

# Proposed Selwyn District Plan



## Section 42A Report

Report on submissions and further submissions

Residential

Jocelyn Lewes

25 October 2022

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## List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
DPR-0005	Jessica Graham	-
DPR-0030	Elizabeth Owen	-
DPR-0032	Christchurch City Council	CCC
DPR-0037	Ross Liddicoat	-
DPR-0039	Jennifer Hardy	-
DPR-0040	Lucy Liu	-
DPR-0051	Prateek Sharma	-
DPR-0054	Julie Westland	-
DPR-0059	Dothery Hunter	-
DPR-0064	James Richard Kendall	-
DPR-0065	Linda Kathryn Kendall	-
DPR-0069	Paul McStay Ltd	-
DPR-0073	Vicki Bool	-
DPR-0075	Laura Rich	-
DPR-0076	Stephen Rich	-
DPR-0078	Ian Laurenson	-
DPR-0081	Trevor McIvor	-
DPR-0084	Jason Hardy	-
DPR-0086	Bevan Duke	-
DPR-0087	Nico Van Der Zwet	-
DPR-0089	Eddie Louis Wipere	-
DPR-0090	Terina Keelan	-
DPR-0091	Daniel Mladek	-
DPR-0092	Blanka Mladek	-
DPR-0093	Andriy Khomenko	-
DPR-0094	John James	-
DPR-0095	John Jones	-
DPR-0100	Annette Shankie	-
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	Chorus, Spark & Vodafone
DPR-0102	Rowan Trauē	-
DPR-0103	Joe Taipari	-
DPR-0108	Jaclyn Phillott	-
DPR-0109	Linda McIvor	-
DPR-0110	Paula Michelle Rich	-
DPR-0112	Nathan Bool	-
DPR-0113	Gerrad Frater	-
DPR-0114	Li Lihua	-
DPR-0115	Ni Ping	-
DPR-0119	Karen Meares	-
DPR-0120	Ron Clark	-
DPR-0121	Kenneth Wayne Scott	-
DPR-0122	Frews Quarries Ltd	-
DPR-0123	Sharon Scott	-
DPR-0125	BE Faulkner	-
DPR-0129	Michelle Leath	-
DPR-0135	Lilley Family Trust	-
DPR-0136	Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser	Stewart, Townsend & Fraser
DPR-0138	Helen Adrienne Hayes	-
DPR-0142	New Zealand Pork Industry Board	NZ Pork

Submitter ID	Submitter Name	Abbreviation
DPR-0146	Gregory Kenneth Frear	-
DPR-0147	Sandy de Vries	-
DPR-0148	Jenny McLean	-
DPR-0149	Arneka de Vries	-
DPR-0151	Leslie Adamson	-
DPR-0152	Maureen Dobbin	-
DPR-0157	Kevin & Bonnie Williams	The Williams
DPR-0159	Lincoln Envirotown Trust	-
DPR-0170	Allison & Paul Rosanowski	-
DPR-0172	Stephen Bensberg, Sharon Bensberg & Ryan Bensberg	
DPR-0173	Stephen Bensberg & Sharon Bensberg	S & S Bensberg
DPR-0175	Philip Clement Dickie	-
DPR-0177	Andrew O'Donoghue	-
DPR-0187	Graeme Stott	-
DPR-0189	Holly Johnstone & Luke Feast	-
DPR-0192	Merf Ag Services Ltd & Matthew Reed	Merf Ag Services & Reed
DPR-0193	Sonia Mooyman	-
DPR-0194	Janice Norton	-
DPR-0195	Allan Ogilvy	-
DPR-0197	Pam Hoskins & Ron Koole	-
DPR-0201	Melanie Hoskins	-
DPR-0204	JP Singh	-
DPR-0207	Selwyn District Council	SDC
DPR-0209	Manmeet Singh	-
DPR-0211	William Trolove	-
DPR-0217	Summerset Villages (Prebbleton) Limited	Summerset
DPR-0218	Shane Wootton	-
DPR-0222	Ron de Vries	-
DPR-0225	Tonia Lowen	-
DPR-0227	Craig Oliver	-
DPR-0228	Jacinda McCarthy	-
DPR-0229	Tracey Liddicoat	-
DPR-0230	Courtney Oliver	-
DPR-0235	Leah Munro	-
DPR-0237	Milan Kucera	-
DPR-0240	Jan-Liselle Mann	-
DPR-0244	Darryl Gallagher	-
DPR-0247	R Barnes	-
DPR-0257	Clayton Fairbairn	-
DPR-0266	Richard Graham	-
DPR-0268	E J Smith	-
DPR-0271	Pete & Sonia Wakefield	-
DPR-0274	Nicholas & Melody Johnson	-
DPR-0285	AJ Bennett	-
DPR-0286	Barbara McKeage	-
DPR-0288	Caitlyn Hardy	-
DPR-0296	House Movers Section of the New Zealand Heavy Haulage Association Inc	NZHHA
DPR-0298	Trices Road Re-zoning Group	Trices Road Group
DPR-0300	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama Aotearoa
DPR-0302	Alison Smith, David Boyd & John Blanchard	Smith, Boyd & Blanchard
DPR-0309	GJ Mills	-
DPR-0310	Brent Heron	-

Submitter ID	Submitter Name	Abbreviation
DPR-0311	Jens Christensen	-
DPR-0320	Ryan Roche	-
DPR-0321	Kathy Dore	-
DPR-0322	Mike Patterson	-
DPR-0324	Aaron Harper	-
DPR-0325	Clayton McKnight	-
DPR-0326	Sue Allan	-
DPR-0327	Hayden McLean	-
DPR-0328	Mary Pannett	-
DPR-0329	Godfrey Stanley Pannett	-
DPR-0330	Tina Washington	-
DPR-0331	David Bainbridge	-
DPR-0332	Leighton Crocker	-
DPR-0333	Stephanie Crocker	-
DPR-0334	Bob Humm	-
DPR-0336	Simon Lamont	-
DPR-0337	David Watson	-
DPR-0343	Canterbury District Health Board	CDHB
DPR-0347	Richard Erskine & Trish Standfield	-
DPR-0348	Oranga Tamariki – Ministry for Children	Oranga Tamariki
DPR-0352	Next Level Developments Ltd – Shane Kennedy	NLD
DPR-0353	Horticulture New Zealand	HortNZ
DPR-0358	Rolleston West Residential Limited	RWRL
DPR-0362	John Ferguson	-
DPR-0363	Iport Rolleston Holdings Limited	IRHL
DPR-0367	Orion New Zealand Limited	Orion
DPR-0371	Christchurch International Airport Limited	CIAL
DPR-0373	Foodstuffs South Island Limited & Foodstuffs (South Island) Properties Limited	Foodstuffs
DPR-0374	Rolleston Industrial Holdings Limited	RIHL
DPR-0375	Waka Kotahi NZ Transport Agency	Waka Kotahi
DPR-0378	The Ministry of Education	MoE
DPR-0381	Coleridge Downs Limited	CDL
DPR-0384	Rolleston Industrial Developments Limited	RIDL
DPR-0386	Rolleston Square Limited	-
DPR-0391	Castle Hill Adventure Tours Limited	CHAT
DPR-0392	CSI Property Limited	CSI
DPR-0398	Fletcher Residential Limited	Fletcher
DPR-0407	Royal Forest & Bird Protection Society of New Zealand Inc.	Forest & Bird
DPR-0409	Hughes Developments Limited	Hughes
DPR-0410	Urban Estates Limited	Urban Estates
DPR-0414	Kāinga Ora - Homes & Communities	Kāinga Ora
DPR-0422	Federated Farmers of New Zealand – North Canterbury	NCFF
DPR-0423	PHC Terrace Downs Resort Limited	PHC
DPR-0424	Retirement Villages Association of New Zealand Incorporated	RVA
DPR-0425	Ryman Healthcare Limited	Ryman
DPR-0439	Rayonier Matariki Forest	Rayonier
DPR-0441	Manawa Energy Limited (formerly Trustpower Limited)	Manawa
DPR-0442	Castle Hill Community Association Inc.	CHCA
DPR-0447	Barton Fields Lifestyle Villas Ltd	Barton Fields
DPR-0449	Bealey Developments Ltd	BDL
DPR-0451	Kirwee Central Properties Limited	KCPL

Submitter ID	Submitter Name	Abbreviation
DPR-0453	Midland Port, Lyttelton Port Company Limited	LPC
DPR-0456	Four Stars Development & Gould Developments Ltd	Four Stars & Gould
DPR-0458	KiwiRail Holdings Limited	KiwiRail
DPR-0460	Marama Te Wai Ltd	Marama Te Wai
DPR-0461	Dunweavin 2020 Ltd	Dunweavin
DPR-0463	Katie Bootsma	-
DPR-0475	Rolleston Residents Association	RRA
DPR-0485	Rod Stuart	-
DPR-0486	Coleridge Downs Limited	CDL
DPR-0488	Dally Family Trust and Julia McIlraith	Dally & McIlraith
DPR-0491	Paul and Sue Robinson	-
DPR-0492	Kevler Development Ltd	Kevler
DPR-0493	Gallina Nominees Ltd & Heinz-Wattie Ltd Pension Plan	Gallina & Heinz-Wattie
DPR-0498	Gordon Hamilton	-
DPR-0537	Stephen Lycett	-
DPR-0553	Paul Rutherford	-
DPR-0561	The Small Billing Home Trust	-
DPR-0565	Shelley Street Holdings Ltd	SSHL
DPR-0568	Neil Milmine	-
DPR-0578	Elene (Helen) Anderson	-
DPR-0588	Michael House	-
DPR-0597	B and A Radburnd	-
DPR-0598	Kate Milne	-

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

## Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CPTED	Crime Prevention Through Environmental Design
CRPS	Canterbury Regional Policy Statement 2013
CMUZ	Commercial and Mixed Use Zones
GRUZ	General Rural Zone
GRZ	General Residential Zone
HRTB	Height in Relation to Boundary
IMP	Mahaanui Iwi Management Plan 2013
LLRZ	Large Lot Residential Zone
LRZ	Low Density Residential Zone
MDRS	Medium Density Residential Standards
Planning Standards	National Planning Standards
NPS-UD	National Policy Statement on Urban Development
NPS-UDC	National Policy Statement on Urban Development Capacity
PDP	Proposed Selwyn District Plan
RMA or Act	Resource Management Act 1991
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Act 2021
SETZ	Settlement Zone



## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to the Residential Zones (RESZ) in the PDP, including the Large Lot Residential Zone (LLRZ), the Low Density Residential Zone (LRZ), the General Residential Zone (GRZ) and the Settlement Zone (SETZ). The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 The recommendations are informed by the evaluation undertaken by myself as the planning author. In preparing this report, I have had regard to the following s42A reports:
- [Overview](#) prepared by Mr. Love;
  - [Strategic Directions](#) prepared by Mr. Love;
  - [Part 1 – Introduction and General Provisions](#) prepared by Ms. Tuilaepa;
  - [Urban Growth](#) prepared by Mr. Baird;
  - [Energy and Infrastructure](#) prepared by Ms. Baker;
  - [Transport](#) prepared by Mr. Trewin;
  - [General Rural Zone](#) prepared by Mr. Trewin;
  - [Commercial and Mixed Use Zones](#) prepared by Ms. Tuilaepa; and
  - [Public Access, Subdivision, and Development Areas](#) prepared by Ms. Carruthers.
- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

## 2. Qualifications and experience

- 2.1 My full name is Jocelyn Lewes. I am employed by the Council as a Strategy and Policy Planner. My qualifications include a Bachelor of Commerce (Tourism) from Lincoln University and a Bachelor of Planning from the University of Auckland.
- 2.2 I have over 20 years' experience working as a resource management planner, with this work including various resource management positions in local governments and private companies in New Zealand and Australia since 1995. In my role at the Council, I have processed and reported on private plan change applications and notices of requirements for designations. My role as part of the District Plan Review Team includes consultation, research and reporting and I am the topic lead for the *Residential* chapters, which involved drafting the provisions and writing the s32 report. I have also had considerable involvement in Variation 1 responding to the direction of the RMA-EHS.

- 2.3 I have also become the topic lead for the Hazardous Substances and Contaminated Land and Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones chapters in time to prepare the relevant s42A reports.
- 2.4 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report.
- 2.5 Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearing Panel.

### 3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received in relation to the Residential Zones within the PDP.
- 3.2 Recommendations are made to either retain provisions without amendment, or delete, add to, or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not footnoted.
- 3.3 Where it is considered that an amendment may be appropriate, but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report.

### 4. Statutory requirements and planning framework

#### **Resource Management Act 1991**

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; any national policy statement, the New Zealand coastal policy statement, national planning standards; and any regulations<sup>1</sup>. Regard is also to be given to the CRPS, any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2 As set out in the [‘Overview’ Section 32 Report](#), and [‘Overview’ s42a Report](#), there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in more detail within this report where relevant to the assessment of submission points. This report also addresses any definitions that are specific to this topic, but otherwise relies on the s42A report that addresses definitions more broadly.
- 4.3 The assessment of submission points is made in the context of the Section 32 reports already undertaken with respect to this topic, being:

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<sup>1</sup> Section 74 RMA

- [Strategic Directions](#)
- [Residential Zones](#)
- [Areas with deferred zoning](#)
- [Subdivision](#)
- [Waste Disposal](#)
- [Tourism](#)
- [Boarding and Keeping of Animals](#)
- [Community Facilities](#)
- [Camping Grounds](#)

4.4 All recommended amendments to provisions since the initial s32 evaluations were undertaken must be documented in a subsequent s32AA evaluation, where they are of a scale that alters the original S32 conclusions. Where amendments have been made but no s32AA has been included, the amendments have been assessed as being within scope of the conclusions of the S32.

#### **National Policy Statement on Urban Development (NPS-UD)**

4.5 The NPS-UD recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments.

4.6 Council is identified as a Tier 1 local authority, as part of the Christchurch Tier 1 urban environment referred to in Table 1 of the NPS-UD. For the application of the NPS-UD, the urban environment is considered to explicitly relate to the Greater Christchurch Region, as shown on Map A within Chapter 6 of the CRPS, and in Appendix 2 of the same document. While the NPS-UD provides policy direction that applies to the whole district, provisions applying to Tier 1 urban environments only apply within the Greater Christchurch area of the District.

#### **National Planning Standards**

4.7 As set out in the [Overview s42A Report](#), the Planning Standards were introduced to improve the consistency of council plans and policy statements. The Planning Standards were gazetted and came into effect on 5 April 2019. The PDP must be prepared in accordance with the Planning Standards.

4.8 The Standards relevant to the Residential Chapter are Standard 4: District Plan Structure, Standard 8: Zone Framework, Standard 12: District Spatial Layers and Standard 14: Definitions. The [Residential Zones s32 Report](#) provides a discussion on what Standards are relevant to the Residential Chapter.

## **5. Procedural matters**

5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

### **Clause 16(2) Amendments**

- 5.2 Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website. Those that have already been made to the chapters addressed in this report are set out in the table below.

Date	Provision	Issue	Amendment
2 August 2021	GRZ-R6	Repeated line of text in rule	Delete 'the site shares a boundary with a reserve' at the end of b.ii.2.
	LRZ-R6	Repeated line of text in rule	Delete 'the site shares a boundary with a reserve' at the end of b.ii.2.
	SETZ-R6	Repeated line of text in rule	Delete 'the site shares a boundary with a reserve' at the end of b.ii.2.
20 December 2021	APP3	Both the text and diagram of APP3 are labelled a.b.c this is confusing as it leads people to think that the a's b's and c's are to be matched with each other, but they are not, renaming one set of abc's to 123 would remove confusion	Change diagram to read 1,2,3 instead of A,B,C
	RESZ-P15.1	Duplicated word in policy	Delete duplicate 'the'
24 May 2022	GRZ-R2.5	Incorrect number referencing	...GRZ-R2.54...
	GRZ-R2.6	Incorrect number referencing	...GRZ-R2.54...

- 5.3 Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report. Similarly, cl.16(2) amendments identified through the process of preparing this report are also identified by way of a footnote in **Appendix 2** of this s42A report.

### **Submissions**

#### ***Withdrawn Submissions***

- 5.4 DPR-0067 and DPR-0093 have been withdrawn by the respective submitters and require no further consideration.

#### ***Point incorrectly allocated to Residential hearing stream***

- 5.5 DPR-0051.005 Prateek Sharma. This submission point was incorrectly allocated to the Residential hearing stream when it should have been considered at the General Rural Zone (GRUZ) hearing. The submission point relates to minor residential units (GRUZ-R6) and requests that the provision be retained as notified, enabling minor residential units without the requirement that only family members can live in them. Although this specific submission point was not considered at the GRUZ hearing, similar points were<sup>2</sup>. While the GRUZ s42A Report writer did recommend changes to GRUZ-R6, these were of a minor nature and would not change the intent of the provision.

<sup>2</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0006/704886/S42-Report-General-Rural-Zone.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0006/704886/S42-Report-General-Rural-Zone.pdf) para. 10.33-10.50

- 5.6 I note that submitter has made the same submission point in respect of the similar provision within the four residential zones and that these are considered below. As such, I do not consider that the submitter would have been unduly disadvantaged by not having this submission point considered at the GRUZ hearing.

***Points reallocated to other hearing streams***

- 5.7 The following submission points initially allocated to the Residential hearing have been reallocated to the Rezoning hearing:

Submitter ID	Submitter Name	Submission Point	Hearing Stream
DPR-0422	NCFF	247	Rezoning Requests
DPR-0025	Charles and Elaine Williams	001	Rezoning Requests
DPR-0284	Zoran Rakovic	001	Rezoning Requests
DPR-0429	Cressy Properties Limited	001	Rezoning Requests
DPR-0013	Mark Batty	001	Rezoning Requests
DPR0443	GW Wilfield Ltd	001	Rezoning Requests

***Points incorrectly categorised***

- 5.8 Several submission points were incorrectly categorised within the summary of submissions, as set out in the table below.

Submission Point	Plan Reference	Issue	Identified as	Should be	Addressed in
DPR-0123.001	GRZ-R15	Incorrect provision type	Policy	Rule	GRZ-R15
DPR-0170.001	SUB-REQ1	Incorrect provision type	SCHED	REQ	SUB-RES1
DPR-0177.002	SUB-REQ4	Incorrect provision type	TABLE	REQ	SUB-REQ4
DPR-0192.005	GRZ-R14	Incorrect plan reference	GRZ-R14	GRZ-R13	GRZ-R13
DPR-0204.010	Commercial Precincts	Incorrect provision type	Map	Rule	GRZ-R15
DPR-0204.011	Commercial Precincts	Incorrect provision type	Map	Rule	GRZ-R15
DPR-0204.016	GRZ-P14	incorrect plan reference	GRZ	RESZ	RESZ-P14
DPR-0204.017	GRZ-P15	Incorrect plan reference	GRZ	RESZ	RESZ-P15
DPR-0204.026	GRZ-R13	Incorrect provision type	Req	Rule	GRZ-R13
DPR-0204.027	RESZ-MAT13	Incorrect plan reference	RESZ-MAT13	Rule	GRZ-R13
DPR-0386.0020	Commercial Precincts	Incorrect provision type	Map	Rule	GRZ-R15
DPR-0442.013	GRZ-REQ16	Incorrect provision type	MAT	REQ	GRZ-REQ16
DPR-0443.014	GRZ-REQ15	Incorrect plan reference	GRZ-REQ15	GRZ-REQ16	GRZ-REQ16
DPR-449.003	SUB-REQ1	Incorrect provision type	Rule	REQ	SUB-REQ1
DPR-449.004	SUB-REQ1	Incorrect provision type	Rule	REQ	SUB-REQ1
DPR-449.006	SETZ-REQ5	Incorrect provision type	Rule	REQ	SETZ-REQ5
DPR-449.007	SETZ-REQ9	Incorrect provision type	Rule	REQ	SETZ-REQ5

***Points incorrectly summarised***

- 5.9 Several submission points were wrongly recorded in the summary of submissions. These include:

- 5.9.1 DPR-0217.028 Summerset. This submission point was incorrectly summarised as it did not identify the deletion of text in RESZ-P12.

- 5.9.2 DPR-0271.001 Pete & Sonia Wakefield. This submission point was incorrectly summarised as requesting an insertion of text in GRZ-REQ5, rather than it being deleted.
- 5.9.3 DPR-0300.004 Ara Poutama Aotearoa. This submission point was incorrectly summarised, excluding a component of the relief requested.
- 5.9.4 DPR-0343.061 CDHB. This submission point was incorrectly summarised as requesting an insertion of text in GRZ-REQ1, rather than it being deleted.
- 5.9.5 DPR-0414.342 Kāinga Ora. This submission point was incorrectly summarised as requesting the deletion of text in SETZ-R2, rather than it being inserted.
- 5.9.6 DPR-0414.353 Kāinga Ora. This submission point was incorrectly summarised as it did not reflect the full suite of deletions requested.
- 5.9.7 DPR-0424.024 RVA. This submission point incorrectly summarised the activity status requested.
- 5.9.8 DPR-0424.031 RVA. This submission point incorrectly referred to rule requirements related to the incorrect zone.
- 5.9.9 DPR-0425.031 Ryman. This submission point incorrectly summarised the activity status requested.
- 5.9.10 DPR-0447.011 Barton Fields. This submission point incorrectly referred to the incorrect rule.
- 5.9.11 DPR-0456.011 Four Stars & Gould. A component of this submission point was incorrectly summarised, inverting the text proposed for deletion with that to be inserted. A further component was not included in the summary.
- 5.10 Where the above submission points appear in tables in the body of this report, the error has been corrected and highlighted to identify that it has been amended. These amendments have also been reflected in **Appendix 1**.
- 5.11 I do not consider that that any person would have been unduly disadvantaged by the above errors or omissions as the full submissions were available to view via the web. Any party interested in the above provisions, including the original submitter, would have had sufficient opportunity to identify the submission points, view the correct decision sought in the original submissions, and comment on them.

## 6. Consideration of submissions

### Overview of submissions

- 6.1 There were 120 original submissions and 30 further submission that relate to the Residential hearing stream. These generated around 730 original submission points and over 1,200 further submission points that are discussed in this report.
- 6.2 There were 152 original submission points in relation to the provisions contained within the RESZ chapter. In regard to the four zones proposed, 235 original submission points were received in relation to the GRZ, with 80 of these related to one particular rule addressing commercial

development within Rolleston. The LLRZ, LRZ and SETZ zones attracted 66, 89 and 99 original submission points respectively. The majority of submission points across the four zones related to the rules and the rule requirements.

- 6.3 In terms of original submission points on the Residential chapters, approximately 54% were supportive and requested that particular provisions be retained as notified and 39% requested amendments or deletion of particular provisions.

#### **Structure of this report**

- 6.4 This report has been structured following the chapter format of the PDP.
- 6.5 **Section 7** discusses submissions received on any definitions specific to the Residential topic.
- 6.6 **Sections 8** considers the submissions received in relation to elements within the RESZ chapter. This is the overarching chapter for all the residential zones. This section addresses submissions on the Residential Overview, the overarching Residential Zone Objectives and Policies, the Residential Matters for control or discretion, and finally on the schedule to the Residential chapter.
- 6.7 **Sections 9-12** then addresses each of the four residential zones in turn. Each of these sections will follow the same format. Firstly, submissions on the overview and objectives and policies specific to the zone are considered, followed by those submissions on the rules and rule requirements within the relevant zone.
- 6.8 The PDP follows an activities based planning framework. However, as the National Planning Standards required the adoption of a zone framework, most activities, and the standards (rule requirements) applicable to those activities, are generally repeated across the four zones. For efficiencies, having set out my reasons for accepting or rejecting submission points in relation to a provision in one zone, and the same or similar submission points are made in relation to the same provision in another zone, I refer back to the initial location where this was first discussed rather than repeating the discussion.
- 6.9 **Section 13** addresses those submission points that were made in relation to subdivision, but which relate to urban form matters.
- 6.10 Additional provisions requested by submitters in relation to issues raised by submissions that were not identified in the original s32 report are discussed either within the relevant section, or in **Section 14**.
- 6.11 The assessment of submissions generally follows the following format: Submission Information; Analysis; and Recommendation and amendments. Where amendments are recommended, the applicable s32AA assessments are contained within **Section 15**. These assessments have been prepared on a topic basis.

## 7. Definitions related to Residential Activities

### **Introduction**

- 7.1 This section responds to those definitions within the PDP that are specifically used within the residential chapters.

### Comprehensive Development

### **Submissions**

- 7.2 Four submission points and 18 further submission points were received in relation to the definition of comprehensive development.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0147	Sandy de Vries	001	Support In Part	Amend the definition of 'comprehensive development' from 4 to 3 or more residential units to allow for 900sqm sections to develop in this way.
DPR-0358	RWRL	FS004	Oppose	Reject
DPR-0363	IRHL	FS004	Oppose	Reject
DPR-0374	RIHL	FS004	Oppose	Reject
DPR-0384	RIDL	FS004	Oppose	Reject
DPR-0222	Ron de Vries	003	Support	Amend the definition of Comprehensive development to read: means a group of <del>four (4)</del> <u>three (3)</u> or more residential units that are designed, positioned and built in an integrated manner....
DPR-0358	RWRL	FS005	Oppose	Reject
DPR-0363	IRHL	FS005	Oppose	Reject
DPR-0374	RIHL	FS005	Oppose	Reject
DPR-0384	RIDL	FS005	Oppose	Reject
DPR-0414	Kāinga Ora	049	Oppose	Delete as notified
DPR-0157	The Williams	FS141	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS320	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS101	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS127	Oppose In Part	Reject submission
DPR-0492	Kevler	FS726	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS121	Oppose In Part	Reject the submission points in part.
DPR-0456	Four Stars & Gould	004	Oppose	Amend as follows: means a group of <del>four (4)</del> <u>five (5)</u> or more residential units that are designed, positioned and built in an integrated manner.
DPR-0358	RWRL	FS006	Support	Adopt
DPR-0363	IRHL	FS006	Support	Adopt
DPR-0374	RIHL	FS006	Support	Adopt
DPR-0384	RIDL	FS006	Support	Adopt



### Analysis

- 7.3 Sandy de Vries and Ron de Vries<sup>3</sup> seek that the definition be amended from four or more to three or more, whereas Four Stars & Gould<sup>4</sup> seek that it be amended from four or more to five or more. The quantum notified is a carryover from the operative plan provision and no issues were identified with this in practice to indicate that a change is required. I also note that this number is consistent with the Ministry for the Environment<sup>5</sup> 2011 definition of medium-density housing. Therefore, I recommend that these submission points be rejected.
- 7.4 Kāinga Ora<sup>6</sup> requests that, as a consequential relief to their submission points in relation to [LRZ-R12](#), [GRZ-R12](#) and [SETZ-R12](#), this definition be deleted. As I have recommended that the relevant rules be retained, I recommend that this submission point be rejected.

### Recommendation

- 7.5 I recommend that, for the reasons given above, the Hearing Panel retain the definition of *comprehensive development* as notified.
- 7.6 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Small Site Development

#### Submissions

- 7.7 Two submission points and 11 further submission points were received in relation to the definition of small site development.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0409	Hughes	006	Support In Part	Amend as follows: means smaller residential units built on sites that are a minimum of <del>400</del> <u>351</u> m <sup>2</sup> and a maximum of 499m <sup>2</sup> .
DPR-0209	Manmeet Singh	FS061	Support	Accept submission in part
DPR-0298	Trices Road Group	FS866	Support	Accept submission
DPR-0461	Dunweavin	FS054	Support	Accept submission
DPR-0492	Kevler	FS005	Support	Accept the Submission
DPR-0493	Gallina & Heinz-Wattie	FS765	Support	Accept the submission.
DPR-0414	Kāinga Ora	052	Oppose	Delete as notified
DPR-0157	The Williams	FS144	Oppose In Part	Reject the submission in part

<sup>3</sup> DPR-0147.001 Sandy de Vries and DPR-0222.003 Ron de Vries

<sup>4</sup> DPR-0456.004 Fours Stars & Gould

<sup>5</sup> In 2011, the Ministry for the Environment completed a medium-density housing project to develop a set of medium-density housing building typologies and a medium-density housing assessment methodology. This project included a definition on Medium-density housing as follows: *Medium-density housing means comprehensive developments including four or more dwellings with an average density of less than 350 m<sup>2</sup> per unit. It can include stand-alone dwellings, semi-detached (or duplex) dwellings, terraced housing or apartments within a building of four storeys or less. These can be located on either single or aggregated sites, or as part of larger master-planned developments.*

<sup>6</sup> DPR-0414.049 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0209	Manmeet Singh	FS323	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS104	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS130	Oppose In Part	Reject submission
DPR-0492	Kevler	FS729	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS124	Oppose In Part	Reject the submission points in part.

### Analysis

- 7.8 Hughes<sup>7</sup> requests that, as a consequential relief to their submission point in relation to SUB-R9, this definition be amended. For the reasons set out in relation to [SUB-R9](#), I recommend that this submission point be rejected.
- 7.9 Kāinga Ora<sup>8</sup> requests that, as a consequential relief to their submission points in relation to [LRZ-R12](#), [GRZ-R12](#) and [SETZ-R12](#), this definition be deleted. As I have recommended that the relevant rules be retained, I recommend that this submission point be rejected.

### Recommendation

- 7.10 I recommend that, for the reasons given above, the Hearing Panel retain the definition of *small site development* as notified.
- 7.11 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Garage

#### Submissions

- 7.12 One submission point and one further submission point were received in relation to the definition of garage.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0422	NCFE	044	Support In Part	Amend as follows: A building, or part of a building designed or used <u>primarily</u> for housing motor vehicles <del>and other miscellaneous items</del> . A garage includes any carport.
DPR-0414	Kāinga Ora	FS073	Support in Part	Not specified

<sup>7</sup> DPR-0409.006 Hughes

<sup>8</sup> DPR-0414.052 Kāinga Ora

### Analysis

- 7.13 NCCF<sup>9</sup> consider that the inclusion of ‘other miscellaneous items’ within the definition of garage is too vague and request that this be deleted. While a garage is generally designed to house a motor vehicle, it can, and often does, house more than this, however it is generally not a space that is used as a habitable part of a residential unit, or for residential activities. I therefore recommend that this submission point be rejected.

### Recommendation

- 7.14 I recommend that, for the reasons given above, the Hearing Panel retain the definition of *garage* as notified.
- 7.15 I recommend that the original submission point and the further submission points are rejected as shown in **Appendix 1**.

### Residential Unit Types

#### Submissions

- 7.16 Five submission points and 19 further submission points were received in relation to the definition of residential unit types.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	049	Support	Retain as notified
DPR-0157	The Williams	FS386	Support In Part	Accept the submission in part
DPR-0209	Manmeet Singh	FS461	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS418	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS466	Support In Part	Accept submission in part
DPR-0492	Kevler	FS396	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS442	Support In Part	Accept the submission in part.
DPR-0363	IRHL	048	Support	Retain as notified
DPR-0157	The Williams	FS707	Support In Part	Accept the submission in part
DPR-0209	Manmeet Singh	FS632	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS585	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS625	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO
DPR-0492	Kevler	FS240	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO.
DPR-0493	Gallina & Heinz-Wattie	FS819	Support In Part	Accept the submission in part.
DPR-0374	RIHL	054	Support	Retain as notified
DPR-0157	The Williams	FS521	Support In Part	Accept the submission in part

<sup>9</sup> DPR-0422.044 NCCF

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0209	Manmeet Singh	FS889	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS736	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS768	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO.
DPR-0492	Kevler	FS084	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO.
DPR-0493	Gallina & Heinz-Wattie	FS645	Support In Part	Accept the submission in part.
DPR-0384	RIDL	056	Support	Retain as notified
DPR-0422	NCFF	075	Support In Part	Amend to include residences that may come under the Unit Titles Act 2010.
DPR-0414	Kāinga Ora	FS075	Oppose	Not specified.

