evidence

Sub #	Submitter	Author	Role
V1-0090	FENZ	Nola Smart	Planner