

## Hearing 14: Subdivision and Public Access

### Questions from the Hearing Panel

Para	Questions
11.2	<p>The s42A report uses the reference RMA S229 (c) <i>To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake where the use is compatible with conservation values</i> to suggest natural character and indigenous biodiversity has primacy over activities that could adversely affect them. The inference is that natural character and indigenous biodiversity means conservation values and yet in paragraph 11.3 it gives as a reason to reject replacing ‘conservation values’ with ‘natural character and indigenous biodiversity’ as requested by DOC, to be inappropriate ‘....to restrict esplanades to just natural character values and indigenous biodiversity values...’ The use of the words ‘to just’ implies that these features are either a subset of conservation values or not as encompassing as conservation values.</p> <ul style="list-style-type: none"> <li>▪ Could the s42A please clarify this anomaly?</li> </ul>
21.2	<p>In the amendment proposed to PA-MAT3 “whether there is an acceptably low risk to public health and/or safety” is there any benefit or scope to change ‘acceptably low’ in this MAT (or in P1 where this term also figures), to ‘unacceptably high’ as this is the usual terminology where risk factors need to be taken into account?</p>
35.2	<p>Do you consider the word ‘potential’ to be certain enough for a policy that begins with the word ‘Ensure’. Or do you consider the words ‘make provision for’ better ensures that safe and efficient access will be provided for during the creation of a subdivision?</p>
40.2	<p>SUB P7 clause 3. Is Council capacity to pay for maintenance and improvements of reserves not already part of the consideration of clause 1 “Council’s need for the land based on adopted provision and distribution standards” in any event?</p>
41.3	<p>Given the intent of the SUB-P8 is to <i>‘provide for subdivision or boundary adjustments where there is no potential for further residential development’</i>, then in response to submissions, and to be consistent with the type of wording used in SUB-P4 and SUB-P9, would it be more appropriately worded:</p> <p><u>Provide for</u> <del>Manage</del> the subdivision of sites with existing residential units, or boundary adjustments between sites with existing residential units, which do not comply with the minimum site area or residential density standards for the zone, <u>only where</u> <del>to ensure that</del> the subdivision does not create any potential for additional residential development.</p>
53.2	<p>Is the relief sought by Kainga Ora now essentially provided by Variation 1?</p>

54.3	<p>Non notification clauses. This additional statement could be read two ways. Presume it only refer to matters which meet SUB-R10 1 a, and b. and REQ6-11 not for a discretionary activity under SUB-R10 4 or a non-complying activity through R10.5 to be subject to the non-notification clause as it can be read that such are applications are <u>arising</u> from SUB-R10-1? Would the word <u>under</u> be preferable to <u>arising from</u> in the non-notification clause?</p>
------	---