### Analysis

- 7.17 NCFF<sup>10</sup> requests that the definition be amended to include any residences that may fall within the ambit of the Unit Titles Act 2010. I consider that the definition of residential unit types primarily refers to the built form of the various typologies identified, rather than to consideration of ownership structure and that the identification of these typologies does not preclude any titling arrangements that may fall within the ambit of the Unit Titles Act 2010. I therefore recommend that this submission point be rejected.
- 7.18 RWRL, IRHL, RIHL, and RIDL,<sup>11</sup> request that definition of residential unit type be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 7.19 I recommend that, for the reasons given above, the Hearing Panel retain the definition of *residential unit types* as notified.
- 7.20 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Supported Residential Accommodation

#### Submissions

- 7.21 Three submission points were received in relation to the definition of supported residential accommodation.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	004	Support In Part	Amend as follows: The use of a residential unit(s) by people who live together and receive <u>supervision, assistance, care and/or wellbeing respite</u> support on a 24 hour basis <u>or less</u> to assist with independent living. This

<sup>10</sup> DPR-0422.075 NCFF

<sup>11</sup> DPR-0358.049 RWRL, DPR-0363.048 IRHL, DPR-0374.054 RIHL, and DPR-0384.056 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				definition does not include retirement villages (and ancillary nursing and medical facilities) <del>or regular and ongoing home-based care and assistance to a dependent person.</del>
DPR-0424	RVA	002	Support In Part	Amend to clarify the definition and avoid any overlap or interpretation issues with the definition of 'retirement village'.
DPR-0425	Ryman	002	Support In Part	Amend to clarify the definition and avoid any overlap or interpretation issues with the definition of 'retirement village'.

### Analysis

- 7.22 Ara Poutama Aotearoa<sup>12</sup> requests that, to more clearly capture the full scope of care and support activities provided by the submitter, the definition be amended. The submitter also requests that the reference to such care and support being provided on a '24-hour basis' be made less stringent, recognising that 24-hour on-site support may not be necessary for such accommodation. I consider that 'supervision' and 'assistance' fall within a similar ambit as 'care' and this does not always need to be provided on a 24 hour basis. I also agree with the submitter that the last part of the definition is unnecessary. In this regard, I consider that '*regular and ongoing home-based care and assistance to a dependent person*' would fall within the definition of 'residential activity', so there is no need to exclude it from the definition. Therefore, I recommend that this submission point be accepted.
- 7.23 RVA and Ryman<sup>13</sup> support the definition but are concerned that there may be interpretation issues. Noting that the PDP has adopted the National Planning Standards of *retirement village*<sup>14</sup>, they consider that there are some uses within a retirement village could be viewed either as being part of a retirement village or, perversely, as a separate *supported residential accommodation* activity. As such, they seek that the definition be clarified to ensure interpretation issues do not occur. I acknowledge that the definition of retirement village includes *supported residential care*, which may comprise similar features as *supported residential accommodation*, however, referring to the stem sentence of the definition of retirement village, I do not consider that one definition could be confused with the other if the supported component was occurring within a broader retirement village, being a managed comprehensive residential complex used to provide accommodation for people who are retired. This potential issue was considered at the time the PDP was being drafted and for this reason the definition of supported residential accommodation specifically excludes retirement villages. I therefore recommend that these submission points be rejected.

<sup>12</sup> DPR-0300.004 Ara Poutama Aotearoa

<sup>13</sup> DPR-0424.002 RVA and DPR-0425.002 Ryman

<sup>14</sup> **Retirement Village** means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.

### **Recommendation and amendments**

- 7.24 I recommend that, for the reasons given above, the Hearing Panel:
- a) amends the definition of *supported residential accommodation*, as shown in **Appendix 2**.
- 7.25 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.
- 7.26 The scale of change does not require a s32AA evaluation.

### **Facade**

### **Submissions**

- 7.27 One submission point was received seeking the inclusion of a definition of façade into the PDP.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0177	Andrew O'Donoghue	003	Support	Insert a definition of 'facade'

### **Analysis**

- 7.28 Andrew O'Donoghue<sup>15</sup> considers that 'façade' needs to be defined within the PDP.
- 7.29 The Oxford English Dictionary defines façade as "*the face or front of a building towards a street or other open place, especially the principal front*". Within the residential chapters of the PDP, façade is used in the following locations:
- 7.29.1 LLRZ-REQ6, LRZ-REQ8, GRZ-REQ8 and SETZ-REQ8, which are requirements that seek to manage the presentation of residential units to the street, to provide the opportunity for passive surveillance of both the public and private realms.
- 7.30 I consider that, in the context of the above provisions, the common English understanding of the word façade is sufficiently clear such that the PDP does not need to define it further.

### **Recommendation**

- 7.31 I recommend that, for the reasons given above, the Hearing Panel reject the submission point, as shown in **Appendix 1**.

## **8. RESZ Chapter**

### **Introduction**

- 8.1 This section addresses all the submission points received in relation to the overarching Residential Zones (RESZ) chapter of the PDP, which comprises an overview, objectives and policies that apply to all the residential zones, in addition to those zone-specific objectives and policies, matters for control or discretion applicable to activities within the various zones and a schedule to clarify how setbacks are to be measured within all the residential zones.

<sup>15</sup> DPR-0177.003 Andrew O'Donoghue

## Residential Overview

### Submissions

- 8.2 One submission point and nine further submission points were received in relation to the RESZ-Overview.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	170	Support In Part	<p>Amend as follows:</p> <p>The District's Residential Zones are those areas which provide for the residential needs of the community. These include the Large Lot Residential Zone, Low Density Residential Zone, General Residential Zone, <u>Medium Density Residential Zone</u> and the Settlement Zone.</p> <p>The following objectives and policies apply to all of the Residential Zones, in addition to the zone-specific objectives and policies located in the relevant Large Lot Residential Zone, Low Density Residential Zone, General Residential Zone, <u>Medium Density Residential Zone</u> and the Settlement Zone chapters.</p> <p>The Residential Zone matters for control or discretion are also applicable to controlled and/or restricted discretionary status activities in the Large Lot Residential Zone, Low Density Residential Zone, General Residential Zone, <u>Medium Density Residential Zone</u> and the Settlement Zone.</p>
DPR-0157	The Williams	FS236	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1015	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS196	Oppose In Part	Reject submission
DPR-0358	RWRL	FS252	Oppose	Reject
DPR-0384	RIDL	FS252	Oppose	Reject
DPR-0461	Dunweavin	FS222	Oppose In Part	Reject submission
DPR-0492	Kevler	FS592	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS216	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS107	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.3 As part of its broader submission, Kāinga Ora<sup>16</sup> seeks the creation of a Medium Density Residential Zone (MRZ) which, as directed by the NPS-UD, would be located within a walkable catchment of centres and public transport. As such, they seek recognition of such a zone within the RESZ-Overview. At this time, I recommend that this submission point be rejected as it does not relate to matters within the PDP as notified.
- 8.4 However, should the submission points from Kāinga Ora that seek the creation of a MRZ within the PDP, and to rezone land to MRZ, be accepted by the Hearing Panel through the applicable rezoning hearing, I recommend that this submission point be accepted. I also note that Variation 1, notified on 20 August 2022, proposes the creation of a MRZ, however I do not consider that it is appropriate to accept this submission point at this time as to do so would preempt any decision relating to that process.

### Recommendation

- 8.5 I recommend that, for the reasons given above, the Hearing Panel retain the RESZ-Overview as notified.
- 8.6 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

## Residential Objectives

### RESZ-O1

#### Submissions

- 8.7 Six submission points and 15 further submission points were received in relation to RESZ-O1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	053	Support In Part	Not specifically stated.
DPR-0358	RWRL	347	Support	Retain as notified
DPR-0209	Manmeet Singh	FS554	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS513	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS554	Support In Part	Accept submission in part
DPR-0492	Kevler	FS443	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS536	Support In Part	Accept the submission in part.
DPR-0384	RIDL	354	Support	Retain as notified
DPR-0414	Kāinga Ora	171	Support In Part	Delete as notified and replace with: <u>Development is in keeping with the planned urban form of the residential zone.</u>
DPR-0157	The Williams	FS237	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1016	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS197	Oppose In Part	Reject submission

<sup>16</sup> DPR-0414.170 Kāinga Ora



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0348	Oranga Tamariki	FS001	Support In Part	Retain provision with word changes as proposed by Oranga Tamariki.
DPR-0358	RWRL	FS259	Support	Adopt
DPR-0384	RIDL	FS259	Support	Adopt
DPR-0461	Dunweavin	FS223	Oppose In Part	Reject submission
DPR-0492	Kevler	FS593	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS217	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS108	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	007	Support	Retain as notified
DPR-0425	Ryman	007	Support	Retain as notified

### Analysis

- 8.8 Kāinga Ora<sup>17</sup> request that the objective as notified be deleted and replaced with one that aligns with the language of the NPS-UD, which refers to the ‘*planned urban built form*’ when referring to the intended future state of the urban environment. I consider that the objective should be retained as notified as it clearly sets out what living environments should be, regardless of the planned urban form. In this regard, the objective is aspirational, seeking healthy living environments, being residential zones, that are safe, convenient, and pleasant and that meet the needs of the community. I consider that the residential zones should be seeking to achieve these aspirational outcomes in a manner that is appropriate for that zone.
- 8.9 Further, I consider that the ‘planned urban form’ is established by the standards within the various zones. The concept of a ‘permitted activity baseline’ is established in law. I consider that one of the purpose of objectives (as well as policies) is to provide a framework for the assessment of development that goes beyond the ‘planned urban form’. To narrow the provision to the ‘planned urban form’ would, in my view, limit consideration of development proposals that go beyond the standards. I therefore recommend that this submission point be rejected.
- 8.10 I note that the submitter seeks the same relief in relation to multiple provisions in the RESZ chapters. In addressing those submission points, I generally refer back to the discussion above except where I consider further analysis is specifically required.
- 8.11 RWRL, RIDL, RVA and Ryman<sup>18</sup> request that RESZ-O1 be retained as notified. I recommend that these submission points be accepted.

<sup>17</sup> DPR-0414.171 Kāinga Ora

<sup>18</sup> DPR-0358.347 RWRL, DPR-0384.354 RIDL, DPR-0424.007 RVA and DPR-0425.007 Ryman

- 8.12 Referring to CDHB's<sup>19</sup> full submission, I record their support for RESZ-O1 as notified. I recommend that this submission point be accepted.

**Recommendation**

- 8.13 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-O1 as notified.
- 8.14 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**RESZ-O2**

**Submissions**

- 8.15 Five submission points and 11 further submission points were received in relation to RESZ-O2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	348	Support	Retain as notified
DPR-0209	Manmeet Singh	FS555	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS514	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS555	Support In Part	Accept submission in part
DPR-0492	Kevler	FS444	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS537	Support In Part	Accept the submission in part.
DPR-0384	RIDL	355	Support	Retain as notified
DPR-0414	Kāinga Ora	172	Support	Retain as notified
DPR-0157	The Williams	FS238	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1017	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS198	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS224	Oppose In Part	Reject submission
DPR-0492	Kevler	FS594	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS218	Oppose In Part	Reject the submission points in part.
DPR-0424	RVA	008	Support	Retain as notified
DPR-0425	Ryman	008	Support	Retain as notified

**Analysis**

- 8.16 RWRL, RIDL, Kāinga Ora, RVA and Ryman<sup>20</sup> request that RESZ-O2 be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 8.17 I recommend that the Hearing Panel retain RESZ-O2 as notified.
- 8.18 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>19</sup> DPR-0343.053 CDHB

<sup>20</sup> DPR-0358.348 RWRL, DPR-0384.355 RIDL, DPR-0414.172 Kāinga Ora, DPR-0424.008 RVA and DPR-0425.008 Ryman

**RESZ-03****Submissions**

8.19 Seven submission points and 11 further submission points were received in relation to RESZ-03.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	022	Support	Retain as notified
DPR-0348	Oranga Tamariki	007	Neither Support Nor Oppose	Amend as follows A wide range of housing typologies and densities are provided for <u>to accommodate the needs of</u> <del>ensure choice for</del> the community and to cater for population growth and changing demographics.
DPR-0414	Kāinga Ora	FS021	Support In Part	Not specified
DPR-0358	RWRL	349	Support	Retain as notified
DPR-0209	Manmeet Singh	FS556	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS515	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS556	Support In Part	Accept submission in part
DPR-0492	Kevler	FS445	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS538	Support In Part	Accept the submission in part.
DPR-0384	RIDL	356	Support	Retain as notified
DPR-0414	Kāinga Ora	173	Support	Retain as notified
DPR-0157	The Williams	FS239	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1018	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS199	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS225	Oppose In Part	Reject submission
DPR-0492	Kevler	FS595	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS219	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS110	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	009	Support	Retain as notified
DPR-0425	Ryman	009	Support	Retain as notified

**Analysis**

8.20 Oranga Tamariki<sup>21</sup> generally supports the objective as proposed but seek a minor amendment that they consider is necessary to support their broader submission.

<sup>21</sup> DPR-0348.007 Oranga Tamariki

8.21 I have spent some time considering what the difference is between ‘ensuring choice’ and ‘accommodating the needs’. I acknowledge that ‘accommodating the needs’ recognises that there may be times where people do not have a choice, such in the case of the homeless, but there is still an imperative that people be housed. However, I consider that this extends beyond what the PDP can achieve. However, I consider that by ensuring ‘choice’, not only does it enable people to choose between a range of options (such as that that is provided through the four residential zones), it also allows for choice in how the accommodation needs of people can be met. Therefore, I recommend that the submission point be rejected.

8.22 Summerset, RWRL, RIDL, Kāinga Ora, RVA and Ryman<sup>22</sup> request that RESZ-O3 be retained as notified. I recommend that these submission points be accepted.

#### ***Recommendation and amendments***

8.23 I recommend that the Hearing Panel retain RESZ-O3 as notified.

8.24 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **RESZ-O4**

##### ***Submissions***

8.25 Ten submission points and 14 further submission points were received in relation to RESZ-O4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0147	Sandy de Vries	002	Support	Not specified.
DPR-0149	Arneka de Vries	001	Support	Retain as notified.
DPR-0217	Summerset	023	Support	Retain as notified
DPR-0222	Ron de Vries	001	Support	Retain RESZ-O4 as notified.
DPR-0358	RWRL	350	Support	Retain as notified
DPR-0209	Manmeet Singh	FS557	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS516	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS557	Support In Part	Accept submission in part
DPR-0492	Kevler	FS446	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS539	Support In Part	Accept the submission in part.
DPR-0375	Waka Kotahi	178	Support	Retain as notified.
DPR-0384	RIDL	357	Support	Retain as notified
DPR-0414	Kāinga Ora	174	Support In Part	Amend as follows: Increased residential <del>densities</del> <u>height</u> occur in close proximity to activity centres, <u>existing or planned active</u> public transport routes, <u>community services</u> and public open spaces.
DPR-0157	The Williams	FS240	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1019	Oppose In Part	Reject the submission in part

<sup>22</sup> DPR-0217.022 Summerset, DPR-0358.349 RWRL, DPR-0384.356 RIDL, DPR-0414.173 Kāinga Ora, DPR-0424.009 RVA and DPR-0425.009 Ryman

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0298	Trices Road Group	FS200	Oppose In Part	Reject submission
DPR-0358	RWRL	FS260	Support	Adopt
DPR-0384	RIDL	FS260	Support	Adopt
DPR-0461	Dunweavin	FS226	Oppose In Part	Reject submission
DPR-0492	Kevler	FS596	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS220	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS111	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	010	Support	Retain as notified
DPR-0425	Ryman	010	Support	Retain as notified

### Analysis

- 8.26 Kāinga Ora<sup>23</sup> request that several amendments are made to RESZ-O4 to align with the language in Policies 3 and 4 of the NPS-UD, which seeks to provide for buildings heights and density of urban form commensurate with the level of accessibility to existing or planned active or public transport to a range of commercial and community services. I shall address these in turn.
- 8.27 In terms of the requested amendment from *densities* to *height*, notwithstanding the language of the NPS-UD, I consider that increased densities can come from more than just increases in height; it can occur through the provision of smaller sites as much as it can occur through the provision of higher buildings. I therefore do not support this amendment.
- 8.28 Regarding the requested amendment to incorporate *existing or planned active* before public transport, I support this amendment in part, as it recognises that infrastructure may not be available but is planned. However, as the NPS-UD separately defines ‘active transport<sup>24</sup>’ and ‘public transport<sup>25</sup>’, I recommend a minor grammatical change to ensure that both active and public transport are recognised within RESZ-O4.
- 8.29 Lastly, Kāinga Ora requests that increased development also be identified as occurring in close proximity to *community services*. This is another term defined within the NPS-UD and means the following:
- community facilities
  - educational facilities

<sup>23</sup> DPR-0414.174 Kāinga Ora

<sup>24</sup> **Active transport** means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair

<sup>25</sup> **Public transport** means any existing or planned service for the carriage of passengers (other than an aeroplane) that is available to the public generally by means of: (a) a vehicle designed or adapted to carry more than 12 persons (including the driver); or (b) a rail vehicle; or (c) a ferry

- those commercial activities that serve the needs of the community

8.30 In turn, *community facilities*, *educational facilities* and *commercial activities* are all defined within the National Planning Standards and mean the following:

***Community facility*** means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.

***Educational facility*** means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.

***Commercial activity*** means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).

8.31 I support this amendment as the proposed change is consistent with the NPS-UD and provides for the consideration of increased residential development in proximity to land uses and infrastructure that can, in turn, assist in achieving a more compact and sustainable urban form.

8.32 As such, I recommend that this submission point be accepted in part.

8.33 Arneka de Vries, Summerset, Ron de Vries, RWRL, Waka Kotahi, RIDL, RVA and Ryman<sup>26</sup> request that RESZ-O4 be retained as notified. Referring to Sandy de Vries' full submission<sup>27</sup>, I record their support for RESZ-O4 as notified. I recommend that these submissions be accepted in part as I have recommended that RESZ-O4 be amended.

#### ***Recommendation and amendments***

8.34 I recommend that, for the reasons given above, the Hearing Panel:

- a) amends RESZ-O4, as shown in **Appendix 2**, to include references to existing or planned active and public transport routes, and community services, to better articulate the intent of the objective.

8.35 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full, as shown in **Appendix 1**.

8.36 The scale of change does not require a s32AA evaluation.

#### **RESZ-O5**

##### ***Submissions***

8.37 Six submission points and 16 further submission points were received in relation to RESZ-O5.

<sup>26</sup> DPR-0149.001 Arneka de Vries, DPR-0217.023 Summerset, DPR-0222.001 Ron de Vries, DPR-0358.350 RWRL, DPR-0375.178 Waka Kotahi, DPR-0384.357 RIDL, DPR-0424.010 RVA and DPR-0425.010 Ryman

<sup>27</sup> DPR-0147.002 Sandy de Vries

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	025	Support	Retain as notified
DPR-0358	RWRL	351	Support	Retain as notified
DPR-0209	Manmeet Singh	FS558	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS517	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS558	Support In Part	Accept submission in part
DPR-0492	Kevler	FS447	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS540	Support In Part	Accept the submission in part.
DPR-0384	RIDL	358	Support	Retain as notified
DPR-0414	Kāinga Ora	175	Support In Part	Amend as follows: <del>Built form is of a high design standard and appearance</del> <u>provides quality on-site residential amenity for residents and adjoining sites, and achieves attractive and safe streets and public open spaces that responds to and reinforces positive aspects of the local environment.</u>
DPR-0157	The Williams	FS241	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1020	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS201	Oppose In Part	Reject submission
DPR-0358	RWRL	FS261	Support	Adopt
DPR-0384	RIDL	FS261	Support	Adopt
DPR-0461	Dunweavin	FS227	Oppose In Part	Reject submission
DPR-0492	Kevler	FS597	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS221	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS112	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	011	Oppose	Delete and replace as follows: <u>Well-functioning urban environments that:</u> <u>1. enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and</u> <u>2. develop and change over time in response to the diverse and changing needs of people, communities and future generations.</u>
DPR-0358	RWRL	FS262	Support	Adopt
DPR-0384	RIDL	FS262	Support	Adopt
DPR-0425	Ryman	011	Oppose	Delete and replace as follows: <u>Well-functioning urban environments that:</u> <u>1. enable all people and communities to provide for their social, economic, and cultural wellbeing,</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>and for their health and safety, now and into the future; and</u> <u>2. develop and change over time in response to the diverse and changing needs of people, communities and future generations.</u>

### ***Analysis***

- 8.38 Kāinga Ora<sup>28</sup> requests that the provision be amended to ensure that there are quality amenity outcomes both onsite and on adjoining sites and that streets are safe and attractive. On review, I consider that the alternative wording proposed by the submitter is more appropriate than that notified in that it clearly states what is aimed for and is therefore more easily measurable. I recommend that this submission point be accepted.
- 8.39 RVA and Ryman<sup>29</sup> request that RESZ-O5 be deleted as notified and replaced with a new objective that better reflects the NPS-UD, including the expectation that urban environments will develop and change over time in response to the needs of the community. I consider that an urban environment contains more than just residential development and that the wording proposed is more consistent with the broader objectives contained within Strategic Directions chapter of the PDP. I therefore recommend that these submission points be rejected.
- 8.40 Summerset, RWRL, and RIDL<sup>30</sup> request that RESZ-O5 be retained as notified. For the reasons given above, I recommend that these submission points are accepted in part.

### ***Recommendation and amendments***

- 8.41 I recommend that, for the reasons given above, the Hearing Panel:
- a) amends RESZ-O5, as shown in **Appendix 2**, to better articulate the intent of the objective.
- 8.42 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full, as shown in **Appendix 1**.
- 8.43 The scale of change does not require a s32AA evaluation.

### **RESZ-O6**

#### ***Submissions***

- 8.44 Five submission points and 14 further submission points were received in relation to RESZ-O6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	352	Support	Retain as notified
DPR-0209	Manmeet Singh	FS559	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS518	Support In Part	Accept submission in part

<sup>28</sup> DPR-0414.175 Kāinga Ora

<sup>29</sup> DPR-0424.011 RVA and DPR-0425.011 Ryman

<sup>30</sup> DPR-0217.025 Summerset, DPR-0358.351 RWRL, and DPR-0384.358 RIDL



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS559	Support In Part	Accept submission in part
DPR-0492	Kevler	FS448	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS541	Support In Part	Accept the submission in part.
DPR-0384	RIDL	359	Support	Retain as notified
DPR-0414	Kāinga Ora	176	Support In Part	Delete as notified and replace with: <u>Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone and which also maintain the amenity of the neighbourhood.</u>
DPR-0157	The Williams	FS242	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1021	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS202	Oppose In Part	Reject submission
DPR-0358	RWRL	FS263	Support	Adopt
DPR-0384	RIDL	FS263	Support	Adopt
DPR-0461	Dunweavin	FS228	Oppose In Part	Reject submission
DPR-0492	Kevler	FS598	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS222	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS113	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	012	Support	Retain as notified
DPR-0425	Ryman	012	Support	Retain as notified

### Analysis

- 8.45 Kāinga Ora<sup>31</sup> considers that there is repetition between the outcomes sought through objectives RESZ-O2, RESZ-O6 and RESZ-O7. In this regard the submitter requests that RESZ-O6 and RESZ-O7 be deleted and that there be a single objective in their place.
- 8.46 I consider that the three objectives work in concert with each other. RESZ-O2 speaks to the purposes of the zones; that the principal uses within these zones be residential in nature. RESZ-O6 recognises the function of these zones should not be compromised by non-residential activities. I consider that this objective speaks to the quantum of non-residential activities within the zones, while RESZ-O7 speaks to the range and scale of non-residential activities that are appropriate within the zones.

<sup>31</sup> DPR-0414.176 Kāinga Ora

8.47 Therefore, I recommend that this submission point be rejected.

8.48 RWRL, RIDL, RVA and Ryman<sup>32</sup> request that RESZ-O6 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

8.49 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-O6 as notified.

8.50 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-O7**

#### **Submissions**

8.51 Six submission points and 15 further submission points were received in relation to RESZ-O7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	353	Support In Part	Amend as follows: Residents have access to a range of community, recreation, education, health, <u>commercial</u> and corrections activities and facilities that support, maintain, and enhance the surrounding residential amenity.
DPR-0209	Manmeet Singh	FS560	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS519	Support In Part	Accept submission in part
DPR-0378	MoE	FS029	Neither Support Nor Oppose	Allow
DPR-0461	Dunweavin	FS560	Support In Part	Accept submission in part
DPR-0492	Kevler	FS449	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS542	Support In Part	Accept the submission in part.
DPR-0378	MoE	022	Support	Retain as notified
DPR-0384	RIDL	360	Support In Part	Amend as follows: Residents have access to a range of community, recreation, education, health, <u>commercial</u> and corrections activities and facilities that support, maintain, and enhance the surrounding residential amenity.
DPR-0378	MoE	FS030	Neither Support Nor Oppose	Allow
DPR-0414	Kāinga Ora	177	Oppose	Delete as notified
DPR-0157	The Williams	FS243	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1022	Oppose In Part	Reject the submission in part

<sup>32</sup> DPR-0358.352 RWRL, DPR-0384.359 RIDL, DPR-0424.012 RVA and DPR-0425.012 Ryman

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0298	Trices Road Group	FS1041	Oppose In Part	Reject submission
DPR-0378	MoE	FS031	Oppose	Reject - Retain RESZ-O7
DPR-0461	Dunweavin	FS229	Oppose In Part	Reject submission
DPR-0492	Kevler	FS599	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS223	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS114	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	013	Support	Retain as notified
DPR-0425	Ryman	013	Support	Retain as notified

### Analysis

- 8.52 RWRL and RIDL<sup>33</sup> request that the objective be amended to recognise the role of local commercial centres in residential environments. I consider that the PDP does this, but through identifying specific areas, such as the various centre zones, rather than providing for in it residential zones. While non-residential activities such as educational or community facilities can enrich townships, enabling commercial activities within residential zones has the potential to undermine the competitiveness and vibrancy of the CMUZ, as well as lead to conflicts between incompatible activities. SD-DI-O5 also indicates that Selwyn's hierarchy of activity centres are the preferred location for commercial activities. As such, the approach of the PDP has been to discourage commercial activities larger in scale than home based businesses within residential zones. The exception to this approach is in the Settlement Zone, where flexibility is provided to enable commercial activities that are relatively small in scale. Where they are larger consent is required, and the zone-specific objectives and policies provide a framework for the appropriate assessment. I therefore recommend that these submission points be rejected.
- 8.53 Kāinga Ora<sup>34</sup> requests that, as a consequential relief to their submission points in relation to [RESZ-O6](#), RESZ-O7 be deleted. As I have recommended that RESZ-O6 be retained, I recommend that this submission point be rejected.
- 8.54 MoE, RVA and Ryman<sup>35</sup> request that RESZ-O7 be retained as notified. I recommend that these submission points are accepted in part.

### Recommendation

- 8.55 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-O7 as notified.

<sup>33</sup> DPR-0358.353 RWRL, DPR-0384.360 RIDL

<sup>34</sup> DPR-0414.177 Kāinga Ora

<sup>35</sup> DPR-0378.022 MoE, DPR-0424.013 RVA and DPR-0425.013 Ryman

- 8.56 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **New objectives**

##### ***Submissions***

- 8.57 Two submission points were received seeking that new objectives be included in the RESZ Chapter.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	014	Support	Insert new objective as follows: <u>Provide for retirement villages that increase the supply of, and diversify the range of, accommodation options and accessory services available to older people, including those older people requiring care or assisted living.</u>
DPR-0425	Ryman	014	Neither Support Nor Oppose	Insert new objective as follows: <u>Provide for retirement villages that increase the supply of, and diversify the range of, accommodation options and accessory services available to older people, including those older people requiring care or assisted living.</u>

##### ***Analysis***

- 8.58 RVA and Ryman<sup>36</sup> request that a specific retirement village objective be included in the PDP.
- 8.59 I consider that the inclusion of a specific objective would over emphasise the importance of retirement villages within the residential zones, and that RESZ-O3, as amended, is sufficient to recognise that a range of accommodation needs are required, to provide for all elements of the community, including older people. I recommend that these submission points be rejected.

##### ***Recommendation***

- 8.60 I recommend that, for the reasons given above, the original submission points are rejected by the Hearing Panel, as shown in **Appendix 1**.

#### **Residential Policies**

##### **RESZ-P1**

##### ***Submissions***

- 8.61 Six submission points and 15 further submission points were received in relation to RESZ-P1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	012	Support	Retain as notified
DPR-0217	Summerset	026	Support	Retain as notified
DPR-0343	CDHB	079	Support In Part	Not specifically stated.

<sup>36</sup> DPR-0424.014 RVA and DPR-0425.014 Ryman

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	178	Support In Part	Amend as follows: Enable a range of housing types and densities that achieve the residential character anticipated for each zone.
DPR-0157	The Williams	FS244	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1023	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS203	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS230	Oppose In Part	Reject submission
DPR-0492	Kevler	FS600	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS224	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS115	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	015	Oppose In Part	Amend as follows: Enable a range of housing types and densities that to achieve the residential character anticipated <u>planned urban built form</u> for each zone.
DPR-0358	RWRL	FS264	Support	Adopt
DPR-0384	RIDL	FS264	Support	Adopt
DPR-0425	Ryman	015	Oppose In Part	Amend as follows: Enable a range of housing types and densities that to achieve the residential character anticipated <u>planned urban built form</u> for each zone.

### Analysis

- 8.62 Kāinga Ora<sup>37</sup> request that RESZ-P1 be amended to strengthen the wording to be consistent with the direction set by the NPS-UD to enable a variety of homes. I consider that the policy should be retained as notified as, while it does provide for a range of housing types, it identifies that these need to be consistent with the character anticipated within the various zones. Terraced housing, for example, would not be appropriate in the LLRZ, where a very open and spacious character is anticipated. However, housing at this density is clearly anticipated in the GRZ. I therefore recommend that this submission point be rejected.
- 8.63 RVA and Ryman<sup>38</sup> seek that RESZ-P1 be amended to better reflect the NPS-UD, which refers to the ‘*planned urban built form*’. I consider that the planned urban built form is a component of the residential character anticipated for each zone, as prescribed by the various zone-based provisions. I therefore recommend that these submission points be rejected.

<sup>37</sup> DPR-0414.178 Kāinga Ora

<sup>38</sup> DPR-0424.015 RVA and DPR-0425.015 Ryman

- 8.64 JP Singh and Summerset<sup>39</sup> request that RESZ-P1 be retained as notified. I recommend that these submission points be accepted.
- 8.65 Referring to CDHB's<sup>40</sup> full submission, I record their support for RESZ-P1 as notified. I recommend that this submission point be accepted.

### ***Recommendation***

- 8.66 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P1 as notified.
- 8.67 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-P2**

#### ***Submissions***

- 8.68 Five submission points and 11 further submission points were received in relation to RESZ-P2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	013	Support	Retain as notified
DPR-0343	CDHB	080	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	179	Support	Retain as notified
DPR-0157	The Williams	FS245	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1024	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS204	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS231	Oppose In Part	Reject submission
DPR-0492	Kevler	FS601	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS225	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS116	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	016	Oppose In Part	Amend as follows: Vacant or underutilised land is developed in an efficient and co-ordinated manner to increase housing choice by providing opportunities for residential units at densities higher than but compatible with the <u>planned urban built form amenity and character</u> of the locality.
DPR-0358	RWRL	FS265	Support	Adopt
DPR-0384	RIDL	FS265	Support	Adopt
DPR-0425	Ryman	016	Oppose In Part	Amend as follows: Vacant or underutilised land is developed in an

<sup>39</sup> DPR-0204.012 JP Singh and DPR-0217.026 Summerset

<sup>40</sup> DPR-0343.079 CDHB

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				efficient and co-ordinated manner to increase housing choice by providing opportunities for residential units at densities higher than but compatible with the <u>planned urban built form</u> amenity and character of the locality.
DPR-0358	RWRL	FS266	Support	Adopt
DPR-0384	RIDL	FS266	Support	Adopt

### Analysis

- 8.69 RVA and Ryman<sup>41</sup> seek that RESZ-P2 be amended to refer to the '*planned urban built form*'. This amendment is not supported as amenity and character are components of the planned urban built form. I recommend that these submission points be rejected.
- 8.70 JP Singh and Kāinga Ora<sup>42</sup> request that RESZ-P2 be retained as notified. I recommend that these submission points be accepted.
- 8.71 Referring to CDHB's<sup>43</sup> full submission, I record their support for RESZ-P2 as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.72 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P2 as notified.
- 8.73 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-P3

#### Submissions

- 8.74 Five submission points and 14 further submission points were received in relation to RESZ-P3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	081	Support In Part	Not specifically stated.
DPR-0375	Waka Kotahi	179	Support	Retain as notified.
DPR-0414	Kāinga Ora	180	Support In Part	Amend as follows: <del>Maintain and enhance the character and amenity values</del> Achieve the <u>planned urban built form</u> of the residential zones by ensuring that all new buildings are: 1. of a scale ,height and form consistent with the <u>planned urban form of the zone</u> <del>appropriate to the locality;</del> 2. sited in a location to enable privacy, <del>and retain open space and</del> access to sunlight and daylight <u>to adjoining sites;</u> 3. designed to <u>create space between buildings</u>

<sup>41</sup> DPR-0424.016 RVA and DPR-0425.016 Ryman

<sup>42</sup> DPR-0204.013 JP Singh and DPR-0414.179 Kāinga Ora

<sup>43</sup> DPR-0343.080 CDHB

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>through requiring sufficient setbacks, open space, manoeuvring and landscaping enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site.</u>
DPR-0157	The Williams	FS246	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1025	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS205	Oppose In Part	Reject submission
DPR-0358	RWRL	FS267	Support	Adopt
DPR-0384	RIDL	FS267	Support	Adopt
DPR-0461	Dunweavin	FS232	Oppose In Part	Reject submission
DPR-0492	Kevler	FS602	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS226	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS117	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	017	Oppose In Part	Amend as follows: <del>Maintain and enhance the character and amenity values of residential zones by ensuring</del> <u>Ensure</u> that all new buildings are consistent with the planned urban built form by: 1. <u>describing the planned urban built form for each zone of a scale appropriate to the locality;</u> 2. <u>providing standards for buildings that reflect the planned urban built form for each zone, and requiring an assessment of effects of any breaches of those standards</u> <del>sited in a location to enable privacy and retain open space and access to sunlight and daylight;</del> 3. <u>ensuring designed to enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site.</u>
DPR-0217	Summerset	FS001	Support	Accept the submission
DPR-0358	RWRL	FS268	Support	Adopt
DPR-0384	RIDL	FS268	Support	Adopt
DPR-0425	Ryman	017	Oppose In Part	Amend as follows: <del>Maintain and enhance the character and amenity values of residential zones by ensuring</del> <u>Ensure</u> that all new buildings are consistent with the planned urban built form by: 1. <u>describing the planned urban built form for each zone of a scale appropriate to the locality;</u> 2. <u>providing standards for buildings that reflect the planned urban built form for each zone, and requiring an assessment of effects of any breaches</u>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<del>of those standards sited in a location to enable privacy and retain open space and access to sunlight and daylight;</del> 3.ensuring designed to enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site.
DPR-0358	RWRL	FS269	Support	Adopt
DPR-0384	RIDL	FS269	Support	Adopt

### **Analysis**

- 8.75 Kāinga Ora<sup>44</sup> considers that the provision should be amended to refer to the ‘planned urban built form’ when referring to the intended future state of the urban environment. The submitter also requests that the provision be amended to clarify the urban design outcomes sought in respect of how development is viewed from the streetscape and the amenity of neighbouring sites. Having regard to my reasoning on RESZ-O1, I consider that the planned urban form is established by the standards within the various zones and that one of the purpose of policies is to provide a framework for the assessment of development that goes beyond the ‘planned urban form’.
- 8.76 RVA and Ryman<sup>45</sup> also requests that the provision be amended to refer to the ‘planned urban built form’, and to the provision of that standards for buildings that reflect the planned urban built form for each zone and requiring an assessment of effects of any breaches of those standards. As above, I consider that the provisions of the various zones establish the ‘planned urban form’. I further consider that the resource consent process set out in the RMA require the assessment of any breaches of standards. As such, I do not consider it necessary to include reference to this in the PDP.
- 8.77 I accept that, having regard to the standards within the various zones, the character of residential zones may change over time, however I consider it essential that the amenity of a locality is not adversely affected by development . I therefore recommend that these submission points be accepted in part.
- 8.78 Referring to CDHB’s<sup>46</sup> full submission, I record their support for RESZ-P3 as notified. I recommend that this submission point be accepted in part.
- 8.79 Waka Kotahi<sup>47</sup> request that RESZ-P3 be retained as notified. I recommend that this submission point be accepted in part.

### **Recommendation and amendments**

- 8.80 I recommend that, for the reasons given above, the Hearing Panel:

<sup>44</sup> DPR-0414.180 Kāinga Ora

<sup>45</sup> DPR-0424.017 RVA and DPR-0425.017 Ryman

<sup>46</sup> DPR-0343.081 CDHB

<sup>47</sup> DPR-0375.179 Waka Kotahi

- a) amends RESZ-P3, as shown in **Appendix 2**, to recognise that, while the amenity values of residential zones may change over time, new development should still seek to enhance these.

8.81 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full, as shown in **Appendix 1**.

8.82 The scale of change does not require a s32AA evaluation.

#### **RESZ-P4**

##### ***Submissions***

8.83 Four submission points and 11 further submission points were received in relation to RESZ-P4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	032	Support In Part	Not specified
DPR-0343	CDHB	082	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	181	Support In Part	Delete as notified and replace with: <u>Manage the design and appearance of development to ensure it contributes to attractive and safe streets.</u>
DPR-0157	The Williams	FS247	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1026	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS206	Oppose In Part	Reject submission
DPR-0358	RWRL	FS270	Support	Adopt
DPR-0384	RIDL	FS270	Support	Adopt
DPR-0461	Dunweavin	FS233	Oppose In Part	Reject submission
DPR-0492	Kevler	FS603	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS227	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS118	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	003	Oppose	Amend as follows: In recurring building types <u>in comprehensive developments</u> , the appearance of building facades shall maintain an overall coherent expression, but provide variation through the use of a range of materials, repeated patterns, and façade spacing.
DPR-0358	RWRL	FS271	Support	Adopt
DPR-0384	RIDL	FS271	Support	Adopt

### Analysis

- 8.84 Kāinga Ora<sup>48</sup> requests that the provision be replaced with one that they consider clarifies the urban design outcome sought in relation to how higher density urban development is viewed from the streetscape. I consider that the replacement policy proposed by the submitter is the same as that for RESZ-O5, which I have recommended be accepted. I therefore recommend that this submission point be rejected.
- 8.85 Four Stars & Gould<sup>49</sup> consider that provision as notified does not sit well with RESZ-P13 with its focus on ‘high quality urban design outcomes’ and needs to be better targeted at the type of development of concern. I consider that the intent of the policy as notified was to provide guidance on what will help achieve attractive streets in relation to recurring building typologies, such as comprehensive development or retirement villages, which generally have an overall coherent expression. I consider that this is a key component of a high quality urban environment. I therefore recommend that this submission point be rejected.
- 8.86 Referring to Summerset’s<sup>50</sup> full submission, I record their support for the intent of RESZ-P4 but note their concern that retirement villages are being unreasonably treated differently to other residential developments, in terms of the application of the requirement related to variety in appearance of development (GRZ-REQ14). I recommend that this submission point be accepted.
- 8.87 Referring to CDHB’s<sup>51</sup> full submission, I record their support for RESZ-P4 as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.88 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P4 as notified.
- 8.89 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-P5

#### Submissions

- 8.90 Three submission points and 14 further submission points were received in relation to RESZ-P5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	054	Support	Not specifically stated.
DPR-0409	Hughes	016	Support In Part	Amend as follows: Ensure that outdoor living space of sufficient area and shape is provided, <del>and</del> appropriately located <u>to maximise access to sunlight and daylight, in relation to and</u> the residential unit to be functional for the likely occupant needs including entertaining, refuse storage, clothes drying, recreational pursuits, and landscaping.

<sup>48</sup> DPR-0414.181 Kāinga Ora

<sup>49</sup> DPR-0456.003 Four Stars & Gould

<sup>50</sup> DPR-0217.032 Summerset

<sup>51</sup> DPR-0343.082 CDHB

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0209	Manmeet Singh	FS164	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS876	Support In Part	Accept submission in part
DPR-0358	RWRL	FS272	Support	Adopt
DPR-0384	RIDL	FS272	Support	Adopt
DPR-0461	Dunweavin	FS068	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS018	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS775	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	182	Support	Retain as notified
DPR-0157	The Williams	FS248	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1027	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS207	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS234	Oppose In Part	Reject submission
DPR-0492	Kevler	FS604	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS228	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS119	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.91 CDHB<sup>52</sup> support the provisions for open living space, I recommend that this submission point be accepted.
- 8.92 Hughes<sup>53</sup> request that this provision be amended to acknowledge the significance of orientation and sunlight access in respect of internal and external living. I consider that RESZ-P3 already requires the siting of buildings to retain access to sunlight and daylight. I therefore recommend that this submission point be rejected.
- 8.93 Kāinga Ora<sup>54</sup> request that RESZ-O2 be retained as notified. I recommend that this submission point be accepted.

<sup>52</sup> DPR-0343.054 CDHB

<sup>53</sup> DPR-0409.016 Hughes

<sup>54</sup> DPR-0414.182 Kāinga Ora

### Recommendation

- 8.94 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P5 as notified.
- 8.95 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-P6

#### Submissions

- 8.96 Two submission points and seven further submission points were received in relation to RESZ-P6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	083	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	183	Support In Part	Amend as follows: Landscaping and fencing is provided that <u>contributes to attractive and safe streets and public open spaces</u> <del>maintains and enhances the amenity values and attractiveness of the locality.</del>
DPR-0157	The Williams	FS249	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1028	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS208	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS235	Oppose In Part	Reject submission
DPR-0492	Kevler	FS605	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS229	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS120	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.97 Kāinga Ora<sup>55</sup> considers that the provision should be amended to clarify the urban design outcome sought in relation to how development contributes to the streetscape appearance and promotes passive surveillance of the street and public open spaces. On review, I consider that the alternative wording proposed by the submitter is more appropriate than that notified and will better ensure that CPTED principles are included in the PDP, in accordance with Council Policy C602.

<sup>55</sup> DPR-0414.183 Kāinga Ora

- 8.98 Referring to CDHB's<sup>56</sup> full submission, I record their support for RESZ-P6 as notified. As I have recommended that RESZ-P6 be amended, I recommend that this submission point be accepted in part.

***Recommendation and amendments***

- 8.99 I recommend that, for the reasons given above, the Hearing Panel:
- a) amends RESZ-P6, as shown in **Appendix 2**, to better promote passive surveillance of the street and public open spaces.
- 8.100 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full, as shown in **Appendix 1**.
- 8.101 The scale of change does not require a s32AA evaluation.

**RESZ-P7**

***Submissions***

- 8.102 Two submission points and seven further submission points were received in relation to RESZ-P7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	084	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	185	Support In Part	Amend as follows: Ensure that the use and placement of any accessory building does not adversely affect the privacy, <del>amenity, outlook of,</del> or access to sunlight of adjacent properties.
DPR-0157	The Williams	FS251	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1030	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS210	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS237	Oppose In Part	Reject submission
DPR-0492	Kevler	FS607	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS231	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS122	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

<sup>56</sup> DPR-0343.083 CDHB

### Analysis

- 8.103 Kāinga Ora<sup>57</sup> requests that the provision be amended to clarify the amenity outcomes sought for adjoining sites in relation to the placement of accessory buildings. I consider that the amendment proposed by the submitter removes the discretion for Council to consider the impact of the placement of an accessory building in relation to adjacent properties. Further, I consider that removal of discretion would not assist in achieving RESZ-O1. I therefore recommend that this submission point be rejected.
- 8.104 Referring to CDHB's<sup>58</sup> full submission, I record their support for RESZ-P6 as notified. As I have recommended that RESZ-P6 be amended, I recommend that this submission point be accepted in part.

### Recommendation

- 8.105 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P7 as notified.
- 8.106 I recommend that the original submission points and further points are rejected or rejected as shown in **Appendix 1**.

### RESZ-P8

#### Submissions

- 8.107 Three submission points and seven further submission points were received in relation to RESZ-P8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	014	Oppose	Amend as follows: <del>Avoid</del> Manage the creation of minor residential units that: ...
DPR-0343	CDHB	056	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	186	Support	Retain as notified
DPR-0157	The Williams	FS252	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1031	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS211	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS238	Oppose In Part	Reject submission
DPR-0492	Kevler	FS608	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS232	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS123	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

<sup>57</sup> DPR-0414.185 Kāinga Ora

<sup>58</sup> DPR-0343.084 CDHB

### Analysis

- 8.108 JP Singh<sup>59</sup> considers that the use of ‘avoid’ does not align with the activity status for minor units over 70m<sup>2</sup>, and the intent of the policy is unclear. I disagree and consider that the policy is clear, rather it is the activity status of the various rules which is the cause of any confusion. I consider that the intent of the policy is two fold – to avoid more than one minor residential unit per site and to manage the size of minor residential units so as to ensure that they are subordinate to the principal residential unit.
- 8.109 I therefore recommend that this submission point be accepted in part, however I consider that it is more appropriate that the activity status for oversized minor residential units be amended in the LRZ, GRZ and SETZ, as shown in **Appendix 2**, such that if a minor residential unit is proposed over the 70m<sup>2</sup>, it is more appropriately considered as a second residential unit.
- 8.110 CDHB<sup>60</sup> supports allowing minor residential units as they consider that this can reduce barriers to affordable housing, provide more housing options, and enable higher density living with good access to amenities. I recommend that this submission point be accepted.
- 8.111 Kāinga Ora<sup>61</sup> request that RESZ-P8 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.112 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P8 as notified, but note that amendments are recommended to [LRZ-R3](#), [GRZ-R3](#) and [SETZ-R3](#).
- 8.113 I recommend that the original submission points and further points are rejected or rejected as shown in **Appendix 1**.

### RESZ-P9

#### Submissions

- 8.114 Two submission points and seven further submission points were received in relation to RESZ-P9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	057	Support	Not specifically stated.
DPR-0414	Kāinga Ora	187	Support	Retain as notified
DPR-0157	The Williams	FS253	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1032	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS212	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS239	Oppose In Part	Reject submission
DPR-0492	Kevler	FS609	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS233	Oppose In Part	Reject the submission points in part.

<sup>59</sup> DPR-0204.014 JP Singh

<sup>60</sup> DPR-0343.056 CDHB

<sup>61</sup> DPR-0414.186 Kāinga Ora



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0565	SSHL	FS124	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

8.115 CDHB<sup>62</sup> supports allowing minor residential units as they consider that this can reduce barriers to affordable housing, provide more housing options, and enable higher density living with good access to amenities. I recommend that this submission point be accepted.

8.116 Kāinga Ora<sup>63</sup> request that RESZ-P9 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

8.117 I recommend that the Hearing Panel retain RESZ-P9 as notified.

8.118 It is recommended that the submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-P10

#### Submissions

8.119 Two submission points and seven further submission points were received in relation to RESZ-P10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	085	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	188	Support	Retain as notified
DPR-0157	The Williams	FS254	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1033	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS213	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS240	Oppose In Part	Reject submission
DPR-0492	Kevler	FS610	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS234	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS125	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the

<sup>62</sup> DPR-0343.057 CDHB

<sup>63</sup> DPR-0414.187 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>relevant provisions as are consistent with enabling our MDH proposal.</i>

### **Analysis**

- 8.120 Referring to CDHB's<sup>64</sup> full submission, I record their support for RESZ-P10 as notified. I recommend that this submission point be accepted.
- 8.121 Kāinga Ora<sup>65</sup> request that RESZ-P10 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 8.122 I recommend that the Hearing Panel retain RESZ-P10 as notified.
- 8.123 It is recommended that the submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-P11**

#### **Submissions**

- 8.124 Two submission points and seven further submission points were received in relation to RESZ-P11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	086	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	189	Oppose	Delete as notified
DPR-0157	The Williams	FS255	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1034	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS214	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS241	Oppose In Part	Reject submission
DPR-0492	Kevler	FS611	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS235	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS126	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### **Analysis**

- 8.125 Kāinga Ora<sup>66</sup> opposes the separate recognition of relocated buildings and requests that RESZ-P11 be deleted. They consider that the provision does not promote the adaptive reuse of existing buildings and materials, nor does it promote an increase in housing supply and affordability.

<sup>64</sup> DPR-0343.085 CDHB

<sup>65</sup> DPR-0414.188 Kāinga Ora

<sup>66</sup> DPR-0414.189 Kāinga Ora

- 8.126 RESZ-P11 seeks to maintain the amenity of a residential area by ensuring that a relocated building is reinstated to an appropriate state of repair within a reasonable timeframe. I note the relevant rules within the various zones generally permit relocated buildings, but do not expressly provide for residential unit which, unless they are being shifted from one position to another on the same site, would be a controlled activity.
- 8.127 I recommend that this submission point be accepted as I consider that managing relocated buildings, including relocated residential units, differently from new building is not appropriate. In respect of new builds, the PDP seeks only to control their impact on residential amenity values in terms of bulk and location, not their state of repair. This is more appropriately managed through the Building Act 2004, which would require a building consent to be obtained before a building can be relocated and reestablished on another site. If a building meets the requirements of the Building Code, or obtains a building consent if necessary, then I consider that this will ensure that buildings are reinstated to an appropriate state of repair such that they would not compromise the amenity of the residential area.
- 8.128 Referring to CDHB's<sup>67</sup> full submission, I record their support for RESZ-P11 as notified. I recommend that this submission point be rejected as I have recommended that this provision be deleted.

#### ***Recommendation and amendments***

- 8.129 I recommend that, for the reasons given above, the Hearing Panel:
- delete RESZ-P11 as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.
- 8.130 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.131 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

#### **RESZ-P12**

#### ***Submissions***

- 8.132 11 submission points and 10 further submission points were received in relation to RESZ-P12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	015	Oppose	Amend so that policy: - provides for retirement villages to enable Selwyn residents to age in place; - requires the scale and appearance of built form to be compatible with a residential context. - acknowledges that a greater scale of activity and built form is acceptable, subject to impacts on the surrounding environment being appropriately managed; - requires a high level of on-site amenity for residents.

<sup>67</sup> DPR-0343.086 CDHB

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	028	Support In Part	Amend as follows: Enable supported residential accommodation and retirement villages that are: <del>1. located, where possible, within walking distance of essential facilities such as convenience shops, health and community facilities, public transport, and open space;</del> 2. sited and designed to promote interaction <u>with the surrounding</u> <del>other sections of the</del> community, without compromising privacy and security; 3. of a scale and appearance that <del>reflects</del> <u>is compatible with</u> the residential style and character of the locality; 4. provided with <u>appropriate</u> outdoor <u>areas</u> <del>living space</del> and landscaping; and ...
DPR-0343	CDHB	087	Support In Part	Not specifically stated.
DPR-0348	Oranga Tamariki	008	Neither Support Nor Oppose	Amend as follows: Supported Residential Accommodation, <u>Community Based Youth Homes</u> , and Retirement Village Enable supported residential accommodation, <u>community based youth homes</u> , and retirement villages that are: ...
DPR-0414	Kāinga Ora	FS022	Support In Part	<i>Not specified</i>
DPR-0375	Waka Kotahi	180	Support	Retain as notified.
DPR-0414	Kāinga Ora	190	Support In Part	Amend as follows: Enable supported residential accommodation and retirement villages that are: ... 3. of a scale and appearance <u>consistent with the planned urban form of the zone</u> <del>that reflects the residential style and character of the locality;</del> ...
DPR-0157	The Williams	FS256	Oppose In Part	<i>Reject the submission in part</i>
DPR-0209	Manmeet Singh	FS1035	Oppose In Part	<i>Reject the submission in part</i>
DPR-0298	Trices Road Group	FS215	Oppose In Part	<i>Reject submission</i>
DPR-0348	Oranga Tamariki	FS002	Support In Part	<i>Allow in part, in addition to explicitly adding 'Community Based Homes' as per our original submission.</i>
DPR-0461	Dunweavin	FS242	Oppose In Part	<i>Reject submission</i>
DPR-0492	Kevler	FS612	Oppose In Part	<i>Reject submission points in part</i>
DPR-0493	Gallina & Heinz-Wattie	FS236	Oppose In Part	<i>Reject the submission points in part.</i>
DPR-0565	SSHL	FS127	Support In Part	<i>Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>including no. 30 George Street &amp; any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>
DPR-0424	RVA	018	Oppose In Part	Amend as follows: Enable supported residential accommodation <del>and retirement villages</del> that are: .....
DPR-0424	RVA	019	Neither Support Nor Oppose	Insert new policy as follows: <u>RESZ-PXX - Retirement Villages</u> <u>A Provide for a diverse range of housing options that are suitable for the particular needs and characteristics of older persons throughout residential areas.</u> <u>B Provide for comprehensively designed and managed, well-located, higher density accommodation options and accessory services for older persons and those requiring care or assisted living, throughout all residential zones.</u> <u>C Recognise that retirement villages can require higher densities than typical residential development, in order to be affordable and, to enable efficient provision of assisted living and care services and accessory services.</u> <u>D Recognise the functional and operational needs of retirement villages.</u> <u>E Recognise that larger sites can accommodate higher density activities such as retirement villages without affecting planned amenity and character and provide for the more efficient use of larger sites.</u>
DPR-0217	Summerset	FS002	Support	Accept the submission
DPR-0425	Ryman	018	Oppose In Part	Amend as follows: Enable supported residential accommodation <del>and retirement villages</del> that are: ...
DPR-0425	Ryman	019	Neither Support Nor Oppose	Insert new policy as follows: <u>RESZ-PXX - Retirement Villages</u> <u>A Provide for a diverse range of housing options that are suitable for the particular needs and characteristics of older persons throughout residential areas.</u> <u>B Provide for comprehensively designed and managed, well-located, higher density accommodation options and accessory services for older persons and those requiring care or assisted living, throughout all residential zones.</u> <u>C Recognise that retirement villages can require higher densities than typical residential development, in order to be affordable and, to enable efficient provision of assisted living and care services and accessory services.</u> <u>D Recognise the functional and operational needs of retirement villages.</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>E Recognise that larger sites can accommodate higher density activities such as retirement villages without affecting planned amenity and character and provide for the more efficient use of larger sites.</u>
DPR-0447	Barton Fields	001	Support In Part	Amend RESZ-P12 to read: Enable supported residential accommodation and retirement villages that are: 1. .... 3. of a <u>greater scale than typical residential development</u> and <u>has</u> an appearance that <u>responds to</u> <del>reflects</del> the residential style and character of the locality; 4. ....

### Analysis

- 8.133 JP Singh<sup>68</sup> considers that the policy does not recognise that these types of developments are likely to be larger scale than other residential activities or that buildings associated with these forms of development will be able to reflect the residential style and character of the locality and seeks amendments to the provision.
- 8.134 Summerset<sup>69</sup> seeks amendment to the provision. For operational reasons, they do not consider it necessary to refer to the proximity of these forms of development to essential facilities, public transport, and open space. They also consider that the nature and operation of these forms of development will always be larger in scale than any typical residential development and, as such will not be of a scale or appearance that reflect the locality. However, they consider that development can be designed to be compatible with surrounding development and that this is a more appropriate outcome.
- 8.135 Barton Fields<sup>70</sup> requests that the provision be amended to recognise that these forms of development are typically greater in scale than traditional residential development.
- 8.136 RVA and Ryman<sup>71</sup> oppose the use of the policy to address both retirement villages and supported residential accommodation as they consider that the activities are different and should be treated as such so there is no policy confusion. For that reason, they request that a new policy be inserted into the PDP that specifically enables retirement villages across the residential zones, recognising the specific features of retirement villages. I consider that the intent of the policy is to acknowledge that both these forms of residential activity are different from that of traditional residential activity and provide policy direction for the consideration of this, albeit that one form may be at a larger scale than the other.

<sup>68</sup> DPR-0204.015 JP Singh

<sup>69</sup> DPR-0217.028 Summerset

<sup>70</sup> DPR-0447.001 Barton Fields

<sup>71</sup> DPR-0424.018 and 019 RVA and DPR-0425.018 and 019 Ryman

- 8.137 Considering the new policy proposed by these submitters, I consider that A. is addressed in RESZ-O3, which acknowledges that a wide range of housing typologies should be provided to cater for changing demographics; B and D. are addressed by the definition of retirement village and RESZ-O3; and E. is more appropriately an outcome that can be determined through a resource consenting process.
- 8.138 Having regard to the submissions above, I consider that the provision should be amended to clarify that interaction with the surrounding locality should be promoted and that the scale and appearance of these developments should be compatible with the character of the locality. However, I consider that, where possible, consideration should be given to the proximity of services, given the possible challenges to mobility that likely residents may face. I also consider that, as with all forms of residential development, it is important to ensure that an appropriate level of amenity is provided for the occupants of these forms of development. I consider that these outcomes are consistent with RESZ-O1, RESZ-O5 and RESZ-O7.
- 8.139 I therefore recommend that the submission points from JP Singh, Summerset and Barton Fields be accepted in part and the submission point of RVA and Ryman be rejected.
- 8.140 Oranga Tamariki<sup>72</sup> have requested that the provision be amended, as a consequential relief to their submission points in relation to ‘community based youth homes’. As discussed in [Section 14](#), I have recommended that those submission points be rejected. Therefore, I recommend that this submission point be rejected.
- 8.141 Kāinga Ora<sup>73</sup> generally supports the objective as proposed but seeks an amendment to align with the language used in the NPS-UD, which refers to the “*planned urban built form*” when referring to the intended future state of the urban environment. Having regard to my reasoning on RESZ-O1, I consider that the planned urban form is established by the permitted standards within the various zones. As the forms of development referred to by this policy often go beyond the scale of residential development anticipated by the zone provisions, I consider that limited the scale to be consistent with the ‘planned urban form’ would in turn limit the ability of these forms of development. As such, I consider it more appropriate to consider the impact on the amenity of the locality, as often, increased densities can be managed to ensure they reflect of character of the locality. I therefore recommend that this submission point be rejected.
- 8.142 Waka Kotahi<sup>74</sup> requests that the provision be retained as notified. As I have recommended amendments to this provision, I recommend that this submission point be accepted in part.
- 8.143 Referring to CDHB’s full submission<sup>75</sup>, I record their support for RESZ-P12 as notified. As I have recommended amendments to this provision, I recommend that this submission point be accepted in part.

#### ***Recommendation and amendments***

- 8.144 I recommend that, for the reasons given above, the Hearing Panel:

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<sup>72</sup> DPR-0348.008 Oranga Tamariki

<sup>73</sup> DPR-0414.190 Kāinga Ora

<sup>74</sup> DPR-0375.180 Waka Kotahi

<sup>75</sup> DPR-0343.087 CDHB

a) amend RESZ-P12 as shown in **Appendix 2**, to clarify the intent of the provision.

8.145 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

8.146 The scale of change does not require a s32AA evaluation.

### **RESZ-P13**

#### ***Submissions***

8.147 Four submission points and seven further submission points were received in relation to RESZ-P13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0149	Arneka de Vries	002	Support	Retain as notified.
DPR-0222	Ron de Vries	002	Support	Retain RESZ-P13 as notified.
DPR-0343	CDHB	058	Support	Not specifically stated.
DPR-0414	Kāinga Ora	191	Oppose	Delete as notified
DPR-0157	The Williams	FS257	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1036	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS216	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS243	Oppose In Part	Reject submission
DPR-0492	Kevler	FS613	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS777	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS128	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

#### ***Analysis***

8.148 Arneka de Vries and Ron de Vries<sup>76</sup> request that RESZ-P13 be retained as notified. I recommend that these submission points be accepted.

8.149 CDHB<sup>77</sup> supports allowing second residential units as they consider that this can reduce barriers to affordable housing, provide more housing options, and enable higher density living with good access to amenities. Having read their full submission, I record their support for RESZ-P13 as notified. I recommend that this submission point be accepted.

<sup>76</sup> DPR-0149.002 Arneka de Vries and DPR-0222.002 Ron de Vries

<sup>77</sup> DPR-0343.058 CDHB



- 8.150 Kāinga Ora<sup>78</sup> requests that, as a consequential relief to their submission points in relation to [LRZ-R12](#), [GRZ-R12](#) and [SETZ-R12](#), RESZ-P13 be deleted. As I have recommended that the relevant rules be retained, I recommend that this submission point be rejected.

**Recommendation**

- 8.151 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-P13 as notified.
- 8.152 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**RESZ-P14**

**Submissions**

- 8.153 Three submission points and seven further submission points were received in relation to RESZ-P14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	016	Support	Retain as notified
DPR-0343	CDHB	088	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	192	Support	Retain as notified
DPR-0157	The Williams	FS258	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1037	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS217	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS244	Oppose In Part	Reject submission
DPR-0492	Kevler	FS614	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS778	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS129	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

- 8.154 Referring to CDHB's<sup>79</sup> full submission, I record their support for RESZ-P14 as notified. I recommend that this submission point be accepted.
- 8.155 JP Singh and Kāinga Ora<sup>80</sup> request that RESZ-P14 be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 8.156 I recommend that the Hearing Panel retain RESZ-P14 as notified.

<sup>78</sup> DPR-0414.191 Kāinga Ora

<sup>79</sup> DPR-0343.088 CDHB

<sup>80</sup> DPR-0204.016 JP Singh and DPR-0414.192 Kāinga Ora

- 8.157 It is recommended that the submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-P15**

#### ***Submissions***

- 8.158 Five submission points and seven further submission points were received in relation to RESZ-P15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	017	Support In Part	Amend policy to include a clause recognising that a larger scale of commercial activity is anticipated in specific locations adjacent to the Town Centre zone.
DPR-0204	JP Singh	018	Support In Part	Amend to provide direction to support the non-complying activity status for general commercial activities.
DPR-0204	JP Singh	019	Support In Part	Insert a clause recognising that a larger scale of commercial activity is anticipated in specific locations adjacent to the TCZ.
DPR-0343	CDHB	089	Support In Part	Not specifically stated.
DPR-0414	Kāinga Ora	193	Support In Part	Amend as follows: Provide for non-residential activities and community facilities that: ... 2. are consistent with the <del>amenity values and character of the locality</del> <u>planned urban form</u> of the zone; ...
DPR-0157	The Williams	FS259	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1038	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS218	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS245	Oppose In Part	Reject submission
DPR-0492	Kevler	FS615	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS779	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS130	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### ***Analysis***

- 8.159 JP Singh<sup>81</sup> considers that the provision does not specifically recognise or support the rules enabling a larger scale of commercial activities to establish within PREC3. Commercial activities other than those specifically provided for are non-complying in the GRZ, but the policy does not provide any direction for assessing these activities. Having regard to the provisions in relation to commercial activities within the various residential zones, I consider that commercial activities are anticipated in specific locations, being either the SETZ or PREC3 within the GRZ. I consider that the permitted standards associated with these activities establishes the appropriate scale of these activities, relative to the zone or precinct. Where development is provided beyond that anticipated by the relevant rules, I consider that RESZ-P15 as notified provides appropriate direction for assessing the effects of these activities. I recommend that these submission points be rejected.
- 8.160 Kāinga Ora<sup>82</sup> generally supports the provision as proposed but seek an amendment to align with the language used in the NPS-UD, which refers to the “*planned urban built form*” when referring to the intended future state of the urban environment. As previously discussed, I consider that the provisions of the various zones establish the ‘planned urban form’; as such, I do not consider it necessary to include reference to this in this provision. However, consistent with my discussions above in relation to [RESZ-P3](#), I do acknowledge that the character of residential zones may change over time, but it is essential that development does not detract from the amenity of a locality. I therefore recommend that this submission points be accepted in part.
- 8.161 Referring to CDHB’s full submission<sup>83</sup>, I record their support for RESZ-P15 as notified. I recommend that this submission point be accepted in part given that I have proposed an amendment.

### ***Recommendation***

- 8.162 I recommend that, for the reasons given above, the Hearing Panel:
- a) amends RESZ-P15, as shown in **Appendix 2**, to recognise that, while the character of an area may change over time, new non-residential development should still seek to consistent with the amenity of the locality.
- 8.163 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### **New Policies**

#### ***Submissions***

- 8.164 Five submission points and eight further submission points were received seeking that new policies be included in the RESZ Chapter.

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<sup>81</sup> DPR-0204.017, 018, 019 JP Singh

<sup>82</sup> DPR-0414.193 Kāinga Ora

<sup>83</sup> DPR-0343.089 CDHB

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	184	Support	Insert new policy as follows: <u>Require accommodation to be designed to meet day to day needs of residents by:</u> <u>a. providing privacy and outlook; and</u> <u>b. providing access to daylight and sunlight and providing the amenities necessary for those residents.</u>
DPR-0157	The Williams	FS250	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1029	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS209	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS236	Oppose In Part	Reject submission
DPR-0492	Kevler	FS606	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS230	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS121	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	020	Neither Support Nor Oppose	Insert new policy as follows: <u>Recognise that changes to amenity values are not of themselves an adverse effect.</u>
DPR-0425	Ryman	020	Neither Support Nor Oppose	Insert new policy as follows: <u>Recognise that changes to amenity values are not of themselves an adverse effect.</u>

### Analysis

- 8.165 Kāinga Ora<sup>84</sup> requests that a new policy be included in the PDP to address the onsite amenity of residents and create a policy linkage to the rule requirements for onsite amenity. I consider that RESZ-P3 and RESZ-P5 address these matters sufficiently. Therefore, I recommend that this submission point be rejected.
- 8.166 RVA and Ryman<sup>85</sup> request that a new policy be included in the PDP to recognise that changes in amenity values are not, of themselves, an adverse effect. I consider that this is an outcome that is determined through a resource consent assessment process, as opposed to a policy. I therefore recommend that these submission points be rejected.

<sup>84</sup> DPR-0414.184 Kāinga Ora

<sup>85</sup> DPR-0424.020 RVA and DPR-0425.020 Ryman

**Recommendation**

- 8.167 I recommend that, for the reasons given above, the original submission points and the further submission points are rejected by the Hearing Panel, as shown in **Appendix 1**.

**Residential Policies Generally*****Submissions***

- 8.168 Two submission points and five further submission points were received in relation to the RESZ policies generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	354	Support	Retain as notified
DPR-0209	Manmeet Singh	FS561	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS520	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS561	Support In Part	Accept submission in part
DPR-0492	Kevler	FS450	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS543	Support In Part	Accept the submission in part.
DPR-0384	RIDL	361	Support	Retain as notified

***Analysis***

- 8.169 RWRL and RIDL<sup>86</sup> have submitted in support of all the RESZ policies as notified. While the support is noted, as I have recommended a number of amendments to various policies arising from the consideration of other submission points, I recommend that these submission points be accepted in part. I do not consider that any of the amendments significantly alter the intent of the policies as notified.

**Recommendation**

- 8.170 I recommend that the Hearing Panel accept these submission points in part on the basis that amendments to the RESZ policies have been recommended elsewhere in this report.
- 8.171 I recommend that the original submission point and the further submission points are accepted in part as shown in **Appendix 1**.

**Residential Matters for Control or Discretion****RESZ-MAT1*****Submissions***

- 8.172 Three submission points and 15 further submission points were received in relation to RESZ-MAT1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	055	Support In Part	Either amend RESZ-MAT1 or insert new matter as follows ... <u>That the development incorporates elements of</u>

<sup>86</sup> DPR-0358.354 RWRL and DPR-0384.361 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>healthy home standards, energy efficiency and universal design.</u>
DPR-0553	Paul Rutherford	FS004	Support	Allow Submission Point in Full
DPR-0409	Hughes	017	Support In Part	Delete RESZ-MAT1.3 as notified.
DPR-0209	Manmeet Singh	FS165	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS877	Support In Part	Accept submission in part
DPR-0358	RWRL	FS254	Support	Adopt
DPR-0384	RIDL	FS254	Support	Adopt
DPR-0461	Dunweavin	FS069	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS019	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS072	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	194	Support In Part	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>Whether the design of the development is in keeping with, or complements, the <u>planned scale and character</u> built form of development anticipated <u>within the zone for the surrounding area and relevant significant natural, heritage, and cultural features.</u></li> <li>Whether the development engages with adjacent streets and any other adjacent public open spaces and contributes to them being lively, safe, and attractive <u>by:</u> <ol style="list-style-type: none"> <li><u>providing doors, windows and/or balconies facing the street and public open spaces</u></li> <li><u>designing large scale development to provide for variations in building form and/or façade design as viewed from streets and public open spaces.</u></li> <li><u>optimising front yard landscaping</u></li> <li><u>providing safe pedestrian access to buildings from the street.</u></li> </ol> </li> <li><del>Whether the development is designed to minimise the visual bulk of the buildings and provide visual interest.</del></li> <li>The extent to which residential units: <ol style="list-style-type: none"> <li><u>Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling</u></li> <li><u>Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space</u></li> <li><u>Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.</u></li> <li><u>Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public</u></li> </ol> </li> </ol>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>open spaces.</u></p> <p><u>5. The extent to which outdoor living space:</u></p> <p><u>i. Provides for access to sunlight.</u></p> <p><u>ii. Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.</u></p> <p><u>iii. When provided at ground level, is located on generally flat land or otherwise functional.</u></p> <p><u>4. Whether the development provides a high level of internal and external residential amenity for occupants and neighbours.</u></p> <p><u>5. Whether the development provides for good access and integration of space for parking and servicing.</u></p> <p><u>6. Whether the development incorporates Crime Prevention Through Environment Design (CPTED) principles as required to achieve a safe, secure environment.</u></p>
DPR-0157	The Williams	FS260	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1039	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS219	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS246	Oppose In Part	Reject submission
DPR-0492	Kevler	FS616	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS780	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS131	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.173 CDHB<sup>87</sup> requests that the provision be amended to consider the healthy and sustainable design of individual residential units. The Healthy Homes Standards<sup>88</sup> cover heating, insulation, ventilation, moisture and drainage and draught-stopping, all of which I consider are components of the building consent process, as opposed to district plan matters. Universal design is about making buildings accessible to all people of all abilities at any stage of life. I consider that the majority of the components of universal design primarily relate to matters better addressed through the building consent process. I therefore recommend that this submission point be rejected.

<sup>87</sup> DPR-0343.055 CDHB

<sup>88</sup> <https://www.hud.govt.nz/our-work/healthy-homes-standards/>

- 8.174 Kāinga Ora<sup>89</sup> requests that the provision be amended to acknowledge the planned character of development in the zone, rather than fixing the assessment to the current ‘existing’ state and to provide more certainty for urban design outcomes. The submitter also seeks consequential amendments to this provision to cover design matters that they consider are more appropriate as matters of discretion, to provide for design flexibility, than rule requirements.
- 8.175 I consider that some of the amendments proposed by the submitter provide clarity for plan users but having regard to my reasoning on RESZ-O1, I do not support the inclusion of text referring to the planned built form of the zone. I also consider that reference to cross ventilation is an architectural matter that is best assessed as part of the building consent process. I therefore recommend that this submission point be accepted in part.
- 8.176 Hughes<sup>90</sup> request that RESZ-MAT1.3 be deleted as it is ambiguous. I recommend that this submission point be accepted in part as a consequence of the amendments I have recommended in response to the submission above.

#### ***Recommendation and amendments***

- 8.177 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT1 as shown in **Appendix 2**, to improve the clarity of the provision.
- 8.178 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.179 The scale of change does not require a s32AA evaluation.

#### **RESZ-MAT2**

#### ***Submissions***

- 8.180 One submission points and nine further submission points were received in relation to RESZ-MAT2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	195	Support In Part	Amend as follows: 1. Effects on visual amenity values, including dominance, and the compatibility with the receiving environment <u>having regard to the planned built form of the zone.</u> 2. <del>Provision of</del> <u>The extent to which the proposal is able to provide</u> adequate outdoor living space on site.
DPR-0157	The Williams	FS261	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1040	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS220	Oppose In Part	Reject submission
DPR-0358	RWRL	FS255	Support	Adopt
DPR-0384	RIDL	FS255	Support	Adopt

<sup>89</sup> DPR-0414.194 Kāinga Ora

<sup>90</sup> DPR-0409.017 Hughes



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS247	Oppose In Part	Reject submission
DPR-0492	Kevler	FS617	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS781	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS132	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### ***Analysis***

- 8.181 Kāinga Ora<sup>91</sup> generally supports the provision as proposed but seeks an amendment to align with the language used in the NPS-UD, which refers to the “*planned urban built form*” when referring to the intended future state of the urban environment. The submitter also requests further amendments clarify the intent of the provision.
- 8.182 I do not support the inclusion of text referring to ‘planned built form’ as I consider it superfluous. The purpose of assessment matters is to provide guidance in relation to the effects that should be considered where the standard of the zone has been breached. As such, the relevant standard establishes the permitted baseline, and as such the receiving environment, and the matter guides assessment when development goes beyond this.
- 8.183 I do accept that the intent of the provision can be clarified in relation to outdoor living space. I recommend that the submission point be accepted in part.

### ***Recommendation and amendments***

- 8.184 I recommend that, for the reasons given above, the Hearing Panel:
- amend RESZ-MAT2 as shown in **Appendix 2**, to clarify the intent of the provision and improve the grammar.
- 8.185 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.186 The scale of change does not require a s32AA evaluation.

### **RESZ-MAT3**

#### ***Submissions***

- 8.187 Two submission points and eight further submission points were received in relation to RESZ-MAT3.

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<sup>91</sup> DPR-0414.195 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0101	Chorus, Spark & Vodafone	044	Oppose	Insert matters of control or discretion to each zone requiring consideration of any reverse sensitivity effects on important infrastructure where the zone height standard is exceeded by more than 2m and do not include any rules on notification in the Proposed Plan that preclude consideration of important infrastructure as affected parties under s95E of the RMA where resource consent to exceed height limits is required.
DPR-0414	Kāinga Ora	FS103	Oppose	Not Specified
DPR-0414	Kāinga Ora	196	Support In Part	Amend as follows: 1. Effects on privacy, outlook, or shading on <del>the affected neighbouring sites property.</del> 2. Effects on visual amenity values, including dominance, <del>and the compatibility with the receiving environment having regard to the planned built form of the zone.</del> 3. <u>The extent to which topography, building location and orientation and planting can mitigate the effects of the additional height of the building or structure.</u> 4. <u>The extent to which the increase in height provides for the P</u> rotection of any notable tree (not protected trees) listed in TREE-SCHED2, heritage item listed in HH SCHED2, or sites and areas of significance to Māori listed in SASM-SCHED1. 5. <u>The extent to which the increase in height provides for the M</u> itigation of the effects of natural hazards.
DPR-0157	The Williams	FS262	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1041	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS221	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS248	Oppose In Part	Reject submission
DPR-0492	Kevler	FS618	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS782	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS133	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

8.188 Chorus, Spark & Vodafone<sup>92</sup> seek that matters of control and discretion are inserted requiring consideration of any reverse sensitivity effects on important infrastructure where the zone height standard is exceeded by 2m and not to preclude notification to owners of important infrastructure where resource consent to exceed a height limit is required.

8.189 I note this matter was also addressed through the EI hearing process, culminating with the submitter providing the following as proposed wording for an additional matter of discretion to RESZ-MAT3.

5. Where height limits are exceeded by more than 2m, effects on existing adjacent important infrastructure within 30m of the site boundary and how these can be avoided, remedied or mitigated.

8.190 In the EI Right of Reply<sup>93</sup>, while the officer considered that the above wording “*could achieve the [submitter’s] objectives, it is still not clear how much of an issue this is in Selwyn where the maximum height in Residential Zones in the PDP is 8m in all of the zones, which plus 2m, at 10m is still well below the 15m permitted maximum height of telecommunications poles and antennas in the Residential Zones (EI-TABLE1). Even at three storeys (i.e., approximately 12m), this is an avoidable issue*”. The Officer also considered that there were drafting issues with the matter proposed, including the lack of a need to apply such a provision to all ‘important infrastructure’.

8.191 The officer concluded that:

*Overall, for the above reasons, such an amendment is not considered fully justified in the Selwyn context given the maximum zone height is well under the maximum telecommunications height, and due to difficulties with the proposed drafting, particularly around identifying telecommunications within a 30m radius of a development and the practicality of that. However, if the Panel wanted to consider an alternative, a potential amendment could be to include a matter for discretion as follows:*

5. Where height limits are exceeded by more than 2m, the outcome of any consultation with the provider of any telecommunication facility within 30m of the site boundary

8.192 While I agree with the conclusions of the officer, I do not consider the proposed amendment is required and recommend the submission point is rejected.

8.193 Kāinga Ora<sup>94</sup> requests that the provision be amended to align with the language used in the NPS-UD, which refers to the “*planned urban built form*” when referring to the intended future state of the urban environment. Having regard to my reasoning on [RESZ-MAT2](#), I do not support the inclusion of text referring the to the planned built form of the zone.

8.194 The submitter also requests further amendments to recognise that effects created by infringements to the height standard need to be managed in respect of adjoining properties

<sup>92</sup> DPR-0101.044 Chorus, Spark & Vodafone

<sup>93</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0011/557462/Right-of-Reply-EI-26-October-2021.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0011/557462/Right-of-Reply-EI-26-October-2021.pdf) paras 2.75-2.79

<sup>94</sup> DPR-0414.196 Kāinga Ora

rather than the site itself and to recognise potential features of the site which may reduce any adverse effects. I consider that RESZ-MAT3.1 does recognise the effect that an infringement of height on adjoining properties, so do not consider this amendment necessary. Having considered the topography of the residential zones throughout the district I consider that there will be very few instances where this would mitigate the effect of additional height but accept that there may be one or two locations where this may be a relevant consideration. I accept that the remaining amendments are better worded in terms of the application of matters.

8.195 I therefore recommend that this submission point be accepted in part.

***Recommendation and amendments***

8.196 I recommend that, for the reasons given above, the Hearing Panel:

- a) amend RESZ-MAT3 as shown in **Appendix 2**, to recognise potential features of the site which may reduce any adverse effects.

8.197 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

8.198 The scale of change does not require a s32AA evaluation.

**RESZ-MAT4**

***Submissions***

8.199 One submission point and seven further submission points were received in relation to RESZ-MAT4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	197	Oppose	Delete as notified and undertake a full review of the matters for discretion. Seeks the introduction of a flexible Height/Bulk in Relation to Boundary rule which would provide a range of options, specific to the zoning of adjacent land, that would provide design flexibility in the form and typology of residential development.
DPR-0157	The Williams	FS263	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1042	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS222	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS249	Oppose In Part	Reject submission
DPR-0492	Kevler	FS619	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS783	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS134	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.200 Kāinga Ora<sup>95</sup> requests that, as consequential relief to their submission points in relation to [LRZ-REQ4](#), [GRZ-REQ4](#), and [SETZ-REQ4](#), RESZ-MAT4 be deleted. As I have recommended that the various provisions be retained, I recommend that this submission point be rejected. I consider that, as notified, RESZ-MAT4 allows for the appropriate consideration of effects arising from a breach of the height in relation to boundary provisions within the PDP.

### Recommendation

- 8.201 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-MAT4 as notified.
- 8.202 I recommend that the original submission point is rejected, and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-MAT5

#### Submissions

- 8.203 Three submission points and 16 further submission points were received in relation to RESZ-MAT5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0375	Waka Kotahi	181	Support	Retain as notified.
DPR-0409	Hughes	018	Oppose In Part	Amend as follows: 1. ... <u>2. Providing variation along the streetscape</u> <u>2-3. Balancing the effects on visual amenity values, including dominance, and the compatibility with the receiving environment with the benefits of maximising solar orientation and outdoor living space.</u> <del>3-4. ...</del>
DPR-0209	Manmeet Singh	FS166	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS878	Support In Part	Accept submission in part
DPR-0358	RWRL	FS256	Support	Adopt
DPR-0384	RIDL	FS256	Support	Adopt
DPR-0461	Dunweavin	FS070	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS020	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS071	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	198	Support In Part	Amend as follows: <del>1. The safety and efficiency of the land transport infrastructure.</del> 2. Effects on visual amenity values, including dominance, and the compatibility with the

<sup>95</sup> DPR-0414.197 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><del>receiving environment</del> streetscape having regard to the planned urban form of the zone.</p> <p>3. The extent to which the reduction in road boundary setback provides for the</p> <p>Protection of any notable tree (not protected trees) listed in TREE-SCHED2, heritage item listed in HH SCHED2, or sites and areas of significance to Māori listed in SASM-SCHED1.</p>
DPR-0157	The Williams	FS264	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1043	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS223	Oppose In Part	Reject submission
DPR-0358	RWRL	FS257	Support	Adopt
DPR-0384	RIDL	FS257	Support	Adopt
DPR-0461	Dunweavin	FS250	Oppose In Part	Reject submission
DPR-0492	Kevler	FS620	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS784	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS135	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.204 Hughes<sup>96</sup> considers this provision provides no relief for varying the setback and the positive outcomes that can arise from such variation. The submitter further considers that the provision fails to recognise the significance of internal amenity and instead focuses on the receiving environment. While a development may be pushed forward on a site to maximise solar orientation or outdoor living space, I do not consider that this should be at the expense of the amenity of the receiving environment. As such, I consider that it is appropriate that this matter focus primarily on the receiving environment, as that is where the effect of a breach will be more acutely observed. I therefore recommend that this submission point be rejected.
- 8.205 Kāinga Ora<sup>97</sup> requests that the provision be amended to align with the language used in the NPS-UD, which refers to the “*planned urban built form*” when referring to the intended future state of the urban environment. Having regard to my reasoning on [RESZ-MAT2](#), I do not support the inclusion of text referring the to the planned built form of the zone. I also consider that it is

<sup>96</sup> DPR-0409.018 Hughes

<sup>97</sup> DPR-0414.198 Kāinga Ora

essential that the potential effects on the safety and efficiency of the land transport infrastructure/state highway network are considered in relation to any reduction in road boundary setback. I accept that the remaining amendments are better worded in terms of the application of matters. I therefore recommend that this submission point be accepted in part.

- 8.206 Waka Kotahi<sup>98</sup> RESZ-MAT5 be retained as notified. I recommend that this submission point be accepted.

#### **Recommendation and amendments**

- 8.207 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT5 as shown in **Appendix 2**, to improve the clarity of the provision.
- 8.208 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.209 The scale of change does not require a s32AA evaluation.

#### **RESZ-MAT6**

##### ***Submissions***

- 8.210 Four submission points and 15 further submission points were received in relation to RESZ-MAT6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0353	HortNZ	232	Oppose In Part	Amend as follows: 5. Reverse sensitivity effects, <u>including where the site adjoins another zone.</u>
DPR-0409	Hughes	019	Oppose In Part	Amend as follows: 1. ... 2. Balancing the effects on visual amenity values, including dominance, and the compatibility with the receiving environment <u>with efficient design outcomes.</u> 3. ...
DPR-0209	Manmeet Singh	FS167	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS879	Support In Part	Accept submission in part
DPR-0358	RWRL	FS258	Support	Adopt
DPR-0384	RIDL	FS258	Support	Adopt
DPR-0461	Dunweavin	FS071	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS021	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS064	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	199	Support In Part	Amend as follows: <del>1. Effects on privacy, outlook, or shading on the affected property.</del> 2. Effects on visual amenity values <u>of adjoining residential properties, including privacy, outlook</u>

<sup>98</sup> DPR-0375.181 Waka Kotahi

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><del>and dominance, and the compatibility with the receiving environment.</del></p> <p>3. <u>The extent to which the reduction in road boundary setback provides for the p</u>Protection of any notable tree (not protected trees) listed in TREE-SCHED2, heritage item listed in HH SCHED2, or sites and areas of significance to Māori listed in SASM-SCHED1.</p> <p>4. <u>The extent to which the reduction in yard setback provides for the m</u>Mitigation of the effects of natural hazards.</p> <p>5. <del>Reverse sensitivity effects.</del></p>
DPR-0157	The Williams	FS265	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1044	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS224	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS251	Oppose In Part	Reject submission
DPR-0492	Kevler	FS621	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS785	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS136	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0458	KiwiRail	051	Support In Part	Amend as follows: <u>X. Whether a reduced setback from boundaries with the rail corridor will enable buildings, balconies, or decks to be constructed or maintained without requiring access above, on, or over the railway corridor.</u>
DPR-0414	Kāinga Ora	FS087	Oppose	Not specified

### Analysis

- 8.211 HortNZ<sup>99</sup> consider that any consideration of reverse sensitivity effects should recognise that these may extend beyond the boundary of the residential zones. I consider that consideration of reverse sensitivity effects would, by their nature, consider any effects where a site adjoining another zone. As such, I recommend that this submission point be rejected.
- 8.212 Hughes<sup>100</sup> considers that having the ability to reduce internal setbacks can present efficient design outcomes. While I agree with this statement, I consider that it is appropriate that this matter focus primarily on the effect that a reduce internal setback has on the receiving

<sup>99</sup> DPR-0353.232 HortNZ

<sup>100</sup> DPR-0409.019 Hughes



environment, as that is where the effect of a breach will be more acutely observed. I therefore recommend that this submission point be rejected.

- 8.213 Kāinga Ora<sup>101</sup> request that the provision be amended to recognise that effects created by infringements to the internal boundary setback need to be managed in respect of adjoining properties. I consider that the amendments proposed by the submitter generally improves the clarity of the provision. I recommend that this submission point be accepted in part.
- 8.214 KiwiRail<sup>102</sup> request that the matter be amended to require the consideration of the effects on the railway corridor if a reduced setback is proposed. For the reasons set out in relation to similar submission points made by the submitter, I consider that an associated matter of discretion is necessary. I recommend this submission point be accepted.

#### ***Recommendation and amendments***

- 8.215 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT6 as shown in **Appendix 2**, to improve the clarity of the provision.
- 8.216 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.217 The scale of change does not require a s32AA evaluation.

#### **RESZ-MAT7**

#### ***Submissions***

- 8.218 Two submission points and seven further submission points were received in relation to RESZ-MAT7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	200	Support In Part	<p>Amend as follows:</p> <p>1. The <del>degree extent</del> to which <del>an open street scene is maintained and views</del> <u>passive surveillance opportunities are provided</u> between the residential unit and the public space, <del>private right of way, or shared access are retained</del> <u>street</u>.</p> <p>2. The <del>effects on the planned urban form and streetscape of the zone</del> and whether adequate mitigation of adverse effects can be achieved through landscaping or alternative design <del>extent to which the visual appearance of the site from the street, or private right of way, or shared access over which the lot has legal use of any part, is dominated by garden planting and the residential unit, rather than front fencing.</del></p> <p>3. The <del>extent to which the proposed fence is constructed out of the same materials as the residential unit and incorporates articulation and modulation, landscaping, or visually permeable elements.</del></p>

<sup>101</sup> DPR-0414.199 Kāinga Ora

<sup>102</sup> DPR-0458.051 KiwiRail

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>4. Where located in the Large Lot Residential Zone, in a way that is compatible with the open and spacious character anticipated within this zone.</p> <p>5. In the case of internal boundaries, to be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land;</p> <p>6. Necessity as an integral part of a recreational facility such as a swimming pool or tennis court.</p>
DPR-0157	The Williams	FS266	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1045	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS225	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS252	Oppose In Part	Reject submission
DPR-0492	Kevler	FS622	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS237	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS137	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	005	Oppose	Delete RESZ-MAT7.3 as notified.

### Analysis

- 8.219 Kāinga Ora<sup>103</sup> requests that the provision be amended to clarify the streetscape outcomes sought in relation to how development contributes to the streetscape appearance and passive surveillance of the street and public open spaces.
- 8.220 On review, I consider that the alternative wording proposed by Kāinga Ora generally improves the clarity of the provision however, for the reasons previously stated in relation to [RESZ-MAT2](#), I do not support the inclusion of text referring to the planned urban form. I also consider that it is important to recognise the impact on the character of the LLRZ from fences that do not meet the permitted standards. I therefore recommend that the above submission points be accepted in part.
- 8.221 Four Stars & Gould<sup>104</sup> consider that RESZ-MAT7.3 to be unduly onerous and that it is sufficient to ensure that amenity matters are addressed without identifying the specific elements of design.

<sup>103</sup> DPR-0414.200 Kāinga Ora

<sup>104</sup> DPR-0456.005 Four Stars & Gould

As I have recommended that this part of the provision be deleted in response to the relief sought by Kāinga Ora, I recommend that this submission point be accepted.

***Recommendation and amendments***

- 8.222 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT7 as shown in **Appendix 2**, to improve the clarity of the provision.
- 8.223 I recommend that the original submission point and the further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 8.224 The scale of change does not require a s32AA evaluation.

**RESZ-MAT8**

***Submissions***

- 8.225 Three submission points and seven further submission points were received in relation to RESZ-MAT8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	059	Support	Amend as follows ... 4. The extent to which each residential unit is required to be provided with separate services, <u>particularly drinking water and wastewater system capacity</u> .
DPR-0343	CDHB	078	Support	Request inclusion of healthy home building standards and universal design in RESZ-MAT8.
DPR-0414	Kāinga Ora	201	Support	Retain as notified
DPR-0157	The Williams	FS267	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1046	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS226	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS253	Oppose In Part	Reject submission
DPR-0492	Kevler	FS623	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS238	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS138	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.226 CDHB<sup>105</sup> consider that, when considering second residential units, that the capacity in the system for drinking and wastewater be considered. They further consider that, where there is no reticulated wastewater system in place, the capacity and placement of on-site wastewater and disposal systems must be taken into account when building additional residential units on a property to safeguard health. I consider that RESZ-MAT8.4 as notified does allow for these services to be considered, as well as any other services that may be required. Therefore, I recommend that this submission point be rejected.
- 8.227 CDHB<sup>106</sup> also consider that it is important to build all residential units to healthy home building and universal design standards. For the reasons set out in relation to [RESZ-MAT1](#), I recommend that this submission point be rejected.
- 8.228 Kāinga Ora<sup>107</sup> request that RESZ-MAT8 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.229 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-MAT8 as notified.
- 8.230 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-MAT9

#### Submissions

- 8.231 Two submission points and nine further submission points were received in relation to RESZ-MAT9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	060	Support	Not specifically stated.
DPR-0553	Paul Rutherford	FS003	Support In Part	Allow Submission Point in Full
DPR-0598	Kate Milne	FS001	Support	This submission point can be allowed in full. The council needs to retain discretion as to where MRUs may be built, and consider parking and access, safety, efficiency and impacts to on street parking and neighbours
DPR-0414	Kāinga Ora	202	Support In Part	Amend as follows: 1. Effects on amenity values of the residential area the planned urban form of the zone. 2. Location and adequacy of outdoor living space.
DPR-0157	The Williams	FS268	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS1047	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS227	Oppose In Part	Reject submission

<sup>105</sup> DPR-0343.059 CDHB

<sup>106</sup> DPR-0343.078 CDHB

<sup>107</sup> DPR-0414.201 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS254	Oppose In Part	Reject submission
DPR-0492	Kevler	FS624	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS239	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS139	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.232 Referring to CDHB's<sup>108</sup> full submission, I record their support for RESZ-MAT9 as notified. I recommend that this submission point be accepted.
- 8.233 Kāinga Ora<sup>109</sup> request that the provision be amended to align with the language of NPS-UD when referring to the intended future state of the urban environment. Having regard to my reasoning on [RESZ-MAT2](#), I do not support the inclusion of text referring the to the planned built form of the zone. I therefore recommend that this submission point be rejected.

### Recommendation

- 8.234 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-MAT9 as notified.
- 8.235 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-MAT10

#### Submissions

- 8.236 Two submission points and seven further submission points were received in relation to RESZ-MAT10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0296	NZHHA	006	Oppose	Amend RESZ-MAT10 to remove bond requirement
DPR-0414	Kāinga Ora	203	Oppose	Delete as notified
DPR-0157	The Williams	FS269	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS113	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS228	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS255	Oppose In Part	Reject submission
DPR-0492	Kevler	FS625	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS240	Oppose In Part	Reject the submission points in part.

<sup>108</sup> DPR-0343.060 CDHB

<sup>109</sup> DPR-0414.202 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0565	SSHL	FS140	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### **Analysis**

- 8.237 NZHHA<sup>110</sup> requests that RESZ-MAT10 be amended to remove the imposition of a bond where a relocated building may require consent.
- 8.238 Kāinga Ora<sup>111</sup> opposes the separate recognition of relocated buildings and request that RESZ-MAT10 be deleted. They consider that the provision does not promote the adaptive reuse of existing buildings and materials, nor does it promote an increase in housing supply and affordability.
- 8.239 RESZ-MAT10 establishes the matters for control in relation where relocated buildings do not meet the relevant rule within the various zones. It sets out that Council's control will be limited to a time period in which a building will be placed in its foundations and any reinstatement works will be completed and whether any form of bond is required in respect of the reinstatement works.
- 8.240 As discussed in relation to [RESZ-P11](#), I consider that managing relocated buildings, including relocated residential units, differently from new building is not appropriate and that the matters referred to in RESZ-MAT10 are more appropriately managed through the Building Act.
- 8.241 I recommend, for the reasons given above, that the submission point from NZHHA be rejected and that the submission point from Kāinga Ora be accepted.

### **Recommendation and amendments**

- 8.242 I recommend that, for the reasons given above, the Hearing Panel:
- a) delete RESZ-MAT10, as shown in **Appendix 2**, [to
- 8.243 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.244 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

<sup>110</sup> DPR-0296.006 NZHHA

<sup>111</sup> DPR-0414.203 Kāinga Ora

**RESZ-MAT11*****Submissions***

- 8.245 One submission point and seven further submission points were received in relation to RESZ-MAT11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	204	Support	Retain as notified
DPR-0157	The Williams	FS270	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS114	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS229	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS256	Oppose In Part	Reject submission
DPR-0492	Kevler	FS626	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS241	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS141	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

***Analysis***

- 8.246 Kāinga Ora<sup>112</sup> request that RESZ-MAT11 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 8.247 I recommend that the Hearing Panel retain RESZ-MAT11 as notified.
- 8.248 It is recommended that the submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**RESZ-MAT12*****Submissions***

- 8.249 One submission point and seven further submission points were received in relation to RESZ-MAT12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	205	Support	Retain as notified
DPR-0157	The Williams	FS271	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS115	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS230	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS257	Oppose In Part	Reject submission
DPR-0492	Kevler	FS627	Oppose In Part	Reject submission points in part

<sup>112</sup> DPR-0414.204 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0493	Gallina & Heinz-Wattie	FS242	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS142	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 8.250 Kāinga Ora<sup>113</sup> request that RESZ-MAT12 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.251 I recommend that the Hearing Panel retain RESZ-MAT12 as notified.
- 8.252 It is recommended that the submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-MAT13

#### Submissions

- 8.253 Six submission points and seven further submission points were received in relation to RESZ-MAT13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	033	Oppose	Amend as follows: RESZ-MAT 13 Location of Comprehensive Development and Retirement Village
DPR-0414	Kāinga Ora	206	Support In Part	Amend as follows: Location of Comprehensive Development and Retirement Village ...
DPR-0157	The Williams	FS272	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS116	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS231	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS258	Oppose In Part	Reject submission
DPR-0492	Kevler	FS628	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS243	Oppose In Part	Reject the submission points in part.

<sup>113</sup> DPR-0414.205 Kāinga Ora



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0565	SSHL	FS143	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	021	Oppose	Amend as follows: RESZ-MAT13 Location of Comprehensive Development and Retirement Village
DPR-0425	Ryman	021	Oppose	Amend as follows: RESZ-MAT13 Location of Comprehensive Development and Retirement Village
DPR-0447	Barton Fields	008	Oppose	Delete reference to Retirement Village from the title of RESZ-MAT13 Location of Comprehensive Development and Retirement Village.
DPR-0456	Four Stars & Gould	006	Oppose	Amend as follows: 1. Whether the development is located within walkable distance of any of Centre Zone, reserve, community facility, or public transport facility, or any arterial or collector road as set out in APP2-Roading Hierarchy (sic).

### Analysis

- 8.254 Summerset<sup>114</sup> considers RES-MAT13 to be an inappropriate assessment matter for a retirement village as it assumes that residents will be walking to local facilities and amenities and, as retirement villages usually contain a diverse range of facilities, residents do not need to leave the village. They also note that as many residents are unable to walk even short distances, a shuttle is often provided to transport residents. As such, they consider that proximity to a Centre Zone or community facility is not vital in relation to a retirement village.
- 8.255 RVA and Ryman<sup>115</sup> consider that proximity to the types of facilities included in RESZ-MAT13 are not of critical importance to the functionality of retirement villages given retirement villages are largely self-sufficient and seek to locate in communities where residents currently live.
- 8.256 Barton Fields<sup>116</sup> considers, as retirement Villages can typically operate in any location and independent from centres and public space, this provision is not appropriate for this form of activity.
- 8.257 Four Stars & Gould<sup>117</sup> consider that the provision could explicitly reference reserves notwithstanding these are included in the definition of *community facility*. The submitter also considers that it is unclear why walkability to a major network road is necessary unless that is a de facto measure of the availability of possible public bus transport routes or facilities like park and ride.

<sup>114</sup> DPR-0217.033 Summerset

<sup>115</sup> DPR-0424.021 RVA and DPR-0425.021 Ryman

<sup>116</sup> DPR-0447.008 Barton Fields

<sup>117</sup> DPR-0456.006 Four Stars & Gould

8.258 For the reasons set out in relation to [RESZ-P12](#), I recommend that these submission points be rejected.

8.259 Kāinga Ora<sup>118</sup> requests that, as a consequential relief to their submission points in relation to [LRZ-R12](#), [GRZ-R12](#) and [SETZ-R12](#), comprehensive development be removed from this provision. As I have recommended that the various rules be retained, I recommend that this submission point be rejected.

#### **Recommendation**

8.260 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-MAT13 as notified.

8.261 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **RESZ-MAT14**

#### ***Submissions***

8.262 Seven submission points and 10 further submission points were received in relation to RESZ-MAT14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0192	Merf Ag Services & Reed	006	Oppose	Amend RESZ-MAT14 Design of Small Site Development, Comprehensive Development, and Retirement Village to read: <del>1. Effects on character and amenity values of nearby residential areas and public spaces from building intensity, scale, location, form and appearance.</del> <u>1. Residential amenity for neighbours, in respect of outlook, scale, privacy, light spill, and access to sunlight, through site design, building, outdoor living space and service/storage space location and orientation, internal layouts, landscaping and use of screening;</u> 2. ....
DPR-0217	Summerset	034	Support In Part	Delete as notified and replace as follows: <u>1. the ability of the proposal to provide engagement with, and contribution to, adjacent streets and public open spaces, with regard to:</u> <u>a. fencing and boundary treatments;</u> <u>b. connectivity, including the configuration of pedestrian accesses from the village.</u> <u>2. the mitigation measures proposed, including landscape planting, to mitigate any adverse effects of loss of trees from the site or openness of the site, and assist the integration of the proposed development within the site and neighbourhood.</u> <u>3. the location and design of vehicle and pedestrian access and on-site manoeuvring to cater for the safety of elderly, disabled or mobility-impaired persons.</u>

<sup>118</sup> DPR-0414.206 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>4. <u>integration of internal accessways, parking areas and garages in a way that is safe for pedestrians and cyclists, and that does not visually dominate when viewed from the street or other public spaces.</u></p> <p>5. <u>the degree to which the village design demonstrates that the design has had particular regard to personal safety of the occupants, both in the sense of injury prevention and crime prevention.</u></p> <p>6. <u>creation of visual quality and variety through the separation of buildings, building orientation and setbacks, and in the use of architectural design, detailing, glazing, materials, colour and landscaping.</u></p>
DPR-0447	Barton Fields	FS003	Support	Allow
DPR-0414	Kāinga Ora	207	Support In Part	Deletions to the heading and amendments to the matters are sought.
DPR-0157	The Williams	FS273	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS117	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS232	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS259	Oppose In Part	Reject submission
DPR-0492	Kevler	FS629	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS244	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS144	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	022	Oppose	Amend as follows: RESZ-MAT14 Design of Small Site Development, Comprehensive Development, <del>and Retirement Village</del>
DPR-0447	Barton Fields	FS004	Support	Allow
DPR-0424	RVA	023	Oppose	<p>Insert new matter as follows:</p> <p>1. <u>Whether the retirement village buildings bring appropriate change to existing environments, taking into account:</u></p> <p>a. <u>provision of density and built form that reflects the planned urban character of the zoning;</u></p> <p>b. <u>creation of visual quality and interest when viewed from the street or other public places through the separation of buildings, variety in building form, and in the use of architectural detailing, glazing, materials, and colour;</u></p> <p>c. <u>integration of vehicle access, parking areas and garages that do not visually dominate the</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>development when viewed from the street or other public spaces;</u> <u>d. engagement with adjacent public streets and public open spaces, with regard to: fencing and boundary treatments, sightlines, building orientation and setback, distribution of windows and balconies, and landscaping;</u> <u>e. where relevant built form standards are breached, the effect of the specific breach on residential amenity for neighbours, in respect of visual dominance, privacy, and shading;</u> <u>f. where relevant construction standards are breached, the effect of the specific breach on residential amenity for neighbours, in respect of noise and vibration;</u> <u>g. any response to scheduled heritage buildings or protected landscape features on the site, including protected trees;</u> <u>h. incorporation of Crime Prevention Through Environmental Design (CPTED) principles;</u> <u>i. in relation to (a) to (h), the functional and operational needs of retirement villages and their residents.</u> <u>2. For the avoidance of doubt, (1) does not allow the consideration of on-site amenity.</u> <u>3. For the avoidance of doubt, this is the only matter of discretion that applies to retirement villages.</u>
DPR-0447	Barton Fields	FS005	Support	Allow
DPR-0425	Ryman	022	Oppose	Amend as follows: RESZ-MAT14 Design of Small Site Development, Comprehensive Development, <del>and Retirement Village</del>
DPR-0425	Ryman	023	Oppose	Insert new matter as follows: <u>1. Whether the retirement village buildings bring appropriate change to existing environments, taking into account:</u> <u>a. provision of density and built form that reflects the planned urban character of the zoning;</u> <u>b. creation of visual quality and interest when viewed from the street or other public places through the separation of buildings, variety in building form, and in the use of architectural detailing, glazing, materials, and colour;</u> <u>c. integration of vehicle access, parking areas and garages that do not visually dominate the development when viewed from the street or other public spaces;</u> <u>d. engagement with adjacent public streets and public open spaces, with regard to: fencing and boundary treatments, sightlines, building orientation and setback, distribution of windows and balconies, and landscaping;</u> <u>e. where relevant built form standards are</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>breached, the effect of the specific breach on residential amenity for neighbours, in respect of visual dominance, privacy, and shading;</u></p> <p><u>f. where relevant construction standards are breached, the effect of the specific breach on residential amenity for neighbours, in respect of noise and vibration;</u></p> <p><u>g. any response to scheduled heritage buildings or protected landscape features on the site, including protected trees;</u></p> <p><u>h. incorporation of Crime Prevention Through Environmental Design (CPTED) principles;</u></p> <p><u>i. in relation to (a) to (h), the functional and operational needs of retirement villages and their residents.</u></p> <p><u>2. For the avoidance of doubt, (1) does not allow the consideration of on-site amenity.</u></p> <p><u>3. For the avoidance of doubt, this is the only matter of discretion that applies to retirement villages.</u></p>

### Analysis

- 8.263 Merf Ag Services & Reed<sup>119</sup> requests that RESZ-MAT14.1 be amended, consistent with the text that the submitter has proposed as part of a private plan change to the operative district plan.
- 8.264 Summerset<sup>120</sup> considers, in relation to retirement villages, the matters set out in RESZ-MAT14 to be ambiguous and confusing and that, as notified, they provide limited guidance to an applicant or the Council in the nature of the assessment to be undertaken. As such, the submitter proposes a rewording of the matters to better achieve appropriate outcomes.
- 8.265 RVA and Ryman<sup>121</sup> seek that retirement villages be excluded from RESZ-MAT14 as notified and that a new matter that specifically addresses retirement villages be included in the PDP.
- 8.266 Having regard to the submissions above, I recommend that these elements of the above submission points be accepted in part as I consider that that it is appropriate that retirement villages be separated from small site development and comprehensive development, recognising that there are different operational needs associated with this activity. As such, I recommend retirement villages be removed from the consideration of RESZ-MAT14 and that a new matter, as shown in **Appendix 2**, be included in the PDP in relation to retirement villages. This matter addresses both the interaction of the activity with the surrounding environment as well as the appropriateness of on-site amenity and the principles of CPTED. I note that I have proposed amendments to text proposed by the submitters, as I consider that the wording proposed goes beyond the role of the district plan.

<sup>119</sup> DPR-0192.006 Merf Ag Services & Reed

<sup>120</sup> DPR-0217.034 Summerset

<sup>121</sup> DPR-0424.022 and 023 RVA and DPR-0425.022 and 023 Ryman

- 8.267 Kāinga Ora<sup>122</sup> opposes the provision insofar as it relates to small site development and comprehensive development, consistent with its submission to delete reference to these activities within the residential zones. As I have recommended that the various rules be retained in relation to these activities, I recommend that this submission point be rejected.

***Recommendation and amendments***

- 8.268 I recommend that, for the reasons given above, the Hearing Panel:
- amend RESZ-MAT14 and insert a new matter (RESZ-MAT14i), as shown in **Appendix 2**, to provide for a separate assessment matter that specifically recognises retirement village development to better achieve appropriate outcomes.
- 8.269 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 8.270 The scale of change does not require a s32AA evaluation.

**RESZ-MAT15**

***Submissions***

- 8.271 Two submission points and seven further submission points were received in relation to RESZ-MAT15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	208	Support	Retain as notified
DPR-0157	The Williams	FS274	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS118	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS233	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS260	Oppose In Part	Reject submission
DPR-0492	Kevler	FS630	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS245	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS145	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0442	CHCA	017	Oppose In Part	Amend RESZ-MAT15.6 in respect of Castle Hill Village deleting the words chalet or alpine and focusing instead on the fit with Castle Hill Village.

<sup>122</sup> DPR-0414.207 Kāinga Ora

### Analysis

- 8.272 Kāinga Ora<sup>123</sup> request that RESZ-MAT15 be retained as notified. I recommend that this submission point be accepted.
- 8.273 CHCA<sup>124</sup> consider that there is a difference between the type of buildings suitable in Castle Hill verses those in Arthur's Pass and request that the provision be amended to ensure that design of buildings complements the style of the Castle Hill Village. I consider that this provision is sufficiently flexible to allow for the consideration of building designs that respond to the character of either township, which have a character distinct from traditional residential development. I recommend that this submission point be rejected.

### Recommendation

- 8.274 I recommend that, for the reasons given above, the Hearing Panel retain RESZ-MAT15 as notified.
- 8.275 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### RESZ-MAT16

#### Submissions

- 8.276 Two submission points and seven further submission points were received in relation to RESZ-MAT16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0375	Waka Kotahi	182	Support In Part	Amend RES-MAT16.3 as follows: 3. the effects generated by the buildings and activities on the safety and efficiency of the <del>local</del> <u>surrounding</u> transport network, including the extent to which the activities make efficient use of the transport network by minimising the need to travel.
DPR-0414	Kāinga Ora	209	Support	Retain as notified
DPR-0157	The Williams	FS275	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS119	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS234	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS261	Oppose In Part	Reject submission
DPR-0492	Kevler	FS631	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS246	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS146	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

<sup>123</sup> DPR-0414.208 Kāinga Ora

<sup>124</sup> DPR-0442.017 CHCA

### ***Analysis***

- 8.277 Waka Kotahi<sup>125</sup> request that the provision be amended as it considers that there is the possibility that the reference to the 'local' roading network may be interpreted to be referring to only those roads that are classified as local roads within the PDP. Having regard to the balance of the PDP, and in particular the TRAN chapter, I recommend that this submission point be accepted.
- 8.278 Kāinga Ora<sup>126</sup> request that RESZ-MAT16 be retained as notified. I recommend that this submission point be accepted in part.

### ***Recommendation and amendments***

- 8.279 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT16, as shown in **Appendix 2**, to reduce the potential for confusion when considering the scope of the transport network.
- 8.280 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 8.281 The scale of change does not require a s32AA evaluation.

### **Residential Matters Generally**

#### ***Submissions***

- 8.282 Two submission points and five further submission points were received in relation to the Residential Matters for Control or Discretion generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	355	Support	Retain as notified
DPR-0209	Manmeet Singh	FS562	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS521	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS562	Support In Part	Accept submission in part
DPR-0492	Kevler	FS451	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS544	Support In Part	Accept the submission in part.
DPR-0384	RIDL	362	Support	Retain as notified

### ***Analysis***

- 8.283 RWRL and RIDL<sup>127</sup> request that the provisions in RESZ-MAT be retained as notified. While the support is noted, as I have recommended a number of amendments to various matters arising from the consideration of other submission points, I recommend that these submission points be accepted in part. I do not consider that any of the amendments proposed significantly alter the intent of the matters as notified.

<sup>125</sup> DPR-0375.182 Waka Kotahi

<sup>126</sup> DPR-0414.209 Kāinga Ora

<sup>127</sup> DPR-0358.355 RWRL and DPR-0384.362 RIDL



### **Recommendation**

- 8.284 I recommend that, for the reason given above, the original submission point and the further submission points are accepted or rejected by the Hearing Panel, as shown in **Appendix 1**.

### **Residential Schedule**

#### **RESZ-SCHED1**

#### **Submissions**

- 8.285 Three submission points and 12 further submission points were received in relation to RESZ-SCHED1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	356	Support	Retain as notified
DPR-0209	Manmeet Singh	FS563	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS522	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS563	Support In Part	Accept submission in part
DPR-0492	Kevler	FS452	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS545	Support In Part	Accept the submission in part.
DPR-0384	RIDL	363	Support	Retain as notified
DPR-0414	Kāinga Ora	210	Support	Retain as notified
DPR-0157	The Williams	FS276	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS120	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS235	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS262	Oppose In Part	Reject submission
DPR-0492	Kevler	FS632	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS247	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS147	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### **Analysis**

- 8.286 RWRL, RIDL and Kāinga Ora<sup>128</sup> request that RESZ-SCHED1 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

- 8.287 I recommend that the Hearing Panel retain RESZ-SCHED1 as notified.

<sup>128</sup> DPR-0358.356 RWRL, DPR-0384.363 RIDL and DPR-0414.210 Kāinga Ora

- 8.288 It is recommended that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

## 9. Large Lot Residential Zone

### *Introduction*

- 9.1 This section addresses all the submission points received in relation to the Large Lot Residential Zone (LLRZ) chapter of the PDP.
- 9.2 The LLRZ is intended to provide an opportunity for people to enjoy a spacious living environment while being close to an urban centre. The zone is typically, but not always, located on the fringe of townships and provides a transition to the surrounding rural area.

### Overview

#### LLRZ-Overview

#### *Submissions*

- 9.3 Three submission points and five further submission points were received in relation to the LLRZ-Overview.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0353	HortNZ	285	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS268	Oppose	Reject submission
DPR-0157	The Williams	FS889	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS394	Oppose	Reject Submission
DPR-0298	Trices Road Group	FS906	Oppose In Part	Reject submission in part
DPR-0488	Dally & McIlraith	FS253	Oppose In Part	Reject submission in part
DPR-0424	RVA	003	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.
DPR-0425	Ryman	003	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.

### **Analysis**

- 9.4 HortNZ<sup>129</sup> requests that LLRZ-Overview be retained as notified. I recommend that this submission point be accepted.
- 9.5 RVA and Ryman<sup>130</sup> request that the LLRZ-Overview be amended to recognise retirement villages. I recommend that these submission points be rejected as the higher density nature of this form of residential activity is not consistent with the intended density of this zone, as expressed in both LLRZ-O1 and SUB-REQ1.

### **Recommendation**

- 9.6 I recommend that the Hearing Panel retain the LLRZ-Overview as notified.
- 9.7 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **Objectives**

#### **LLRZ-O1**

#### **Submissions**

- 9.8 Two submission points and eight further submission points were received in relation to LLRZ-O1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0125	BE Faulkner	012	Support	Not specified.
DPR-0414	Kāinga Ora	211	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS059	Oppose	Reject submission
DPR-0157	The Williams	FS277	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS121	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS236	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS076	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS263	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS060	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS248	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.9 The support of BE Faulkner<sup>131</sup> for LLRZ-O1 as notified is noted.
- 9.10 Kāinga Ora<sup>132</sup> requests that LLRZ-O1 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.11 I recommend that the Hearing Panel retain LLRZ-O1 as notified.

<sup>129</sup> DPR-0353.285 HortNZ

<sup>130</sup> DPR-0424.003 RVA and DPR0425.003 Ryman

<sup>131</sup> DPR-0125.012 BE Faulkner

<sup>132</sup> DPR-0414.211 Kāinga Ora

- 9.12 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Policies

#### **LLRZ-P1**

#### ***Submissions***

- 9.13 Nine submission points and 35 further submission points were received in relation to LLRZ-P1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0125	BE Faulkner	013	Support	Not specified.
DPR-0136	Stewart, Townsend & Fraser	012	Oppose	Amend as follows: Provide for a <del>very</del> low density and spacious residential character by:
DPR-0358	RWRL	FS274	Support	Adopt
DPR-0384	RIDL	FS274	Support	Adopt
DPR-0157	The Williams	009	Oppose In Part	Amend as follows: Provide for a <del>very</del> low density and spacious residential character by: .....
DPR-0358	RWRL	FS275	Support	Adopt
DPR-0384	RIDL	FS275	Support	Adopt
DPR-0588	Michael House	FS029	Support	<i>The proposed changes to the PDP objectives and policies to be accepted</i>
DPR-0209	Manmeet Singh	012	Oppose	Amend LLRZ-P1 to read: Provide for a <del>very</del> low density and spacious residential character by: 1. managing the density of development; and 2. managing the height, bulk and form of development.
DPR-0358	RWRL	FS276	Support	Adopt
DPR-0384	RIDL	FS276	Support	Adopt
DPR-0302	Smith, Boyd & Blanchard	010	Oppose In Part	Amend as follows: Provide for a <del>very</del> low density and spacious residential character by: 1. managing the density of development; and 2. managing the height, bulk and form of development.
DPR-0358	RWRL	FS277	Support	Adopt
DPR-0384	RIDL	FS277	Support	Adopt
DPR-0493	Gallina & Heinz-Wattie	FS010	Neither Support Nor Oppose	Neutral
DPR-0353	HortNZ	233	Oppose In Part	Amend as follows: Provide for a very low density and spacious residential character by: .... <u>3. managing the potential for reverse sensitivity with adjacent rural production activities.</u>
DPR-0136	Stewart, Townsend & Fraser	FS266	Oppose	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0157	The Williams	FS890	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS342	Oppose	Reject Submission
DPR-0298	Trices Road Group	FS904	Oppose In Part	Reject submission in part
DPR-0358	RWRL	FS279	Support	Adopt
DPR-0384	RIDL	FS279	Support	Adopt
DPR-0488	Dally & McIlraith	FS254	Oppose In Part	Reject submission in part
DPR-0414	Kāinga Ora	212	Support In Part	Amend as follows: Provide for a very low density and spacious residential character <u>planned built form</u> by: <u>1. managing the density of development requiring sufficient setbacks;</u> and ...
DPR-0136	Stewart, Townsend & Fraser	FS060	Oppose	Reject submission
DPR-0157	The Williams	FS278	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS122	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS237	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS077	Oppose	Reject submissions.
DPR-0358	RWRL	FS280	Support	Adopt
DPR-0384	RIDL	FS280	Support	Adopt
DPR-0461	Dunweavin	FS264	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS061	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS249	Oppose In Part	Reject the submission points in part.
DPR-0460	Marama Te Wai	017	Oppose	Amend LLRZ-P1 to read: Provide for a <del>very</del> low density and spacious residential character by: ....
DPR-0347	Richard Erskine & Trish Standfield	FS017	Oppose	That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing land owners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties. Refer to original further submission for full decision requested.
DPR-0358	RWRL	FS278	Support	Adopt
DPR-0384	RIDL	FS278	Support	Adopt
DPR-0537	Stephen Lycett	FS012	Oppose	Disallow in full
DPR-0578	Elene (Helen) Anderson	FS035	Oppose	Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Shepherd Ave to be excluded from any rezoning, i.e. remain at the current LLRZ/GRUZ zoning.</i>
DPR-0493	Gallina & Heinz-Wattie	010	Oppose	Amend as follows: Provide for a <del>very</del> low density and spacious residential character by:....
DPR-0302	Smith, Boyd & Blanchard	FS013	Support	<i>Support subject to being consistent with the relief sought by submission 302.</i>
DPR-0358	RWRL	FS273	Support	<i>Adopt</i>
DPR-0384	RIDL	FS273	Support	<i>Adopt</i>

### Analysis

- 9.14 Referring to BE Faulkner's<sup>133</sup> full submission, I record their support for LLRZ-P1 as notified, noting that their submission relates to a request to rezone their property. I recommend that this submission point be accepted.
- 9.15 Stewart, Townsend & Fraser, The Williams, Manmeet Singh, Smith, Boyd & Blanchard, Marama Te Wai, and Gallina & Heinz-Wattie<sup>134</sup> request that the word *very* is removed from the reference to density. The reference to *very* low density distinguishes that development within the LLRZ should lower than any other zone, providing for an average of 1-2 residential units per hectare. I consider that the removal of the word *very* would create confusion for plan users when considering what is the appropriate density within this zone, in comparison to other zones such as the LRZ. Further, having regard to the balance of the policy, and LLRZ-O1, which seeks a spacious character, I consider that retention of the word *very* is important to differentiate this zone from all other residential zones where this character is not envisaged. I therefore recommend that these submission points be rejected.
- 9.16 HortNZ<sup>135</sup> requests that the policy be amended to manage the potential for reverse sensitivity with adjacent rural production activities. Across the district, all four of the proposed residential zones can be found at the rural interface and I do not consider that there is anything that would make the LLRZ more sensitive, or conversely, more threatening, to the urban-rural interface than any other residential zone. I therefore recommend that this submission point be rejected.
- 9.17 Kāinga Ora<sup>136</sup> requests that the policy be amended to recognise both the planned built form of the zone and that it is the building envelope that determines built character rather than density.
- 9.18 I consider that the density of development is an important contributor to the open and spacious character of the zone. While the built form standards manage the scale of development within a site, density (as provided for in SUB-REQ1) manages the quantum of development within the zone. Further, where the LLRZ is located within the reach of Map A in the CRPS<sup>137</sup>, residential units are restricted to an average density of between 1 and 2 households per hectare. Further, I

<sup>133</sup> DPR-0125.013 BE Faulkner

<sup>134</sup> DPR-0136.012 Stewart, Townsend & Fraser, DPR-0157.009 The Williams, DPR-0209.012 Manmeet Singh, DPR-0302.010 Smith, Boyd & Blanchard, DPR-0460.017 Marama Te Wai, and DPR-0493.010 Gallina & Heinz-Wattie

<sup>135</sup> DPR-0353.233 HortNZ

<sup>136</sup> DPR-0414.212 Kāinga Ora

<sup>137</sup> Definition of *rural residential activities* in Definitions for Greater Christchurch, CRPS

consider that the planned urban built form is a component of the residential character anticipated for each zone, as prescribed by the various zone-based provisions. Therefore, I recommend that this submission point be rejected.

### ***Recommendation***

- 9.19 I recommend that the Hearing Panel retain LLRZ-P1 as notified.
- 9.20 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **Rules**

#### **LLRZ-R1 Residential Activity**

### ***Submissions***

- 9.21 One submission point and eight further submission points were received in relation to LLRZ-R1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	213	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS061	Oppose	Reject submission
DPR-0157	The Williams	FS279	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS123	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS238	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS078	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS265	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS062	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS250	Oppose In Part	Reject the submission points in part.

### ***Analysis***

- 9.22 Kāinga Ora<sup>138</sup> requests that LLRZ-R1 be retained as notified. I recommend that this submission point be accepted.

### ***Recommendation***

- 9.23 I recommend that the Hearing Panel retain LLRZ-R1 as notified.
- 9.24 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **LLRZ-R2 Residential Unit or other Principal Building**

### ***Submissions***

- 9.25 One submission point and ten further submission points were received in relation to LLRZ-R2.

<sup>138</sup> DPR-0414.213 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	214	Support In Part	Amend as follows: 1. The establishment of, or the addition/external alteration to, a residential unit or other principal building ... And this activity complies with the following rule requirements: ... <del>LLRZ-REQ4 Height in Relation to Boundary</del> ... <del>LLRZ-REQ6 Presentation to the Street</del> ... <u>Any application for a new building pursuant to LLRZ-R2 that complies with LLRZ-REQ3 Height and LLRZ-REQ5 Setback of Buildings and Structures shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</u>
DPR-0136	Stewart, Townsend & Fraser	FS062	Oppose	Reject submission
DPR-0157	The Williams	FS280	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS124	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS239	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS079	Oppose	Reject submissions.
DPR-0358	RWRL	FS281	Support	Adopt
DPR-0384	RIDL	FS281	Support	Adopt
DPR-0461	Dunweavin	FS266	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS063	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS251	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.26 Kāinga Ora<sup>139</sup> requests that the provision be amended such that a residential unit or other principal building is not subject to the rule requirements related to height in relation to boundary (LLRZ-REQ4) and presentation to the street (LLRZ-REQ6), as a consequential relief to their submission points in relation to the two rule requirements. For the reasons set out in relation to [LLRZ-REQ4](#) and [LLRZ-REQ6](#), I recommend that this element of the submission point be rejected.
- 9.27 The submitter also requests that a specific non-notification clause be included to ensure that buildings that comply with the height (LLRZ-REQ3) and setback (LLRZ-REQ5) rule requirements shall not require the written consent of affected persons and shall not be subject to any form of

<sup>139</sup> DPR-0414.214 Kāinga Ora



notification. As I understand it, the intent of such an amendment would be to say that, if a building complied with the height and setback provisions of the zone, what would the effect of a breach of any of the remaining rule requirements have on any other person? I consider that a breach of any of the other standards could affect the amenity values of other parties, and therefore it is appropriate that this is considered on a case by case basis. A breach of the building coverage rule requirement could, for example, impact on whether the scale is appropriate for the locality, and a breach of the height in relation to boundary rule requirement could impact on adjoining properties in terms of privacy and access to daylight. I consider that several of the rule requirements also relate to how buildings impact on surrounding areas and therefore a breach could have a wider impact on character and justify full notification.

- 9.28 As the RMA includes notification tests which allow for non-notification where it is appropriate, or a level of notification appropriate to the application, which is a matter of fact and degree. I consider it would be inappropriate to prevent those who may be adversely affected by a particular proposal from having the opportunity to participate in the process. I therefore recommend that this element of the submission point be rejected.

#### ***Recommendation***

- 9.29 I recommend that the Hearing Panel retain LLRZ-R2 as notified.
- 9.30 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **LLRZ-R3 Minor Residential Unit**

#### ***Submissions***

- 9.31 Seven submission points and eight further submission points were received in relation to LLRZ-R3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0030	Elizabeth Owen	001	Support	Retain as notified
DPR-0051	Prateek Sharma	002	Support	Retain rules that allow minor residential units (family flats) without the requirement that only family members can live in them.
DPR-0078	Ian Laurenson	004	Support	Requests that rule has immediate legal effect.
DPR-0100	Annette Shankie	001	Support	Retain as notified.
DPR-0285	AJ Bennett	002	Support	Retain as notified
DPR-0414	Kāinga Ora	215	Support In Part	Amend as follows: And this activity complies with the following rule requirements: ... <del>LLRZ-REQ4 Height in Relation to Boundary</del> ... <del>LLRZ-REQ6 Presentation to the Street</del>
DPR-0136	Stewart, Townsend & Fraser	FS063	Oppose	Reject submission
DPR-0157	The Williams	FS281	Oppose In Part	Reject the submission in part

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0209	Manmeet Singh	FS125	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS240	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS080	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS267	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS064	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS252	Oppose In Part	Reject the submission points in part.
DPR-0463	Katie Bootsma	001	Support	Retain as notified.

### Analysis

- 9.32 Ian Laurenson<sup>140</sup> requests that LLRZ-R3 has immediate legal effect. As this rule does not seek to protect any of the matters identified in s86B(3) of the Act, it cannot have immediate effect on notification of the PDP. As such, it can only have legal effect once decision on submissions have been made. I recommend that this submission point be rejected.
- 9.33 Kāinga Ora<sup>141</sup> requests that the provision be amended such that it is not subject to the rule requirements related to height in relation to boundary (LLRZ-REQ4) and presentation to the street (LLRZ-REQ6), as a consequential relief to their submission points in relation to the two rule requirements. For the reasons set out in relation to [LLRZ-REQ4](#) and [LLRZ-REQ6](#), I recommend that this submission point be rejected.
- 9.34 Elizabeth Owen, Prateek Sharma, Annette Shankie, AJ Bennett, and Katie Bootsman<sup>142</sup> request that LLRZ-R3 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 9.35 I recommend that the Hearing Panel retain LLRZ-R3 as notified.
- 9.36 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-R4 Garage, Accessory Building, and Structure

#### **Submissions**

- 9.37 One submission point and seven further submission points were received in relation to LLRZ-R4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	217	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS064	Oppose	Reject submission

<sup>140</sup> DPR-0078.004 Ian Laurenson,

<sup>141</sup> DPR-0414.215 Kāinga Ora

<sup>142</sup> DPR-0030.001 Elizabeth Owen, DPR-0051.002 Prateek Sharma, DPR-0100.001 Annette Shankie, DPR-0285.002 AJ Bennett, and DPR-0463.001 Katie Bootsma

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0157	The Williams	FS283	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS127	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS242	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS082	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS269	Oppose In Part	Reject submission
DPR-0493	Gallina and Heinz-Wattie	FS254	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.38 Kāinga Ora<sup>143</sup> requests that LLRZ-R4 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.39 I recommend that the Hearing Panel retain LLRZ-R4 as notified.
- 9.40 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **LLRZ-R5 Ancillary Structure**

#### **Submissions**

- 9.41 One submission point and eight submission points were received in relation to LLRZ-R5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	216	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS065	Oppose	Reject submission
DPR-0157	The Williams	FS282	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS126	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS241	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS081	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS268	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS065	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS253	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.42 Kāinga Ora<sup>144</sup> requests that LLRZ-R5 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.43 I recommend that the Hearing Panel retain LLRZ-R5 as notified.

<sup>143</sup> DPR-0414.217 Kāinga Ora

<sup>144</sup> DPR-0414.216 Kāinga Ora

- 9.44 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-R6 Fencing

#### ***Submissions***

- 9.45 Four submission points and 16 submission points were received in relation to LLRZ-R6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0005	Jessica Graham	002	Oppose	Either retain the fencing rules in the operative district plan, where a boundary fence on a corner section along a secondary road may be up to 1.8m in height, or requests that if the rules change, only enforce the rule for new fences only, not existing ones.
DPR-0409	Hughes	020	Support In Part	Amend as follows: 1. Any fence or freestanding wall Where: a. ... <del>b. within 5m of any internal boundary, it is:</del> <del>i. a maximum of 1.2m in height;</del> <del>ii. at least 50% visually permeable; and</del> <del>iii. of post and rail, post and wire, tennis court or swimming pool fencing.</del>
DPR-0136	Stewart, Townsend & Fraser	FS214	Support In Part	Accept submission in part
DPR-0209	Manmeet Singh	FS168	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS880	Support In Part	Accept submission in part
DPR-0302	Smith, Boyd & Blanchard	FS230	Support In Part	Accept submissions in part.
DPR-0461	Dunweavin	FS072	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0488	Dally & McIlraith	FS212	Support In Part	Accept in part
DPR-0492	Kevler	FS022	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS059	Support In Part	Accept submission in part.
DPR-0410	Urban Estates	006	Support In Part	Amend as follows: 1. Any fence or freestanding wall Where: a. ... <del>b. within 5m of any internal boundary, it is:</del> <del>i. a maximum of 1.2m in height;</del> <del>ii. at least 50% visually permeable; and</del> <del>iii. of post and rail, post and wire, tennis court or swimming pool fencing.</del>
DPR-0414	Kāinga Ora	218	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS066	Oppose	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0157	The Williams	FS284	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS128	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS243	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS083	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS270	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS066	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS255	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.46 Jessica Graham<sup>145</sup> requests that the current fencing rules be retained, or that the proposed rules are not applied retrospectively. Having considered the full submission, I consider that the concerns raised do not directly relate to the LLRZ, rather they relate to the fencing provisions included in the LRZ, GRZ and SETZ. Further, as the proposed rules will not apply retrospectively, any fence established before the PDP is made operative will not be required to comply with this provision. I therefore recommend that this submission point be rejected.
- 9.47 Hughes and Urban Estates<sup>146</sup> request that the provision be amended such that fencing along internal boundaries is not managed. I recommend that these submission points be rejected as I consider it essential to manage fencing along internal boundaries to maintain the open and spacious character of the zone.
- 9.48 Kāinga Ora<sup>147</sup> requests that LLRZ-R6 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 9.49 I recommend that the Hearing Panel retain LLRZ-R6 as notified.
- 9.50 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-R7 Relocated Building

#### Submissions

- 9.51 Two submission points and eight further submission points were received in relation to LLRZ-R7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0296	NZHHA	001	Oppose	Amend Rule LLRZ-R7 to provide for relocated, re-siting and removal of residential dwellings as a permitted activity and

<sup>145</sup> DPR-0005.002 Jessica Graham

<sup>146</sup> DPR-0409.020 Hughes and DPR-0410.006 Urban Estates

<sup>147</sup> DPR-0414.218 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>Insert new Permitted Activity Standards:</p> <p>a. Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.</p> <p>b. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.</p> <p>c. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include certification by the property owner that the reinstatement works shall be completed within the specified (12) month period.</p> <p>d. The building shall be located on permanent foundations approved by building consent, no later than (2) months of the building being moved to the site.</p> <p>e. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within (12) months of the building being delivered to the site. Without limiting (c) (above) reinstatement works is to include connections to all infrastructure services and closing in and ventilation of the foundations.</p> <p>and</p> <p>Insert a pre-inspection report in schedule 2 and</p> <p>Insert Rule: <u>Restricted Discretionary Activity (on a non-notified, non-service basis)</u></p> <p><u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <p>i) <u>proposed landscaping;</u></p> <p>ii) <u>the proposed timetable for completion for the work required to reinstate the exterior of the building and connections to services.</u></p>
DPR-0414	Kāinga Ora	219	Oppose	Delete as notified
DPR-0136	Stewart, Townsend & Fraser	FS067	Oppose	Reject submission
DPR-0157	The Williams	FS285	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS206	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS244	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS084	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS271	Oppose In Part	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0488	Dally & McIlraith	FS067	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS256	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.52 NZHHA<sup>148</sup> requests that LLRZ-R7 be amended to provide for relocated residential units as a permitted activity, subject to the same land use planning controls as new residential units, along with a number of additional standards which relate to obtaining a building consent, and a RDIS activity status where these are not able to be complied with.
- 9.53 Kāinga Ora<sup>149</sup> opposes the separate recognition of relocated buildings and request that LLRZ-R7 be deleted. They consider that the provision does not promote the adaptive reuse of existing buildings and materials, nor does it promote an increase in housing supply and affordability.
- 9.54 LLRZ-R7 as notified does permit a range of relocated buildings within the zone, but I consider that it does not expressly provide for residential units, unless they are being shifted from one position to another on the same site. As such, a relocated building that is to be used as a residential unit would be a controlled activity. This approach is largely consistent with the SDP, with the exception that LLRZ-R7 now permits the relocation of accessory buildings.
- 9.55 The [Preferred Option Report for Relocatable Buildings](#) did not recommend making all relocated buildings, including residential units, permitted in residential zones as it was considered that there was the potential for relocated residential units to have adverse effects on residential amenity, particularly in communities where development is not generally subject to developer covenants preventing relocated buildings.
- 9.56 I consider that the key issue is ensuring that an appropriate level of scrutiny is undertaken by Council before a relocated building is moved onto a new site. The NZHHA submission proposes that this be managed by compliance with all of the permitted residential standards and by the provision of sufficient material accompanying a building consent, and a building consent itself.
- 9.57 I recommend that the NZHHA submission be rejected as the relief sought by the submitter is essentially a duplication of processes. I consider that any relocated building would be captured by LLRZ-R2, LLRZ-R3, and LLRZ-R4, as applicable, thereby ensuring that any building proposed to be relocated onto a site would have to meet the relevant rule requirements of the zone in relation to bulk and location, otherwise a resource consent will be required for any breach.
- 9.58 Similarly, the Building Act 2004 requires a building consent be obtained before a building can be relocated and reestablished on another site (i.e. building new foundations and establishing service connections). This ensures that the new building work (including foundations, steps, and drainage) and any change of use of the building meet the Building Code. A building consent must be exercised within 12 months and a code of compliance certificate issued within 2 years.

<sup>148</sup> DPR-0296.001 NZHHA

<sup>149</sup> DPR-0414.219 Kāinga Ora

Further, a relocated building must demonstrate that it will be fit for purpose at the new location, taking into account the structural condition of the existing building, durability performance of existing building and building elements and how the existing building will integrate with the environment expected at the new site. Therefore, if a building consent has been granted, these processes will manage the reinstatement of a relocated building.

- 9.59 I consider that the above process would successfully manage any instance where a building has been transported to a new site but has not been appropriately re-established.
- 9.60 I therefore recommend that, for the reasons given above, the submission point from NZHHA be rejected and that the submission point from Kāinga Ora be accepted.

#### ***Recommendation and amendments***

- 9.61 I recommend that, for the reasons given above, the Hearing Panel:
- a) delete LLRZ-R7, as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.
- 9.62 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 9.63 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

#### **LLRZ-R8 Keeping of Animals**

##### ***Submissions***

- 9.64 One submission point and eight further submission points were received in relation to LLRZ-R8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	220	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS068	Oppose	Reject submission
DPR-0157	The Williams	FS286	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS130	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS245	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS085	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS272	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS068	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS257	Oppose In Part	Reject the submission points in part.

##### ***Analysis***

- 9.65 Kāinga Ora<sup>150</sup> requests that LLRZ-R8 be retained as notified. I recommend that this submission point be accepted.

##### ***Recommendation***

- 9.66 I recommend that the Hearing Panel retain LLRZ-R8 as notified.

<sup>150</sup> DPR-0414.220 Kāinga Ora



- 9.67 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R9 Home Business**

***Submissions***

- 9.68 One submission point and eight further submission points were received in relation to LLRZ-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	221	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS069	Oppose	Reject submission
DPR-0157	The Williams	FS287	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS131	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS246	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS086	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS273	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS069	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS258	Oppose In Part	Reject the submission points in part.

***Analysis***

- 9.69 Kāinga Ora<sup>151</sup> requests that LLRZ-R9 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 9.70 I recommend that the Hearing Panel retain LLRZ-R9 as notified.
- 9.71 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R10 Supported Residential Accommodation**

***Submissions***

- 9.72 Two submission points and eight further submission points were received in in relation to LLRZ-R10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	005	Support	Retain as notified
DPR-0414	Kāinga Ora	222	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS070	Oppose	Reject submission
DPR-0157	The Williams	FS943	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS235	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS247	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS087	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS274	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS070	Oppose In Part	Reject in part

<sup>151</sup> DPR-0414.221 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0493	Gallina and Heinz-Wattie	FS260	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.73 Ara Poutama Aotearoa and Kāinga Ora<sup>152</sup> request that LLRZ-R10 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

- 9.74 I recommend that the Hearing Panel retain LLRZ-R10 as notified.
- 9.75 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **LLRZ-R11 Visitor Accommodation**

### **Submissions**

- 9.76 One submission point and eight further submission points were received in relation to LLRZ-R11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	223	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS071	Oppose	Reject submission
DPR-0157	The Williams	FS288	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS246	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS248	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS088	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS275	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS071	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS259	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.77 Kāinga Ora<sup>153</sup> requests that LLRZ-R11 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.78 I recommend that the Hearing Panel retain LLRZ-R11 as notified.
- 9.79 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>152</sup> DPR-0300.005 Ara Poutama Aotearoa and DPR-0414.222 Kāinga Ora

<sup>153</sup> DPR-0414.223 Kāinga Ora

**LLRZ-R12 Commercial Activity*****Submissions***

9.80 One submission point and eight further submission points were received in relation to LLRZ-R12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	225	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS073	Oppose	Reject submission
DPR-0157	The Williams	FS290	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS262	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS250	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS090	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS277	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS073	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS262	Oppose In Part	Reject the submission points in part.

***Analysis***

9.81 Kāinga Ora<sup>154</sup> requests that LLRZ-R12 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

9.82 I recommend that the Hearing Panel retain LLRZ-R12 as notified.

9.83 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R13 Public Amenity*****Submissions***

9.84 One submission point and eight further submission points were received in relation to LLRZ-R13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	224	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS072	Oppose	Reject submission
DPR-0157	The Williams	FS289	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS134	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS249	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS089	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS276	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS072	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS261	Oppose In Part	Reject the submission points in part.

<sup>154</sup> DPR-0414.225 Kāinga Ora

**Analysis**

- 9.85 Kāinga Ora<sup>155</sup> requests that LLRZ-R13 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 9.86 I recommend that the Hearing Panel retain LLRZ-R13 as notified.
- 9.87 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R14 Community Facility****Submissions**

- 9.88 One submission point and eight further submission points were received in relation to LLRZ-R14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	235	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS083	Oppose	Reject submission
DPR-0157	The Williams	FS300	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS145	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS260	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS100	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS287	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS083	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS272	Oppose In Part	Reject the submission points in part.

**Analysis**

- 9.89 Kāinga Ora<sup>156</sup> requests that LLRZ-R14 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 9.90 I recommend that the Hearing Panel retain LLRZ-R14 as notified.
- 9.91 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R15 Automotive Activity****Submissions**

- 9.92 One submission point and eight further submission points were received in relation to LLRZ-R15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	226	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS074	Oppose	Reject submission

<sup>155</sup> DPR-0414.224 Kāinga Ora

<sup>156</sup> DPR-0414.235 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0157	The Williams	FS291	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS136	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS251	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS091	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS278	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS074	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS263	Oppose In Part	Reject the submission points in part.

### Analysis

9.93 Kāinga Ora<sup>157</sup> requests that LLRZ-R15 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

9.94 I recommend that the Hearing Panel retain LLRZ-R15 as notified.

9.95 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-R16 Industrial Activity

#### Submissions

9.96 One submission point and eight further submission points were received in relation to LLRZ-R16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	227	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS075	Oppose	Reject submission
DPR-0157	The Williams	FS292	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS137	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS252	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS092	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS279	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS075	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS264	Oppose In Part	Reject the submission points in part.

### Analysis

9.97 Kāinga Ora<sup>158</sup> requests that LLRZ-R16 be retained as notified. I recommend that this submission point be accepted.

<sup>157</sup> DPR-0414.226 Kāinga Ora

<sup>158</sup> DPR-0414.227 Kāinga Ora

**Recommendation**

- 9.98 I recommend that the Hearing Panel retain LLRZ-R16 as notified.
- 9.99 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R17 Research Activity****Submissions**

- 9.100 One submission point and eight further submission points were received in relation to LLRZ-R17.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	228	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS076	Oppose	Reject submission
DPR-0157	The Williams	FS293	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS138	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS253	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS093	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS280	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS076	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS265	Oppose In Part	Reject the submission points in part.

**Analysis**

- 9.101 Kāinga Ora<sup>159</sup> requests that LLRZ-R17 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 9.102 I recommend that the Hearing Panel retain LLRZ-R17 as notified.
- 9.103 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R18 Rural Industry, Rural Production, and/or Rural Service Activity****Submissions**

- 9.104 One submission point and eight further submission points were received in relation to LLRZ-R18.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	229	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS077	Oppose	Reject submission
DPR-0157	The Williams	FS294	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS139	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS254	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS094	Oppose	Reject submissions.

<sup>159</sup> DPR-0414.228 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS281	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS077	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS266	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.105 Kāinga Ora<sup>160</sup> requests that LLRZ-R18 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.106 I recommend that the Hearing Panel retain LLRZ-R18 as notified.
- 9.107 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

## **LLRZ-R19 Mineral Extraction and/or Mineral Prospecting**

### **Submissions**

- 9.108 One submission point and eight further submission points were received in relation to LLRZ-R19.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	230	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS078	Oppose	Reject submission
DPR-0157	The Williams	FS295	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS140	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS255	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS095	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS282	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS078	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS267	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.109 Kāinga Ora<sup>161</sup> requests that LLRZ-R19 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.110 I recommend that the Hearing Panel retain LLRZ-R19 as notified.
- 9.111 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>160</sup> DPR-0414.229 Kāinga Ora

<sup>161</sup> DPR-0414.230 Kāinga Ora

**LLRZ-R20 Firearms Range*****Submissions***

9.112 One submission point and eight further submission points were received in relation to LLRZ-R20.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	231	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS079	Oppose	Reject submission
DPR-0157	The Williams	FS296	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS141	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS256	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS096	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS283	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS079	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS268	Oppose In Part	Reject the submission points in part.

***Analysis***

9.113 Kāinga Ora<sup>162</sup> requests that LLRZ-R20 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

9.114 I recommend that the Hearing Panel retain LLRZ-R20 as notified.

9.115 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R21 Motor Sports*****Submissions***

9.116 One submission point and eight further submission points were received in relation to LLRZ-R21.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	232	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS080	Oppose	Reject submission
DPR-0157	The Williams	FS297	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS142	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS257	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS097	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS283	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS080	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS269	Oppose In Part	Reject the submission points in part.

<sup>162</sup> DPR-0414.231 Kāinga Ora



**Analysis**

- 9.117 Kāinga Ora<sup>163</sup> requests that LLRZ-R21 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 9.118 I recommend that the Hearing Panel retain LLRZ-R21 as notified.
- 9.119 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R22 Waste and Diverted Material Facility****Submissions**

- 9.120 One submission point and eight further submission points were received in relation to LLRZ-R22.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	233	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS081	Oppose	Reject submission
DPR-0157	The Williams	FS298	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS143	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS258	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS098	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS285	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS081	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS270	Oppose In Part	Reject the submission points in part.

**Analysis**

- 9.121 Kāinga Ora<sup>164</sup> requests that LLRZ-R22 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 9.122 I recommend that the Hearing Panel retain LLRZ-R22 as notified.
- 9.123 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LLRZ-R23 Landfill****Submissions**

- 9.124 Two submission points and eight further submission points were received in relation to LLRZ-R23.

<sup>163</sup> DPR-0414.232 Kāinga Ora

<sup>164</sup> DPR-0414.233 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0122	Frews Quarries Ltd	034	Oppose	Amend plan objectives, policies and methods, including rules, to recognise the landfill classification system in WasteMINZ Guidelines, and establish appropriate policy and rules that reflect the classification of the landfill.
DPR-0414	Kāinga Ora	234	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS082	Oppose	Reject submission
DPR-0157	The Williams	FS299	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS144	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS259	Oppose In Part	Reject submission
DPR-0302	Smith, David and Blanchard	FS099	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS286	Oppose In Part	Reject submission
DPR-0488	Dally and McIlraith	FS082	Oppose In Part	Reject in part
DPR-0493	Gallina and Heinz-Wattie	FS271	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.125 Frews Quarries Ltd<sup>165</sup> considers that there are a range of landfill classes which have varying degrees of adverse effects on the environment and therefore it is not appropriate to classify all landfill activities as non-complying within the PDP. The submission point was made specifically in relation to GRUZ-R37 yet, as the relief sought referred to the PDP in its totality, this submission was replicated in all zones.
- 9.126 Balancing the location of landfills with the potential adverse effects (such as nuisances associated with odour, vermin, birds and flies, noise, litter, dust and visual effects or failure of containment, leachate collection or landfill gas systems) on the surrounding environment, I do not consider that these are appropriate activities in any residential zone, regardless of the landfill classification system in WasteMINZ Guidelines, and recommend that the submission points from Frews Quarries Ltd be rejected.
- 9.127 Kāinga Ora<sup>166</sup> requests that LLRZ-R23 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 9.128 I recommend that, for the reasons given above, the Hearing Panel retain LLRZ-R23 as notified.
- 9.129 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>165</sup> DPR-122.034 Frews Quarries Ltd

<sup>166</sup> DPR-0414.234 Kāinga Ora

**LLRZ-R24 Any activity not otherwise listed in LLRZ-Rule List*****Submissions***

9.130 One submission point and eight further submission points were received in relation to LLRZ-R24.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	236	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS084	Oppose	Reject submission
DPR-0157	The Williams	FS301	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS146	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS261	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS101	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS288	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS084	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS273	Oppose In Part	Reject the submission points in part.

***Analysis***

9.131 Kāinga Ora<sup>167</sup> requests that LLRZ-R24 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

9.132 I recommend that the Hearing Panel retain LLRZ-R24 as notified.

9.133 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**New Rule*****Submissions***

9.134 One submission point was received seeking the inclusion of a new rule within the LLRZ chapter.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0378	MoE	023	Oppose	Insert a new rule as follows: <u>LLRZ-RXX Educational Facility</u> <u>Activity status: PER</u> <u>1. Any educational facility</u>

***Analysis***

9.135 MoE<sup>168</sup> request that educational facilities be permitted within the LLRZ. I recommend that this submission point be rejected as I consider that the scale and nature of any educational facility would be inconsistent with the character and amenity of this zone. I consider that it is more appropriate that any activity of this nature be captured by the catch all rule (LLRZ-R24) and

<sup>167</sup> DPR-0414.236 Kāinga Ora

<sup>168</sup> DPR-0378.023 MoE

therefore considered as a discretionary activity, with the resource consent process allowing the Council to assess the effects on the environment on a case-by-case basis.

### **Recommendation**

- 9.136 I recommend that, for the reasons given above, the original submission point is rejected by the Hearing Panel, as shown in **Appendix 1**.

### **Rule Requirements**

#### **LLRZ-REQ1 Servicing**

### **Submissions**

- 9.137 One submission point and eight further submission points were received in relation to LLRZ-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	237	Support	Retain as notified
DPR-0136	Stewart, Townsend & Fraser	FS085	Oppose	Reject submission
DPR-0157	The Williams	FS302	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS147	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS262	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS102	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS289	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS085	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS274	Oppose In Part	Reject the submission points in part.

### **Analysis**

- 9.138 Kāinga Ora<sup>169</sup> requests that LLRZ-REQ1 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 9.139 I recommend that the Hearing Panel retain LLRZ-REQ1 as notified.
- 9.140 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **LLRZ-REQ2 Building Coverage**

### **Submissions**

- 9.141 One submission point and eight further submission points were received in relation to LLRZ-REQ2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	238	Support	Retain as notified

<sup>169</sup> DPR-0414.237 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0136	Stewart, Townsend & Fraser	FS086	Oppose	Reject submission
DPR-0157	The Williams	FS303	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS148	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS263	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS10	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS290	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS086	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS275	Oppose In Part	Reject the submission points in part.

### Analysis

9.142 Kāinga Ora<sup>170</sup> requests that LLRZ-REQ2 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

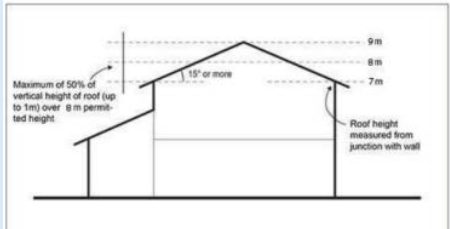
9.143 I recommend that the Hearing Panel retain LLRZ-REQ2 as notified.

9.144 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-REQ3 Height

#### Submissions

9.145 One submission point and eight further submission points were received in relation to LLRZ-REQ3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	239	Support In Part	<p>Amend as follows:  The maximum height of any building or structure, when measured from ground level, shall not exceed 8m, <u>except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in the Figure below.</u></p> 

<sup>170</sup> DPR-0414.238 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0136	Stewart, Townsend & Fraser	FS087	Oppose	Reject submission
DPR-0157	The Williams	FS304	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS149	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS264	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS104	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS291	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS087	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS276	Oppose In Part	Reject the submission points in part.

### Analysis

9.146 Kāinga Ora<sup>171</sup> seeks that the requirement be amended to allow for a roof form exceedance, to enable differing roof forms within the zone.

9.147 I consider that the proposed amendment will enable a wider variety of roof forms within the broader height limit and would be unlikely to impact on the residential amenity of adjoining sites. Therefore, I recommend that this submission point be accepted.

### Recommendation and amendments

9.148 I recommend that, for the reasons given above, the Hearing Panel:

- a) amend LLRZ-REQ3, as shown in **Appendix 2**, to allow for a building's roof to exceed the maximum height limit, to provide for different roof forms within the zone.

9.149 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

9.150 The scale of change does not require a s32AA evaluation.

### LLRZ-REQ4 Height in Relation to Boundary

#### Submissions

9.151 One submission point and eight further submission points were received in relation to LLRZ-REQ4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	240	Oppose	Delete as notified
DPR-0136	Stewart, Townsend & Fraser	FS088	Oppose	Reject submission
DPR-0157	The Williams	FS305	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS201	Oppose In Part	Reject the submission in part

<sup>171</sup> DPR-0414.239 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0298	Trices Road Group	FS265	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS105	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS292	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS088	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS277	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.152 Kāinga Ora<sup>172</sup> requests that LLRZ-REQ4 be deleted as notified as they consider that the setbacks proposed within the LLRZ will sufficiently manage any dominance, shading and privacy effects on adjoining properties. I consider that the submission point assumes, as the basis for the deletion of the rule requirement, that a building or structure would comply with the setback requirement, but these can be breached, albeit subject to a resource consent. I consider that, while there are separate rule requirements that manage setback and height, this provision is important to retain as it considers the combined effect of both height and setback, to ensure that the effect of a buildings shading on adjoining properties can be assessed. I recommend that this submission point be rejected.

### Recommendation

- 9.153 I recommend that the Hearing Panel retain LLRZ-REQ4 as notified.
- 9.154 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### LLRZ-REQ5 Setback of Buildings and Structures

#### Submissions

- 9.155 Six submission points and 16 further submission points were received in relation to LRZ-REQ5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0257	Clayton Fairbairn	001	Oppose	Delete all rules restricting the setback to an internal boundary and amend setbacks from road boundaries to 4m (and the objective and policy framework be amended to recognise this change).
DPR-0268	E J Smith	002	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0353	HortNZ	234	Oppose In Part	Amend as follows: .... <u>3. Any residential unit shall be setback 30m from the GRUZ boundary.</u>

<sup>172</sup> DPR-0414.240 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0136	Stewart, Townsend & Fraser	FS267	Oppose	Reject submission
DPR-0157	The Williams	FS891	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS343	Oppose	Reject Submission
DPR-0298	Trices Road Group	FS905	Oppose In Part	Reject submission in part
DPR-0488	Dally & McIlraith	FS255	Oppose In Part	Reject submission in part
DPR-0375	Waka Kotahi	183	Support	Retain as notified.
DPR-0136	Stewart, Townsend & Fraser	FS140	Oppose	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS157	Oppose	Reject submissions.
DPR-0488	Dally & McIlraith	FS139	Oppose In Part	Reject in part
DPR-0414	Kāinga Ora	241	Support In Part	Amend as follows: 1. Any building or structure, excluding any ancillary structure or fence, shall be setback a minimum of:  a. 10m from any road boundary, <del>shared accessway</del> , or reserve; and b. 5m from any internal boundary. ...
DPR-0136	Stewart, Townsend & Fraser	FS089	Oppose	Reject submission
DPR-0157	The Williams	FS306	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS202	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS266	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS106	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS293	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS089	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS278	Oppose In Part	Reject the submission points in part.
DPR-0458	KiwiRail	050	Support In Part	Not specified.

### Analysis

- 9.156 Clayton Fairbairn<sup>173</sup> requests that this requirement be amended such that there be no internal boundary setback controls and that the setback from the road boundary be reduced to 4m as he considers that the amenity values of adjoining properties are protected through the controls on height in relation to boundary and building coverage. I consider that the setbacks make an important contribution to the amenity and spaciousness of the zone. I therefore recommend that this submission point be rejected.

<sup>173</sup> DPR-0257.001 Clayton Fairbairn



- 9.157 E J Smith<sup>174</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 9.158 HortNZ<sup>175</sup> request that the requirement be amended to include a setback requirement from the GRUZ to enable a transition to the rural area, mitigate risks and avoid reverse sensitivity effects. Across the district, all four of the proposed residential zones can be found at the rural interface. I do not consider that the activities in the LLRZ to be any different from that in any of the three residential zones that would necessitate a greater setback from a residential unit than that notified. I therefore recommend that this submission point be rejected.
- 9.159 Kāinga Ora<sup>176</sup> requests that the setback requirement not be applied to shared accessways as they view this requirement to be overly restrictive. This submission point is similar to those by the submitter in respect of setback of buildings in the other zones. For the reasons given in [LRZ-REQ5](#), in relation to the setback of buildings from shared accessways, I recommend that this submission point be accepted in part.
- 9.160 Referring to KiwiRail's<sup>177</sup> full submission, I record their support for the setbacks in LLRZ-REQ5 as they consider these will enable the construction and maintenance without requiring entry into the rail corridor, thereby ensuring that the rail network can operate in a safe and efficient manner. I recommend that this submission point be accepted.
- 9.161 Waka Kotahi<sup>178</sup> requests that LLRZ-REQ5 be retained as notified. I recommend that this submission point be accepted.

#### ***Recommendation and amendments***

- 9.162 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LLRZ-REQ5, as shown in **Appendix 2**, to reduce the setback required for buildings and structures from shared accessways.
- 9.163 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 9.164 The scale of change does not require a s32AA evaluation.

#### **LLRZ-REQ6 Presentation to the Street**

##### ***Submissions***

- 9.165 Two submission points and eight further submission points were received in relation to LLRZ-REQ6.

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<sup>174</sup> DPR-0268.002 E J Smith

<sup>175</sup> DPR-0353.234 HortNZ

<sup>176</sup> DPR-0414.241 Kāinga Ora

<sup>177</sup> DPR-0458.050 KiwiRail

<sup>178</sup> DPR-0375.183 Waka Kotahi

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0257	Clayton Fairbairn	002	Oppose	Delete any rules relating to the building design (and the objective and policy framework be amended to recognise this change).
DPR-0414	Kāinga Ora	242	Oppose	Delete as notified
DPR-0136	Stewart, Townsend & Fraser	FS090	Oppose	Reject submission
DPR-0157	The Williams	FS307	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS203	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS267	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS107	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS294	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS090	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS279	Oppose In Part	Reject the submission points in part.

### Analysis

- 9.166 Clayton Fairbairn<sup>179</sup> requests that this requirement be deleted as he considers that architectural controls on buildings such as that imposed by this rule requirement are unnecessary and do not serve an environmental outcome.
- 9.167 Kāinga Ora<sup>180</sup> requests that LLRZ-REQ6 be deleted as it considers that this rule requirement addresses design matters where allowing some flexibility is appropriate and this is more appropriately dealt with as an assessment matter.
- 9.168 As set out in the Residential Zones s32<sup>181</sup> report, buildings that do not adequately address the public realm result in poor relationship between buildings and the street and prevent informal surveillance. Providing for a habitable room facing the road at ground level, glazing in the façade facing the road, and a door that is directly visible and accessible from the road, provides the opportunity for passive surveillance of both the public and private realms. This is important because it reduces the opportunity to commit crime as well as it improves the perceptions of safety. This makes an area feel safer, and better encourages positive activity, which assists in achieving RESZ-O1.
- 9.169 In addition, the Council has endorsed and promotes the principles of CPTED through both private and public sector developments and CPTED principles are incorporated into the PDP in accordance with Council Policy C602.
- 9.170 Therefore, I recommend that the submission points be rejected.

### Recommendation

- 9.171 I recommend that, for the reasons given above, the Hearing Panel retain LLRZ-REQ6 as notified.

<sup>179</sup> DPR-0257.002 Clayton Fairbairn

<sup>180</sup> DPR-0414.242 Kāinga Ora

<sup>181</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0003/354756/25.-Residential-Zones.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0003/354756/25.-Residential-Zones.pdf) p.45

9.172 However, I note that, as the PDP was prepared following an activities based planning framework, this same requirement is incorporated into the other three residential zones. As I have recommended an amendment to [GRZ-REQ8](#), based on submissions received in relation to that provision, I also recommend that the Hearing Panel include the same note regarding the calculation of glazing in LLRZ-REQ6.

9.173 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **LLRZ-REQ7 Landscaping**

##### ***Submissions***

9.174 One submission point and eight further submission points were received in relation to LLRZ-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0257	Clayton Fairbairn	003	Oppose	Delete all rules restricting the landscape design (and the objective and policy framework be amended to recognise this change).
DPR-0414	Kāinga Ora	243	Support In Part	Amend as follows: <del>1.50% of t</del> The area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be: a. landscaped with a mix of lawn, garden beds, or shrubs; and <del>b. provided with one specimen tree for every 10m of frontage that is:</del> <del>i. a minimum of 1.8m high at time of planting; and</del> <del>ii. capable of achieving a height at maturity of 8m.</del>
DPR-0136	Stewart, Townsend & Fraser	FS091	Oppose	Reject submission
DPR-0157	The Williams	FS308	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS204	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS268	Oppose In Part	Reject submission
DPR-0302	Smith, Boyd & Blanchard	FS108	Oppose	Reject submissions.
DPR-0461	Dunweavin	FS295	Oppose In Part	Reject submission
DPR-0488	Dally & McIlraith	FS091	Oppose In Part	Reject in part
DPR-0493	Gallina & Heinz-Wattie	FS280	Oppose In Part	Reject the submission points in part.

##### ***Analysis***

9.175 Clayton Fairbairn<sup>182</sup> requests that this requirement be deleted as he considers that landscape controls on property it imposes are unnecessary. The submitter also considers that if this provision was to be applied retrospectively, most homes would require resource consent. This rule requirement is not applicable to traditional residential uses, which generally provide a

<sup>182</sup> DPR-0257.003 Clayton Fairbairn

landscaped area between the residential unit and the road boundary. Rather it is only applicable to supported residential accommodation and visitor accommodation activities, to ensure that these activities integrate into the residential environment. Further, as the provision will not apply retrospectively, any development established before the PDP is made operative will not be required to comply with this provision. I therefore recommend that this submission point be rejected.

- 9.176 Kāinga Ora<sup>183</sup> seek that LLRZ-REQ7 be amended as they consider that this requirement is overly onerous and that an 8m high specimen may not be appropriate in a higher density development. As set out above, this requirement is only applied to two activities and not to standard residential development. Further, as the zone does not provide for higher density developments, I consider that the requirement is very achievable, and is consistent with RESZ-P12. Therefore, I recommend that this submission point be rejected.

### **Recommendation**

- 9.177 I recommend that the Hearing Panel retain LLRZ-REQ7 as notified.
- 9.178 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

## Large Lot Residential Zone Chapter Generally

### **Submissions**

- 9.179 Two submission points and seven further submission points were received in relation to the LLRZ chapter generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	357	Support	Retain as notified
DPR-0136	Stewart, Townsend and Fraser	FS168	Support In Part	Accept submission in part
DPR-0157	The Williams	FS073	Oppose In Part	Oppose to the extent that the relief sought is inconsistent with that sought by us
DPR-0209	Manmeet Singh	FS413	Oppose In Part	Oppose to the extent that the relief sought is inconsistent with that sought by my submission (209)
DPR-0298	Trices Road Group	FS523	Oppose In Part	Reject submission in part
DPR-0302	Smith, Boyd and Blanchard	FS185	Support In Part	Accept submissions in part.
DPR-0461	Dunweavin	FS564	Support In Part	Accept submission in part
DPR-0488	Dally & McIlraith	FS166	Support In Part	Accept in part
DPR-0384	RIDL	364	Support	Retain as notified.

<sup>183</sup> DPR-0414.243 Kāinga Ora

**Analysis**

- 9.180 RWRL and RIDL<sup>184</sup> request that the provisions in the LLRZ chapter be retained as notified. While the support is noted, as I have recommended a number of amendments to various provisions arising from the consideration of other submission points, I recommend that these submission points be accepted in part. I do not consider that any of the amendments proposed significantly alter the intent of the chapter as notified.

**Recommendation**

- 9.181 I recommend that, for the reasons given above, the original submission points and the further submission points are accepted or rejected by the Hearing Panel, as shown in **Appendix 1**.

## 10. Low Density Residential Zone

**Introduction**

- 10.1 This section addresses all the submission points received in relation to the Low Density Residential Zone (LRZ) chapter of the PDP.
- 10.2 As notified, the LRZ has been applied in those townships outside of the Greater Christchurch area that also have one or more commercially zoned areas. This zone provides for traditional suburban densities and predominately detached housing typologies and development is predominately characterised by deep building setbacks, and landscaped front garden areas. The zone provides opportunities for some increased density in the form of smaller scale and low rise infill and multiunit development where appropriate.

**Overview****Submissions**

- 10.3 Two submission points were received in relation to LRZ-Overview.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	004	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.
DPR-0425	Ryman	004	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.

<sup>184</sup> DPR-0358.357 RWRL and DPR-0384.364 RIDL

**Analysis**

- 10.4 RVA and Ryman<sup>185</sup> request that the LRZ-Overview be amended to recognise the role of retirement villages in providing for an ageing population, and that the nature and effects of retirement villages are different to other higher density residential activities. The purpose of the overview is to identify the general characteristics of the zone, including the range of activities that are considered appropriate within the zone. The Overview does identify that aged care accommodation is encouraged within the zone along with other higher density forms of development. While the Overview does not explicitly recognise that these forms of development differ in terms of the nature and effects of these activities, it does seek that these are provided in a manner that is sympathetic to, and will not result in a stark contrast to, the character and amenity of surrounding development. As such, I recommend that these submission points be rejected.

**Recommendation**

- 10.5 I recommend that the Hearing Panel retain the LRZ-Overview as notified.
- 10.6 I recommend that the original submission points are rejected as shown in **Appendix 1**.

**Objectives****LRZ-O1****Submissions**

- 10.7 One submission point was received in relation to LRZ-O1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	244	Support	Retain as notified

**Analysis**

- 10.8 Kāinga Ora<sup>186</sup> requests that LRZ-O1 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.9 I recommend that the Hearing Panel retain LRZ-O1 as notified.
- 10.10 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**Policies****LRZ-P1****Submissions**

- 10.11 One submission point was received in relation to LRZ-P1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	245	Support	Retain as notified

<sup>185</sup> DPR-0424.004 RVA and DPR-0425.004 Ryman

<sup>186</sup> DPR-0414.244 Kāinga Ora

**Analysis**

- 10.12 Kāinga Ora<sup>187</sup> requests that LRZ-P1 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.13 I recommend that the Hearing Panel retain LRZ-P1 as notified.
- 10.14 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**Rules****LRZ-R1 Residential Activity****Submissions**

- 10.15 One submission point was received in relation to LRZ-R1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	246	Support	Retain as notified

**Analysis**

- 10.16 Kāinga Ora<sup>188</sup> requests that LRZ-R1 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.17 I recommend that the Hearing Panel retain LRZ-R1 as notified.
- 10.18 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R2 Residential Unit or other Principal Building****Submissions**

- 10.19 One submission point was received in relation to LRZ-R2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	247	Support In Part	<p>Amend as follows:</p> <p>1. The establishment of, or the addition/external alteration to, a residential unit or other principal building</p> <p>...</p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p><del>LRZ-REQ8 Presentation to the Street</del></p> <p>...</p> <p><u>Notification:</u></p>

<sup>187</sup> DPR-0414.245 Kāinga Ora

<sup>188</sup> DPR-0414.246 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>Any application for a new building pursuant to LRZ-R2 that complies with LRZ-REQ3 Height and LRZ-REQ5 Setback of Buildings and Structures shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</u>

### Analysis

- 10.20 Kāinga Ora<sup>189</sup> requests that the provision be amended such that a residential unit or other principal building is not subject to the rule requirement related to presentation to the street (LRZ-REQ8), as a consequential relief to their submission point in relation to this rule requirement. For the reasons set out in relation to [LRZ-REQ8](#), I recommend that this element of the submission point be rejected.
- 10.21 The submitter also requests that a specific non-notification clause be included to ensure that buildings that comply with the height (LRZ-REQ3) and setback (LRZ-REQ5) rule requirements shall not require the written consent of affected persons and shall not be subject to any form of notification. For the reasons set out in relation to [LRZ-R2](#), I recommend that this element of the submission point be rejected.

### Recommendation

- 10.22 I recommend that the Hearing Panel retain LRZ-R2 as notified.
- 10.23 I recommend that the original submission point be rejected as shown in **Appendix 1**.

### LRZ-R3 Minor Residential Unit

#### Submissions

- 10.24 Seven submission points were received in relation to LRZ-R3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0030	Elizabeth Owen	002	Support	Retain as notified
DPR-0051	Prateek Sharma	003	Support	Retain rules that allow minor residential units (family flats) without the requirement that only family members can live in them.
DPR-0078	Ian Laurenson	007	Support	Requests that rule has immediate legal effect.
DPR-0100	Annette Shankie	002	Support	Retain as notified.
DPR-0285	AJ Bennett	003	Support	Retain as notified
DPR-0414	Kāinga Ora	248	Support In Part	Amend as follows: And this activity complies with the following rule requirements:  ... <del>LRZ-REQ8 Presentation to the Street</del>
DPR-0463	Katie Bootsma	002	Support	Retain as notified.

<sup>189</sup> DPR-0414.247 Kāinga Ora



**Analysis**

- 10.25 Ian Laurenson<sup>190</sup> requests that LRZ-R3 has immediate legal effect. As this rule does not seek to protect any of the matters identified in s86B(3) of the Act, it cannot have immediate effect on notification of the PDP. As such, it can only have legal effect once decision on submissions have been made. I recommend that this submission point be rejected.
- 10.26 Kāinga Ora<sup>191</sup> requests that the provision be amended such that it is not subject to the rule requirement related to presentation to the street, as a consequential relief related to their submission point in relation to this rule requirement. While the submission identifies this rule requirement as LLRZ-REQ8, I consider that they intended this to be LRZ-REQ8. For the reasons set out in relation to [LRZ-REQ8](#), I recommend that this submission point be rejected.
- 10.27 Elizabeth Owen, Prateek Sharma, Annette Shankie, AJ Bennett, and Katie Bootsman<sup>192</sup> request that LRZ-R3 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.28 I recommend that the Hearing Panel amend LRZ-R3 for the reasons discussed in relation to [RESZ-P8](#).
- 10.29 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**LRZ-R4      Accessory Building****Submissions**

- 10.30 One submission point was received in relation to LRZ-R4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	249	Support	Retain as notified

**Analysis**

- 10.31 Kāinga Ora<sup>193</sup> requests that LRZ-R4 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.32 I recommend that the Hearing Panel retain LRZ-R4 as notified.
- 10.33 I recommend that the original submission point is accepted as shown in **Appendix 1**.

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<sup>190</sup> DPR-0078.007 Ian Laurenson,

<sup>191</sup> DPR-0414.248 Kāinga Ora

<sup>192</sup> DPR-0030.002 Elizabeth Owen, DPR-0051.003 Prateek Sharma, DPR-0100.002 Annette Shankie, DPR-0285.003 AJ Bennett, and DPR-0463.002 Katie Bootsma

<sup>193</sup> DPR-0414.249 Kāinga Ora

**LRZ-R5 Any structure not otherwise listed in LRZ-Rule List****Submissions**

10.34 One submission point was received in relation to LRZ-R5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	250	Support	Retain as notified

**Analysis**

10.35 Kāinga Ora<sup>194</sup> requests that LRZ-R5 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

10.36 I recommend that the Hearing Panel retain LRZ-R5 as notified.

10.37 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R6 Fencing****Submissions**

10.38 Four submission points and one further submission point were received in relation to LRZ-R6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0005	Jessica Graham	003	Oppose	Either retain the fencing rules in the operative district plan, where a boundary fence on a corner section along a secondary road may be up to 1.8m in height, or requests that if the rules change, only enforce the rule for new fences only, not existing ones.
DPR-0409	Hughes	022	Support In Part	In addition to reinstating the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence, amend provision as follows: 1. Any fence or freestanding wall Where: a. within 4m of any road boundary, is a maximum height of 1m <u>if solid and 1.2m where more than 50% visually permeable</u> ; b. a site shares a boundary with a reserve: ... ii. the fence or freestanding wall shall be a maximum of: 1. 1m in height if solid; or 2. 1.8m in height where no more than 50% of the length of the reserve boundary of the site has fencing that is less than 50% visually permeable. <del>the site shares a boundary with a reserve:</del> c. ... <u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u>

<sup>194</sup> DPR-0414.250 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0493	Gallina & Heinz-Wattie	FS041	Support In Part	Accept submission in part.
DPR-0410	Urban Estates	008	Support In Part	<p>In addition to reinstating the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence, amend provision as follows:</p> <p>1. Any fence or freestanding wall Where:</p> <p>a. within 4m of any road boundary, is a maximum height of 1m <u>if solid and 1.2m where more than 50% visually permeable</u>;</p> <p>b. a site shares a boundary with a reserve: ... ii. the fence or freestanding wall shall be a maximum of:</p> <p>1. 1m in height if solid; or 2. 1.8m in height where no more than 50% of the length of the reserve boundary of the site has fencing that is less than 50% visually permeable. <del>the site shares a boundary with a reserve:</del></p> <p>c. ... <u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u></p>
DPR-0414	Kāinga Ora	251	Support In Part	<p>Amend as follows:</p> <p>1. Any fence or freestanding wall Where:</p> <p>a. within 4m of any road boundary,:</p> <p><u>i. is a maximum height of 1.4m.; or</u> <u>ii. the fence or freestanding wall shall be a maximum of 1.8m in height if the fence or free-standing wall is at least 50 per cent visually open as viewed perpendicular to the road boundary.</u></p>

### Analysis

10.39 Jessica Graham<sup>195</sup> requests that current fencing rules be retained which, in relation to corner sites, permit a fence up to 1.8m in height along a secondary boundary.

10.40 Hughes and Urban Estates<sup>196</sup> request several amendments to the provision including that:

- it provides for the ability to have a 1.8m high fence on a secondary boundary of a corner site, to provide for private outdoor living space, particularly for those sites where one of the road boundaries is on the northern or western side of the residential unit.
- additional height be permitted adjacent the road boundary where the fence is visually permeable to reflect the standard size of open style pool-type that can be readily purchased.

<sup>195</sup> DPR-0005.003 Jessica Graham

<sup>196</sup> DPR-0409.022 Hughes and DPR-0410.008 Urban Estates

- only applies to fences that are parallel to the boundary, not perpendicular.
- 10.41 These submitters also identified an error in LRZ-R6.1.b.ii.2 which has been addressed through a cl16(2) amendment, as set out in [Section 5](#).
- 10.42 Kāinga Ora<sup>197</sup> requests that the provision be amended to provide greater flexibility to provide for privacy to residential units while still enabling opportunities for passive surveillance of the street.
- 10.43 Having regard to the above submissions, I consider that there are two main threads; the first being the height of fencing adjacent the road and the second being the ability to provide for a higher fence on a corner site where there are two road boundaries.
- 10.44 As notified, 1m is the maximum height of fences within 4m of any road boundary. The submitters seek that this either be increased to 1.2m where it is more than 50% visually permeable or to 1.4m.
- 10.45 Low fencing parallel to a road boundary is important to maintain safety of users of the adjoining road reserve and enable passive surveillance. On review, I consider that this can be achieved where a fence does not exceed 1.2m in height however to ensure appropriate sightlines, I consider that this needs to be applied not only to road boundary fencing, but also to fencing that is perpendicular to the road.
- 10.46 I acknowledge that the provision as notified removes the ability to erect a higher fence on sites that have frontage to more than one road boundary and that the submitters consider that this impacts on the ability of occupants to have a *private* outdoor living space where this may be located on the road boundary side to maximise solar orientation. On review, I consider that a 1.8m high fence, that is at least 50% *visually permeable*<sup>198</sup>, will balance the concerns of submitters regarding privacy with the broader concerns regarding passive surveillance and visual amenity. I consider that this amendment is still effective at achieving the outcomes sought by RESZ-O1 and RESZ-P6, while placing less constraints on property owners.
- 10.47 I consider that a diagram should be inserted into the definition of visually permeable to illustrate this concept. I also consider that the definition of visually permeable is such that it allows for this to be provided in both a vertical or horizontal sense, so that there can be some full height solid panels which would allow for screening of more sensitive areas, such as bedroom windows, while still ensuring visual interaction between the road and the residential unit.
- 10.48 I do not consider it appropriate to specify that this provision does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.
- 10.49 I also recommend that LRZ-R6.1.b.ii.2. be reworded for consistency.
- 10.50 Therefore, I recommend that the submission points of Jessica Graham, Hughes, Urban Estates and Kāinga Ora are accepted in part.

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<sup>197</sup> DPR-0414.251 Kāinga Ora

<sup>198</sup> **Visually permeable** is defined within the PDP and means “the ability to clearly see through a fence, from one side to the other, and is determined by a comparison of the solid portion of the fence structure against any gaps provided within the structure, or between fence structures”.

**Recommendation and amendments**

- 10.51 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-R6.a., as shown in **Appendix 2**, to provide greater flexibility in fencing while still enabling opportunities for passive surveillance of the street; and
  - b) amend LRZ-R6.1.b.ii.2. for consistency.
- 10.52 I recommend that the original submission points and the further submission points are accepted or rejected in part as shown in **Appendix 1**.
- 10.53 The scale of change does not require a s32AA evaluation.

**LRZ-R7 Relocated Building*****Submissions***

- 10.54 Two submission points were received in relation to LRZ-R7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0296	NZHHA	002	Oppose In Part	<p>Amend Rule LRZ-R7 to provide for relocated, re-siting and removal of residential dwellings as a permitted activity and</p> <p>Insert new <u>Permitted Activity Standards</u>:</p> <p><u>a. Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.</u></p> <p><u>b. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.</u></p> <p><u>c. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include certification by the property owner that the reinstatement works shall be completed within the specified (12) month period.</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than (2) months of the building being moved to the site.</u></p> <p><u>e. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within (12) months of the building being delivered to the site. Without limiting (c) (above) reinstatement works is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p>and</p> <p>Insert a pre-inspection report in schedule 2 and</p> <p>Insert Rule: <u>Restricted Discretionary Activity (on a non-notified, non-service basis)</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u> i) <u>proposed landscaping;</u> ii) <u>the proposed timetable for completion for the work required to reinstate the exterior of the building and connections to services.</u>
DPR-0414	Kāinga Ora	252	Oppose	Delete as notified

### ***Analysis***

- 10.55 The submissions of NZHHA and Kāinga Ora<sup>199</sup> in relation to LRZ-R7 are the same as for LLRZ-R7. In this regard, NZHHA requests that LRZ-R7 be amended to provide for relocated residential units as a permitted activity, subject to the same land use planning controls as new residential units, along with a number of additional standards which relate to obtaining a building consent, and a RDIS activity status where these are not able to be complied with and Kāinga Ora opposes the separate recognition of relocated buildings and request that the provision be deleted.
- 10.56 For the reasons given in relation to [LLRZ-R7](#), I recommend that the submission from NZHHA be rejected and that the submission from Kāinga Ora be accepted.

### ***Recommendation and amendments***

- 10.57 I recommend that, for the reasons given above, the Hearing Panel:
- a) delete LRZ-R7, as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.
- 10.58 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.
- 10.59 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

### **LRZ-R8 Keeping of Animals**

#### ***Submissions***

- 10.60 One submission point was received in relation to LRZ-R8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	253	Support	Retain as notified

### ***Analysis***

- 10.61 Kāinga Ora<sup>200</sup> requests that LRZ-R8 be retained as notified. I recommend that this submission point be accepted.

<sup>199</sup> DPR-0296.002 NZHHA and DPR-0414.252 Kāinga Ora

<sup>200</sup> DPR-0414.253 Kāinga Ora

**Recommendation**

- 10.62 I recommend that the Hearing Panel retain LRZ-R8 as notified.
- 10.63 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R9 Home Business****Submissions**

- 10.64 One submission point was received in relation to LRZ-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	254	Support	Retain as notified

**Analysis**

- 10.65 Kāinga Ora<sup>201</sup> requests that LRZ-R9 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.66 I recommend that the Hearing Panel retain LRZ-R9 as notified.
- 10.67 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R10 Supported Residential Accommodation****Submissions**

- 10.68 Two submission points were received in relation to LRZ-R10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	006	Support	Retain as notified
DPR-0414	Kāinga Ora	255	Support	Retain as notified

**Analysis**

- 10.69 Ara Poutama Aotearoa and Kāinga Ora<sup>202</sup> request that LRZ-R10 be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 10.70 I recommend that the Hearing Panel retain LRZ-R10 as notified.
- 10.71 I recommend that the original submission points are accepted as shown in **Appendix 1**.

**LRZ-R11 Small Site Development****Submissions**

- 10.72 Two submission points and one further submission point were received in relation to LRZ-R11.

<sup>201</sup> DPR-0414.254 Kāinga Ora

<sup>202</sup> DPR-0300.006 Ara Poutama Aotearoa and DPR-0414.255 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	059	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ... <u>LRZ-REQ6 Setback of Garages</u> ...
DPR-0460	Marama Te Wai	FS032	Support	As per the submission
DPR-0414	Kāinga Ora	256	Oppose	Delete as notified

### Analysis

10.73 SDC<sup>203</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to LRZ-REQ11. For the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to small site development.

10.74 Kāinga Ora<sup>204</sup> considers that the provision of higher density development is inconsistent with the objectives and policies of the LRZ zone and requests that the rule be deleted. As the zone is largely provided across an entire township, I consider that the retention of this rule provides for a greater range of housing choice and diversity within the zone/township, as envisaged by RESZ-O1 and RESZ-O3. It also provides for the intensification of existing urban areas, as envisaged by RESZ-P2, and promotes a compact urban form. I therefore consider that this submission point should be rejected.

### Recommendation and amendments

10.75 I recommend that, for the reasons given above, the Hearing Panel:

- a) amend LRZ-R11, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.

10.76 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

10.77 The scale of change does not require a s32AA evaluation.

### LRZ-R12 Comprehensive Development

#### Submissions

10.78 Two submission points were received in relation to LRZ-R12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	065	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ...

<sup>203</sup> DPR-0207.059 SDC

<sup>204</sup> DPR-0414.256 Kāinga Ora



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>LRZ-REQ6 Setback of Garages</u> ...
DPR-0414	Kāinga Ora	257	Oppose	Delete as notified

### ***Analysis***

- 10.79 SDC<sup>205</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to LRZ-REQ12. For the reasons set out in relation to [LRZ-REQ12](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to comprehensive development.
- 10.80 Kāinga Ora<sup>206</sup> considers that the provision of higher density development is inconsistent with the objectives and policies of the LRZ zone and requests that the rule be deleted. As the zone is largely provided across an entire township, I consider that the retention of this rule provides for a greater range of housing choice and diversity within the zone/township, as envisaged by RESZ-O1 and RESZ-O3. It also provides for the intensification of existing urban areas, as envisaged by RESZ-P2, and promotes a compact urban form. I therefore consider that this submission point should be rejected.

### ***Recommendation***

- 10.81 I recommend that, for the reasons given above, the Hearing Panel:
- amend LRZ-R12, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.
- 10.82 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 10.83 The scale of change does not require a s32AA evaluation.

### **LRZ-R13 Retirement Village**

#### ***Submissions***

- 10.84 Five submission points were received in relation to LRZ-R13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	258	Support In Part	Amend as follows: 1. Any retirement village  Where this activity complies with the following rule requirements: ... <u>LRZ-REQ8 Presentation to the Street</u> ... <u>LRZ-REQ14 Variety in Appearance</u>

<sup>205</sup> DPR-0207.065 SDC

<sup>206</sup> DPR-0414.257 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	024	Oppose	<p>Amend as follows:</p> <p>Activity status: <del>RDIS</del> <b>PER</b></p> <p>1. Any retirement village</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><del>LRZ-REQ8 Presentation to the Street</del></p> <p><del>LRZ-REQ10 Landscaping</del></p> <p><del>LRZ-REQ13 Retirement Village</del></p> <p><del>LRZ-REQ14 Variety in Appearance</del></p> <p>Matters for discretion:</p> <p>2. The exercise of discretion in relation to LRZ-R13.1. is restricted to the following matters:</p> <p><del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del></p> <p><del>REZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del></p> <p><u>RESZ-MATXX - Retirement Villages</u></p> <p>NH-MAT3 Geotechnical Considerations</p>
DPR-0425	Ryman	024	Support In Part	<p>Amend as follows:</p> <p>Activity status: <del>RDIS</del> <b>PER</b></p> <p>1. Any retirement village</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><del>LRZ-REQ8 Presentation to the Street</del></p> <p><del>LRZ-REQ10 Landscaping</del></p> <p><del>LRZ-REQ13 Retirement Village</del></p> <p><del>LRZ-REQ14 Variety in Appearance</del></p> <p>Matters for discretion:</p> <p>2. The exercise of discretion in relation to LRZ-R13.1. is restricted to the following matters:</p> <p><del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del></p> <p><del>REZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del></p> <p><u>RESZ-MATXX - Retirement Villages</u></p> <p>NH-MAT3 Geotechnical Considerations</p>
DPR-0447	Barton Fields	003	Support In Part	<p>Amend LRZ-R13 Retirement Villages to read:</p> <p>Activity status: RDIS</p> <p>1. Any retirement village</p> <p>Where this activity complies with the following rule requirements:</p> <p>....</p> <p><del>LRZ-REQ14 Variety in Appearance</del></p> <p>....</p>
DPR-0447	Barton Fields	010	Oppose	<p>Amend LRZ-R13 to read:</p> <p>Activity status: RDIS</p> <p>1. Any retirement village</p> <p>....</p> <p>Matters for discretion:</p> <p>2. The exercise of discretion in relation to GRZ-</p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				R13.1. is restricted to the following matters: a. <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> ....

### Analysis

- 10.85 Kāinga Ora<sup>207</sup> requests that the provision be amended such that it is not subject to the rule requirements related to presentation to the street or variety in appearance, as a consequential relief related to their submission point in relation to these rule requirements.
- 10.86 RVA and Ryman<sup>208</sup> request that retirement villages be recognised as a permitted activity, to make it clear to the surrounding community that such uses are part of the fabric of the residential zones and not challengeable in consenting processes. As identified in [Section 5](#), the submission from RVA had been incorrectly summarised in this respect. The submitters also request that this activity not be subject to the rule requirements related to presentation to the street, landscaping, or variety in appearance, as they consider that these provisions “*address concerns that may be applicable to other higher density residential activities, but which do not necessarily apply equally to retirement villages*”. Finally, these submitters seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.
- 10.87 Barton Fields<sup>209</sup> request that provision not be subject to the requirement related to variety in appearance as they consider that retirement villages are designed to be cohesive to provide a sense of community within the village and that requiring building design to change for every 4 – 6 units is counter intuitive to this design philosophy. The submitter also requests an amendment to the matters applicable to this activity, as a consequential relief related to their submission point in that respect.
- 10.88 For the reasons set out in relation to [LRZ-REQ8](#), [LRZ-REQ10](#), and [LRZ-REQ14](#), I recommend that these elements of the above submission points be rejected.
- 10.89 In terms of the request from RVA and Ryman for this activity to be permitted, I do not consider that a change of status is necessary for two reasons. Firstly, I consider that RESZ-O1, RESZ-O3 and REZ-P12 all acknowledge that retirement villages are part of the residential environment. Secondly, I consider that the identification of this activity as a restricted discretionary activity indicates that it is a form of development anticipated within the zone, subject to it being demonstrated through a consent process how it aligns with the policy direction and outcomes sought. I consider the RDIS status is appropriate to allows the amenity of future residents to be considered, whilst also ensuring that scale of the activity does not affect the amenity of the surrounding environment. As such, I recommend that these elements of the above submission point be rejected.

<sup>207</sup> DPR-0414.258 Kāinga Ora

<sup>208</sup> DPR-0424.024 RVA and DRP-0425.024 Ryman

<sup>209</sup> DPR-0447.003 and 010 Barton Fields

- 10.90 Finally, for the reasons set out in relation to [RESZ-MAT13](#) and [RESZ-MAT14](#), I recommend that these elements of the above submission points from RVA, Ryman and Barton Fields be rejected.

***Recommendation***

- 10.91 I recommend that the Hearing Panel retain LRZ-R13 as notified.
- 10.92 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

**LRZ-R14 Visitor Accommodation**

***Submissions***

- 10.93 One submission point was received in relation to LRZ-R14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	259	Support	Retain as notified

***Analysis***

- 10.94 Kāinga Ora<sup>210</sup> requests that LRZ-R14 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.95 I recommend that the Hearing Panel retain LRZ-R14 as notified.
- 10.96 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-15Camping Ground Facility**

***Submissions***

- 10.97 One submission point was received in relation to LRZ-R15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	260	Support	Retain as notified

***Analysis***

- 10.98 Kāinga Ora<sup>211</sup> requests that LRZ-R15 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.99 I recommend that the Hearing Panel retain LRZ-R15 as notified.
- 10.100 I recommend that the original submission point is accepted as shown in **Appendix 1**.

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<sup>210</sup> DPR-0414.259 Kāinga Ora

<sup>211</sup> DPR-0414.260 Kāinga Ora

**LRZ-R16 Commercial Activity*****Submissions***

10.101 One submission point was received in relation to LRZ-R16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	261	Support	Retain as notified

***Analysis***

10.102 Kāinga Ora<sup>212</sup> requests that LRZ-R16 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

10.103 I recommend that the Hearing Panel retain LRZ-R16 as notified.

10.104 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R17 Educational Activity*****Submissions***

10.105 Two submission points were received in relation to LRZ-R17.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0378	MoE	024	Support	Retain as notified
DPR-0414	Kāinga Ora	262	Support	Retain as notified

***Analysis***

10.106 MoE and Kāinga Ora<sup>213</sup> requests that LRZ-R17 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

10.107 I recommend that the Hearing Panel retain LRZ-R17 as notified.

10.108 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R18 Public Amenity*****Submissions***

10.109 One submission point was received in relation to LRZ-R18.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	263	Support	Retain as notified

<sup>212</sup> DPR-0414.261 Kāinga Ora

<sup>213</sup> DPR-0378.024 MoE and DPR-0414.262 Kāinga Ora

**Analysis**

- 10.110 Kāinga Ora<sup>214</sup> requests that LRZ-R18 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.111 I recommend that the Hearing Panel retain LRZ-R18 as notified.
- 10.112 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R19 Community Facility****Submissions**

- 10.113 One submission point was received in relation to LRZ-R19.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	264	Support	Retain as notified

**Analysis**

- 10.114 Kāinga Ora<sup>215</sup> requests that LRZ-R19 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.115 I recommend that the Hearing Panel retain LRZ-R19 as notified.
- 10.116 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R20 Community Correction Activity****Submissions**

- 10.117 Two submission points were received in relation to LRZ-R20.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	007	Oppose	Delete as notified.
DPR-0414	Kāinga Ora	265	Support	Retain as notified

**Analysis**

- 10.118 Ara Poutama Aotearoa<sup>216</sup> submits that this rule is not necessary as it is unlikely that they would look to locate such an activity within the LRZ as it would be inconsistent with the character and amenity of this zone. The deletion of this rule would result in a discretionary status for the activity (by virtue of the catch all rule (LRZ-R30)), and Ara Poutama Aotearoa have submitted that they consider that it is appropriate that any such activity be subject to a resource consent process to allow the Council to assess the effects on the environment. I accept the analysis of the agency

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<sup>214</sup> DPR-0414.263 Kāinga Ora

<sup>215</sup> DPR-0414.264 Kāinga Ora

<sup>216</sup> DPR-0300.007 Ara Poutama Aotearoa

responsible for the provision of community corrections activities<sup>217</sup> that these are likely to be inconsistent with the amenity of the LRZ and therefore recommend that this submission point be accepted.

- 10.119 Kāinga Ora<sup>218</sup> requests that LRZ-R20 be retained as notified, however, for the reason above, I recommend that this submission point be rejected.

***Recommendation and amendments***

- 10.120 I recommend that, for the reasons given above, the Hearing Panel:

- a) delete LRZ-R20, as shown in **Appendix 2**, as this activity is unlikely to be consistent with the amenity of the zone.

- 10.121 It is recommended that the submission points are accepted or rejected as shown in **Appendix 1**.

- 10.122 The scale of change does not require a s32AA evaluation.

**LRZ-R21 Automotive Activity**

***Submissions***

- 10.123 One submission point was received in relation to LRZ-R21.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	266	Support	Retain as notified

***Analysis***

- 10.124 Kāinga Ora<sup>219</sup> requests that LRZ-R21 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.125 I recommend that the Hearing Panel retain LRZ-R21 as notified.

- 10.126 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R22 Industrial Activity**

***Submissions***

- 10.127 One submission point was received in relation to LRZ-R22.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	267	Support	Retain as notified

<sup>217</sup> **Community corrections activity** means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups. (National Planning Standards).

<sup>218</sup> DPR-0414.265 Kāinga Ora

<sup>219</sup> DPR-0414.266 Kāinga Ora

**Analysis**

- 10.128 Kāinga Ora<sup>220</sup> requests that LRZ-R22 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.129 I recommend that the Hearing Panel retain LRZ-R22 as notified.
- 10.130 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R23 Research Activity****Submissions**

- 10.131 One submission point was received in relation to LRZ-R23.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	268	Support	Retain as notified

**Analysis**

- 10.132 Kāinga Ora<sup>221</sup> requests that LRZ-R23 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.133 I recommend that the Hearing Panel retain LRZ-R23 as notified.
- 10.134 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R24 Rural Activity, Rural Industry, Rural Production and/or Rural Service****Submissions**

- 10.135 One submission point was received in relation to LRZ-R24.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	269	Support	Retain as notified

**Analysis**

- 10.136 Kāinga Ora<sup>222</sup> requests that LRZ-R24 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.137 I recommend that the Hearing Panel retain LRZ-R24 as notified.
- 10.138 I recommend that the original submission point is accepted as shown in **Appendix 1**.

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<sup>220</sup> DPR-0414.267 Kāinga Ora

<sup>221</sup> DPR-0414.268 Kāinga Ora

<sup>222</sup> DPR-0414.269 Kāinga Ora



**LRZ-R25 Mineral Extraction and/or Mineral Prospecting*****Submissions***

10.139 One submission point was received in relation to LRZ-R25.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	270	Support	Retain as notified

***Analysis***

10.140 Kāinga Ora<sup>223</sup> requests that LRZ-R25 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

10.141 I recommend that the Hearing Panel retain LRZ-R25 as notified.

10.142 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R26 Firearms Range*****Submissions***

10.143 One submission point was received in relation to LRZ-R26.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	271	Support	Retain as notified

***Analysis***

10.144 Kāinga Ora<sup>224</sup> requests that LRZ-R26 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

10.145 I recommend that the Hearing Panel retain LRZ-R26 as notified.

10.146 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R27 Motor Sports*****Submissions***

10.147 One submission point was received in relation to LRZ-R27.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	272	Support	Retain as notified

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<sup>223</sup> DPR-0414.270 Kāinga Ora

<sup>224</sup> DPR-0414.271 Kāinga Ora

**Analysis**

- 10.148 Kāinga Ora<sup>225</sup> requests that LRZ-R27 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.149 I recommend that the Hearing Panel retain LRZ-R27 as notified.
- 10.150 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R28 Waste and Diverted Material Facility****Submissions**

- 10.151 One submission point was received in relation to LRZ-R28.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	273	Support	Retain as notified

**Analysis**

- 10.152 Kāinga Ora<sup>226</sup> requests that LRZ-R28 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.153 I recommend that the Hearing Panel retain LRZ-R28 as notified.
- 10.154 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**LRZ-R29 Landfill****Submissions**

- 10.155 Two submission points were received in relation to LRZ-R29.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0122	Frews Quarries Ltd	035	Oppose	Amend plan objectives, policies and methods, including rules, to recognise the landfill classification system in WasteMINZ Guidelines, and establish appropriate policy and rules that reflect the classification of the landfill.
DPR-0414	Kāinga Ora	274	Support	Retain as notified

**Analysis**

- 10.156 Frews Quarries Ltd<sup>227</sup> considers that there are a range of landfill classes which have varying degrees of adverse effects on the environment and therefore it is not appropriate to classify all landfill activities as non-complying within the PDP. The submission point was made specifically in relation to GRUZ-R37 yet, as the relief sought referred to the PDP in its totality, this submission

<sup>225</sup> DPR-0414.272 Kāinga Ora

<sup>226</sup> DPR-0414.273 Kāinga Ora

<sup>227</sup> DPR-0122.035 Frews Quarries Ltd

point was replicated in all zones. For the reasons given in relation to [LRZ-R23](#), I recommend that the submission point from Frews Quarries Ltd be rejected.

- 10.157 Kāinga Ora<sup>228</sup> requests that LRZ-R29 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.158 I recommend that, for the reasons given above, the Hearing Panel retain LRZ-R29 as notified.
- 10.159 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.

**LRZ-R30 Any activity not otherwise listed in LRZ-Rule List**

***Submissions***

- 10.160 One submission point was received in relation to LRZ-R30.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	275	Support	Retain as notified

***Analysis***

- 10.161 Kāinga Ora<sup>229</sup> requests that LRZ-R30 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.162 I recommend that the Hearing Panel retain LRZ-R30 as notified.
- 10.163 I recommend that the original submission point is accepted as shown in **Appendix 1**.

***Rule Requirements***

**LRZ-REQ1 Servicing**

***Submissions***

- 10.164 One submission point was received in relation to LRZ-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	276	Support	Retain as notified

***Analysis***

- 10.165 Kāinga Ora<sup>230</sup> requests that LRZ-REQ1 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 10.166 I recommend that the Hearing Panel retain LRZ-REQ1 as notified.

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<sup>228</sup> DPR-0414.274 Kāinga Ora

<sup>229</sup> DPR-0414.275 Kāinga Ora

<sup>230</sup> DPR-0414.276 Kāinga Ora

10.167 I recommend that the original submission point is accepted as shown in **Appendix 1**.

### **LRZ-REQ2 Building Coverage**

#### ***Submissions***

10.168 One submission point was received in relation to LRZ-REQ2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	277	Support	Retain as notified

#### ***Analysis***

10.169 Kāinga Ora<sup>231</sup> requests that LRZ-REQ2 be retained as notified. I recommend that this submission point be accepted.

#### ***Recommendation***

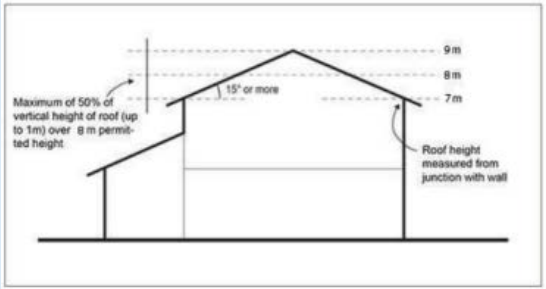
10.170 I recommend that the Hearing Panel retain LRZ-REQ2 as notified.

10.171 I recommend that the original submission point is accepted as shown in **Appendix 1**.

### **LRZ-REQ3 Height**

#### ***Submissions***

10.172 One submission point was received in relation to LRZ-REQ3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	278	Support In Part	<p>Amend as follows:  The maximum height of any building or structure, when measured from ground level, shall not exceed 8m, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in the Figure below.</p> 

<sup>231</sup> DPR-0414.277 Kāinga Ora

**Analysis**

- 10.173 Kāinga Ora<sup>232</sup> seeks that the requirement be amended to allow for a roof form exceedance, to enable differing roof forms within the zone. For the reasons given in relation to [LRZ-REQ3](#), I recommend that this submission point be accepted.

**Recommendation and amendments**

- 10.174 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-REQ3, as shown in **Appendix 2**, to allow for a building's roof to exceed the maximum height limit, to provide for different roof forms within the zone.
- 10.175 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 10.176 The scale of change does not require a s32AA evaluation.

**LRZ-REQ4 Height in Relation To Boundary****Submissions**

- 10.177 One submission point was received in relation to LRZ-REQ4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	279	Oppose	Delete as notified and undertake a full review of the provision and introduce a new series of rules in relation to: - a general height in relation to boundary control; - height in relation to boundary control adjoining Open Space zones and no height in relation to boundary control where the adjacent park exceeds 2,000m <sup>2</sup> . - exclusion relating to solar panels; and - how the vertical measurement is defined.

**Analysis**

- 10.178 Kāinga Ora<sup>233</sup> opposes LRZ-REQ4 and seeks a comprehensive review to better provide for flexibility in built form/residential typologies while still managing the potential for adverse effects on adjoining properties. In particular, the submitter does not support the use of different recession planes to boundaries depending on their orientation and considers 45 degrees to all boundaries to be appropriate to secure adequate sunlight access. They further consider that imposing a recession plane less than 45 degrees when taking setbacks into consideration will unnecessarily constrain development. The submitter has suggested that the suite of 'Height in relation to boundary' in the Auckland Unitary Plan and corresponding assessment criteria/matters for discretion specific to the 'Mixed Housing Suburban' zone, provide an appropriate and flexible package of controls which could be utilised within the LRZ zone

<sup>232</sup> DPR-0414.278 Kāinga Ora

<sup>233</sup> DPR-0414.279 Kāinga Ora

10.179 The purpose of this provision is to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours. The provision is responsive to the orientation of the boundary which ensures access to sunlight for those in the building and ensures shadows do not dominate adjoining sites. The approach in the PDP, as set out in APP3 – Height in Relation to Boundary, has been carried over from the operative plan provision and no issues were identified with this in practice to indicate that a change is required. As such, I consider that the recession plane control proposed is an appropriate response for the Selwyn context and is consistent with the district plans of adjoining councils. As such, I consider that there is no need to review this provision in its entirety, as proposed by the submitter.

10.180 However, I acknowledge that the exclusions identified in APP3 do not specifically identify roof mounted features which make use of solar energy, such as solar panels or solar hot water systems. Therefore, I recommend that this submission point be accepted in part and that APP3 be amended as shown in **Appendix 2**.

#### ***Recommendation and amendments***

10.181 I recommend that, for the reasons given above, the Hearing Panel:

a) amend APP3, as shown in **Appendix 2**, to allow for solar panels or heating devices.

10.182 I recommend that the original submission point is accepted in part as shown in **Appendix 1**.

10.183 The scale of change does not require a s32AA evaluation.

#### **LRZ-REQ5      Setback of buildings**

#### ***Submissions***

10.184 Four submission points and one further submission point was received in relation to LRZ-REQ5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0268	E J Smith	003	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0353	HortNZ	235	Oppose In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, shared accessway, or reserve or <u>zone boundary</u> ; and ....
DPR-0414	Kāinga Ora	280	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, <del>shared accessway, or reserve</del> ; and b. <del>21</del> 1m from any internal boundary, unless the residential unit or other principal building has been designed to share a common wall along an internal boundary ...

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0458	KiwiRail	053	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: ... <u>c. 5m from any operational railway corridor boundary.</u>
DPR-0414	Kāinga Ora	FS088	Oppose	Not specified

### Analysis

- 10.185 E J Smith<sup>234</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 10.186 HortNZ<sup>235</sup> consider that the provision does not include a setback from a zone boundary, so a residential unit could be established 2m from a GRUZ boundary, however the relief sought is that a setback provision is required from any zone boundary. I consider that the need for setbacks from zone boundaries was considered as part of the preparation of the PDP and the general approach has been to place the burden of setback on other zones<sup>236</sup>, rather than residential zones, recognising the smaller size of sites within the residential zones. While I acknowledge the concerns of the submitter in relation to reverse sensitivity effects, I note that the setback distances notified are a carryover from the operative plan provision and no issues were identified with these in practice to indicate that a change is required. Therefore, I recommend that this submission point be rejected.
- 10.187 Kāinga Ora<sup>237</sup> considers that the setback requirement from shared accessways or reserves is overly restrictive. The submitter also seeks a reduction in the internal boundary setback; from 2m to 1m.
- 10.188 In regard to the setback from a *shared accessway*, the PDP defines accessway as “*the area of land that provides access between any boundary and the net area of the site or sites it serves. Accessway includes any rights of way, access lot, access leg or private road*”. I consider that by including the word *shared* before accessway, this is intended to relate to accessways that provide access to more than one property.
- 10.189 In the PDP, accessway are managed by TRAN-REQ7 and TRAN-TABLE3, with this table providing minimum legal widths for accessway dependent on the number of sites that gain access from the accessway. Accessways that serve 2-3 sites are required to have a minimum legal width of 4.5m. This increases to a minimum of 6.5m where the accessway provides for 4-6 sites and is over 50m in length.

<sup>234</sup> DPR-0268.003 E J Smith

<sup>235</sup> DPR-0353.235 HortNZ

<sup>236</sup> For example, TCZ-REQ4, GIZ-REQ4 and KNOZ-REQ4

<sup>237</sup> DPR-0414.280 Kāinga Ora

- 10.190 I note that the matter of accessways was addressed in the Transport s42A report<sup>238</sup> in response to submissions requesting that the number of sites able to be accessed off a private accessway be increased. As notified, a maximum of six sites could be accessed off an accessway. The primary purpose of this threshold is to avoid a situation where a larger volume of traffic occurs over a private way than is appropriate and where roading standards should be applied to ensure the traffic and other users such as people walking and cycling can be accommodated. As such, as notified, the PDP enabled that six sites could be accessed by an accessway. Seven or more sites would be required to be accessed via a road.
- 10.191 In the Transport Right of Reply<sup>239</sup>, the officer has recommended that TRAN-REQ7 be amended such that six or less sites can be accessed via an accessway as a permitted activity. If an accessway is proposed to access between seven and nine sites, this could be considered as a DIS and any proposal to provide access to 10 or more sites via an accessway would be NC. I note that while the provision still indicates that it is Council's preference to provide access to more than six sites via a road, a framework had been established to enable consideration through a consent process for up to 10 sites to be accessed off an accessway.
- 10.192 The primary reason for establishing a setback distance from shared accessway is in recognition that these areas often function as 'mini streets'; even more so given the amendments recommended through the Transport hearing. As such, there is a need to maintain an adequately level of amenity along the accessway and to ensure that they are not dominated by buildings. Therefore, I consider that it is appropriate that a setback distance be maintained from a shared accessway but, considering the minimum legal widths of these accessways provided by TRAN-TABLE3, I consider that a 4m setback is excessive. I
- 10.193 I considered that there is a balance that needs to be struck in the 'openness' of the appearance of the accessway, between enabling an attractive amenity for those residents of sites that utilise the accessway and conveying to the wider community that these accessways are not public streets, having regard to the intent of RESZ-O1.
- 10.194 As such, I consider that a 2m setback, as provided for any internal boundary, is more appropriate.
- 10.195 The submitter also requests that the 4m setback from a reserve boundary be removed. I consider that there is still a need to maintain a setback of built form from a boundary with a reserve so that residential units do not visually dominate these areas. However, I consider that a reduced setback of 2m, in combination with the fencing provisions ([LRZ-R6](#)), will still maintain an appropriate level of amenity for any adjoining reserve area.
- 10.196 Finally, the submitter requests that the internal boundary setback be reduced to 1m. I consider that to maintain a level of openness and distinction between residential units, which contributes to the character of the residential areas within the various townships, a 2m setback from internal boundaries should be maintained.
- 10.197 Therefore, I recommend the submission point from Kāinga Ora should be accepted in part.

<sup>238</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0005/497165/Councils-s42A-Transport-Report.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0005/497165/Councils-s42A-Transport-Report.pdf) paragraphs 12.42-48 and 14.22-26

<sup>239</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0008/558269/Right-of-Reply-Report-Transport-27-Oct-2021.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0008/558269/Right-of-Reply-Report-Transport-27-Oct-2021.pdf)



- 10.198 KiwiRail<sup>240</sup> requests that a 5m setback apply to all building operational railway corridor boundaries. They consider that this setback is required for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. Having regard to the path of the rail corridor within the district, I consider that there are very few locations where the rail corridor is not further separated from residential properties by either roads or natural features. However, within Darfield (proposed to be LRZ), there are properties that directly adjoin the rail corridor. Therefore, I recommend that this submission point be accepted.

***Recommendation and amendments***

- 10.199 I recommend that, for the reasons given above, the Hearing Panel:
- amend LRZ-REQ5, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves.
- 10.200 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 10.201 The scale of change does not require a s32AA evaluation.

**LRZ-REQ6      Setback of Garages**

***Submissions***

- 10.202 Two submission points were received in relation to LRZ-REQ6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0268	E J Smith	004	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	281	Support In Part	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>Any garage that has a vehicle door that <del>faces a road boundary or shared accessway</del> <u>is located within a front yard of front and corner sites</u> <del>shall be setback:</del> <ol style="list-style-type: none"> <li><del>Shall be setback</del> 5.5m from the road boundary or shared accessway; and</li> <li><del>Must not project forward by more than 0.5m from the front façade of the residential unit</del></li> <li><del>2m from the internal boundary if the wall length adjacent the internal boundary is greater than 7m;</del></li> <li><del>or</del></li> <li><del>1m from the internal boundary if the wall length adjacent the internal boundary is less than or equal to 7m.</del></li> </ol> </li> <li>Any garage that has a vehicle door that faces an internal boundary and: <ol style="list-style-type: none"> <li><del>the wall length adjacent any road boundary or shared accessway</del> <ol style="list-style-type: none"> <li><del>is greater than 7m, shall be setback 4m from the road boundary or shared accessway;</del></li> </ol> </li> </ol> </li> </ol>

<sup>240</sup> DPR-0458.053 KiwiRail

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>ii. is less than or equal to 7m, shall be setback 2m from the road boundary or shared accessway;  b. the wall length adjacent any internal boundary  i. is greater than 7m, shall be setback 2m from the internal boundary;  ii. is less than or equal to 7m, shall be setback 1m from the internal boundary.  ...  Matters for discretion:  4. The exercise of discretion in relation to LRZ-REQ6.3. is restricted to the following matters:  RESZ-MAT5 Road Boundary Setback  RESZ-MAT6 Internal Boundary Setback</p>

### Analysis

- 10.203 E J Smith<sup>241</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 10.204 Kāinga Ora<sup>242</sup> supports setting back garages to ensure the primacy of residential units from a streetscape amenity perspective but considers that the additional elements of the provisions will unnecessarily constrain development. I do not agree. Rather I consider that, for a variety of reasons, the relief sought by the submitter will reduce design flexibility.
- 10.205 Firstly, I consider that the relief proposed would make it very challenging for garages to be established with anything other than a vehicle door facing a road; that is, it would be almost impossible to establish a garage with a vehicle door facing an internal boundary as this would always have to project more than 0.5m forward of the front façade of a residential unit to be accessible.
- 10.206 I further consider that relief sought would leave a gap in the consideration of a garage from an internal boundary. If a garage was a detached building, it would be subject to the setback provisions for accessory buildings and/or structures. However, if it is attached to a residential unit, it is not considered to be part of a residential unit, therefore it would not be captured by the setback provisions related to residential units or principal buildings.
- 10.207 Finally, I consider that there are several issues with the drafting of the relief proposed. I consider that the terminology used in the relief sought is inconsistent with that used in the PDP. The PDP refers to setbacks from road and internal boundaries, rather than ‘yards’, therefore additional terminology would have to be incorporated into the PDP. However, I consider that a ‘front yard’ would be the space between the boundary of site and the built form on that site. Therefore, I

<sup>241</sup> DPR-0268.004 E J Smith

<sup>242</sup> DPR-0414.281 Kāinga Ora

consider that a vehicle door cannot be not located 'within' a front yard; rather it 'faces' a boundary, thereby making it unnecessary to include 'yards' into the PDP.

10.208 Therefore, for the reasons above, I recommend that this submission point be rejected.

#### ***Recommendation***

10.209 I recommend that the Hearing Panel retain LRZ-REQ6 as notified.

10.210 I recommend that the original submission points are rejected as shown in **Appendix 1**

#### **LRZ-REQ7      Setback of Accessory Buildings and/or Structures**

#### ***Submissions***

10.211 Four submission points were received in relation to LRZ-REQ7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	051	Oppose In Part	Amend as follows: 1. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is greater than 7m, be setback: ... 2. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is less than or equal to 7m, be setback:
DPR-0268	E J Smith	005	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	282	Support In Part	Amend as follows: 1. Any accessory building shall, where the wall length is greater than 7m, be setback: a. 4m from any road boundary, <del>shared accessway or reserve</del> ; and b. 2m from any internal boundary. 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: a. 2m from any road boundary, <del>shared accessway or reserve</del> ; and b. 1m from any internal boundary. 3. Any structure shall be setback 2m from any road boundary <del>or reserve</del> . ...
DPR-0458	KiwiRail	067	Support In Part	Amend as follows: 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: ... b. <del>1.2</del> 1m from any internal boundary.

### Analysis

- 10.212 SDC<sup>243</sup> considers that as currently drafted, ancillary structures and fences would be included within the required setback. Having regard to the definition of *accessory building*<sup>244</sup>, I do not consider that it would capture either ancillary structures or fences. I consider these structures are specifically managed by either LRZ-R5 or LRZ-R6, therefore do not need to be specifically identified and excluded from this provision. I recommend that this submission point be rejected.
- 10.213 E J Smith<sup>245</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 10.214 Kāinga Ora<sup>246</sup> consider that the setbacks from shared accessways and reserves are overly restrictive. The effect of the relief sought is that accessory buildings and/or structures would not be subject to any setback from shared accessways or reserves. As addressed in [LRZ-REQ5](#), I consider that there is a need to maintain an adequately level of amenity adjacent accessways and reserves, to ensure that they are not dominated by buildings. However, consistent with my recommendation in relation to [LRZ-REQ5](#), I consider that these distances can be reduced without having a negative effect on the amenity of the surrounding area. Therefore, I recommend that this submission point be accepted in part.
- 10.215 KiwiRail<sup>247</sup> requests that a setback is necessary form operational railway corridor boundaries, for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. While the submission identifies *ancillary structures*, I consider that they mean for this relief to apply to accessory buildings. Having regard to the path of the rail corridor within the district, I consider that there are very few locations where the rail corridor is not further separated from residential properties by either roads or natural features. However, within Darfield (proposed to be LRZ), there are properties that directly adjoin the rail corridor. Therefore, I recommend that this submission point be accepted in part and that a 2m setback be required from any operational rail corridor boundary.

### Recommendation and amendments

- 10.216 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-REQ7, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves in respect of accessory buildings.
- 10.217 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.

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<sup>243</sup> DPR-027.051 SDC

<sup>244</sup> **Accessory buildings** means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.

<sup>245</sup> DPR-0268.005 E J Smith

<sup>246</sup> DPR-0414.282 Kāinga Ora

<sup>247</sup> DPR-0458.067 KiwiRail

10.218 The scale of change does not require a s32AA evaluation.

#### **LRZ-REQ8 Presentation to the Street**

##### ***Submissions***

10.219 One submission point was received in relation to LRZ-REQ8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	283	Oppose	Delete as notified

##### ***Analysis***

10.220 Kāinga Ora<sup>248</sup> are opposed to LRZ-REQ8 as it considers that this rule requirement addresses design matters where allowing some flexibility is appropriate and this is more appropriately dealt with as an assessment matter. For the reasons given in relation to [LLRZ-REQ6](#), I recommend that this submission point be rejected.

##### ***Recommendation***

10.221 I recommend that the Hearing Panel retain LRZ-REQ8 as notified.

10.222 However, I note that, as the PDP was prepared following an activities based planning framework, this same requirement is incorporated into the other three residential zones. As I have recommended an amendment to [GRZ-REQ8](#), based on submissions received in relation to that provision, I also recommend that the Hearing Panel include the same note regarding the calculation of glazing in LRZ-REQ8.

10.223 I recommend that the original submission point is rejected as shown in **Appendix 1**.

#### **LRZ-REQ9 Outdoor Living Space**

##### ***Submissions***

10.224 Two submission points were received in relation to LRZ-REQ9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0410	Urban Estates	005	Oppose	Amend as follows: 1. Every residential unit shall be provided with an area of outdoor living space that: ... <del>d. is not located between the road boundary and the residential unit; and</del> ...
DPR-0414	Kāinga Ora	284	Support In Part	Amend as follows: 1. Every residential unit shall be provided with an area of outdoor living space that: a. is directly accessible from a habitable room; b. has a minimum area of <del>50</del> 20m <sup>2</sup> ; c. has a minimum horizontal dimension of 4m; <del>d. is not located between the road boundary and the residential unit; and</del> e. is free of driveways, manoeuvring areas, parking

<sup>248</sup> DPR-0414.283 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				spaces, accessory buildings, and service areas. f. <u>Where part of the required outdoor living space requires a deck, balcony or roof terrace located above ground floor level, the area shall be:</u> i. <u>directly accessible from any habitable room or kitchen;</u> ii. <u>have a minimum area of 10m<sup>2</sup>; and</u> iii. <u>have a minimum depth of 1.5m.</u>

### ***Analysis***

- 10.225 Urban Estates<sup>249</sup> considers that being able to locate an outdoor living space between the residential unit and the road boundary is necessary to ensure the outdoor living space achieves maximum solar gain, particularly when sites are located on the southern side of a road. Further, they consider that enabling outdoor living space at the front of a site allows for passive surveillance of the street front.
- 10.226 Kāinga Ora<sup>250</sup> seeks that the provision be amended to reduce the minimum area required, enable more flexibility in location and provide guidance where outdoor living space is located above the ground floor level.
- 10.227 The purpose of this provision is to provide an area of outside space associated with a residential unit for entertainment, relaxing and recreation purposes. Its quality and accessibility can have a significant impact on the amenity of the residential unit. In this regard, residential units should connect with a useful outdoor space which has a reasonable level of privacy from adjoining residential units and the public realm, access to sunlight, shelter from prevailing winds, and a sense of openness and independence.
- 10.228 When outdoor living space is located between the residential unit and a road boundary, it results in subsequent pressure from occupants to fence this area to ensure privacy. This can have adverse effects on the character and amenity of locality and can prevent informal surveillance of both the public and private realms, which is important as it reduces the opportunity to commit crime as well improves the perceptions of safety. In this regard, this element of the provision works in combination with the fencing (LRZ-R6) and presentation to the street (LRZ-REQ8) provisions to promote the principles of CPTED and achieves the intent of RESZ-O1.
- 10.229 I consider that the minimum area proposed is appropriate to provide sufficient useful space for the occupants of the residential unit and is generally able to be achieved with ease in the Selwyn context.
- 10.230 I acknowledge that the provision as notified does not provide for outdoor living space to be provided above ground level.

<sup>249</sup> DPR-0410.005 Urban Estates

<sup>250</sup> DPR-0414.284 Kāinga Ora

- 10.231 For the reasons above, I recommend that the submission point of Urban Estates be rejected, and the submission point of Kāinga Ora be accepted in part.

***Recommendation and amendments***

- 10.232 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-REQ9, as shown in **Appendix 2**, to provide guidance where outdoor living space is located above the ground floor level.
- 10.233 I recommend that the original submission points are accepted in part or rejected as shown in **Appendix 1**.
- 10.234 The scale of change does not require a s32AA evaluation.

**LRZ-REQ10 Landscaping**

***Submissions***

- 10.235 One submission point was received in relation to LRZ-REQ10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	285	Support In Part	Amend as follows: 1. <u>50% of t</u> The area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be: a. landscaped with a mix of lawn, garden beds, or shrubs; and <del>b. provided with one specimen tree for every 10m of frontage that is:</del> i. a minimum of 1.8m high at time of planting; and ii. <del>capable of achieving a height at maturity of 8m.</del>

***Analysis***

- 10.236 Kāinga Ora<sup>251</sup> seek that LRZ-REQ10 be amended as they consider that this requirement is overly onerous and that an 8m high specimen may not be appropriate in a higher density development.
- 10.237 This rule requirement is not applicable to traditional residential uses, which generally provide a landscaped area between the residential unit and the road boundary. Rather it is only applicable to supported residential accommodation and visitor accommodation activities, to ensure that these activities integrate into the residential environment. I consider that the requirement is necessary to achieve the policy direction set out in RESZ-O1, RESZ-O5, RESZ-O6 and RESZ-P6. Further, as the zone does not provide for high density developments, I consider that the requirement is very achievable. Therefore, I recommend that this submission point be rejected.

***Recommendation***

- 10.238 I recommend that the Hearing Panel retain LRZ-REQ10 as notified.
- 10.239 I recommend that the original submission point is rejected as shown in **Appendix 1**.

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<sup>251</sup> DPR-0414.285 Kāinga Ora

**LRZ-REQ11 Small Site Development****Submissions**

10.240 Three submission points and one further submission point were received in relation to LRZ-REQ11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	056	Oppose In Part	Amend as follows: 1. Any small site development shall: ... be setback a minimum of: i. 3m from any road boundary or shared accessway; and ii. 2m from any internal boundary; except that <del>iii. no internal boundary setback is required for any</del> <u>where a building shares a common wall with another building; where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5.5m from that boundary;</u> iv. <del>no internal boundary setback is required for any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;</del>
DPR-0460	Marama Te Wai	FS031	Support	As per the submission
DPR-0409	Hughes	026	Support In Part	Amend as follows: 1. Any small site development shall: ... b. be setback a minimum of: iii. where a garage door faces a road or shared accessway, the garage shall be setback a minimum of <del>5.5m</del> <u>5.0m</u> from that boundary; ... <del>e. only locate windows at first floor level or above that:</del> <del>v. face a road boundary or an internal boundary shared with a reserve; or</del> <del>vi. are setback a minimum of 10m from an internal boundary; or</del> <del>vii. have a sill height of at least 1.6m above internal floor level; or</del> <del>viii. are obscure glazed, and either non-opening or top-hinged, and associated with a bathroom, toilet, or hallway;</del> <del>f. only locate any balcony at first floor level or above in a façade that faces a road boundary, or an internal boundary shared with a reserve.</del> <u>f. provide each residential unit with an outdoor living space that:</u> <u>i. is directly accessible from a main living space;</u> <u>ii. has a minimum horizontal dimension of 4m;</u> <u>iii. has a minimum area of 40m<sup>2</sup>;</u> <u>iv. at least one contiguous area of 20m<sup>2</sup>; and</u> <u>v. is free of driveways, manoeuvring areas, parking spaces, accessory buildings, and service areas;</u>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>vi. provide each residential unit with an additional area at ground level for the dedicated storage of waste and recycling bins that:</u> <u>vii. is located behind the front façade of the residential unit or screened in an unobtrusive location;</u> <u>viii. has a minimum horizontal dimension of 1.5m;</u> <u>and</u> <u>ix. has minimum area of 2.25m<sup>2</sup>;</u>
DPR-0414	Kāinga Ora	286	Oppose	Delete as notified

### Analysis

- 10.241 SDC<sup>252</sup> seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes such as garages being sited 15cm from internal boundaries. I consider that the intention of this element of the provision was to enable garage walls to be built on the boundary. However, I agree that the wording of the provision as notified is unclear in relation to the setback distance required for a garage in relation to an internal boundary and, as no setback is specified, it could be interpreted as any setback being acceptable. As identified in the submission point, this could lead to situations where a small setback is provided, which is neither on a boundary, nor setback a sufficient distance to enable any space between the boundary and the garage to be maintained. I consider that this outcome is undesirable. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [LRZ-R11](#). This would ensure that the setback of garages is managed consistently across the PDP. I recommend that this submission point be accepted.
- 10.242 Hughes<sup>253</sup> considers that small site development requires greater consideration of spatial efficiencies and should not seek to adopt requirements that are aligned with the traditional residential development envisaged in the zone. They seek that the bulk and location requirements for comprehensive development should be applied to this form of development.
- 10.243 In particular, the submitter requests that:
- the setback distance of a garage from a road boundary be reduced from 5.5m to 5.0m;
  - LRZ-REQ11.1.e. and f., relating to the location and design of windows and balconies at first floor level be deleted;
  - a smaller outdoor living space than LRZ-REQ9 (40m<sup>2</sup> rather than 50m<sup>2</sup>), and allows this to be provided in separate areas, rather than as a whole. I note here that the submitter did not seek consequential relief to vary LRZ-R11 to delete LRZ-REQ9 Outdoor Living Space; and
  - an additional area for the dedicated storage of waste and recycling bins.

<sup>252</sup> DPR-0207.056 SDC

<sup>253</sup> DPR-0409.026 Hughes

- 10.244 In terms of the setback of a garage from a road boundary, I consider that the 5.5m setback should be retained as the typology envisaged through small site development is of standalone residential units on individual sites. As such, I considered that, if car parking were to be provided, it is likely to be directly accessible from a road and it is therefore important that garages are setback a sufficient distance to ensure that any vehicle parked in front of the garage does not overhang the boundary, potentially obstructing the adjoining road reserve. I note that this setback distance would be retained through the application of LRZ-REQ6 to this provision, as requested by SDC.
- 10.245 I consider that it is important to retain measures to manage the location of windows and balconies above the ground floor, to maintain the privacy of both the occupants of the residential unit and that of adjoining neighbours, as envisaged by RESZ-O1 and RESZ-P3. However, considering the likely size of small sites, I consider that there is no need to retain LRZ-REQ11.1.e.ii. as I consider that the remaining elements of this provision are sufficient to manage effects. Similarly, I consider that LRZ-REQ11.1.e.iii. and iv. can be amended to improve design flexibility while still maintaining privacy by minimising opportunities for direct overlooking of habitable rooms and outdoor living space areas of adjoining properties.
- 10.246 The submitter requests that a smaller open space area be required in relation to small site development and have proposed an alternative. I consider that, in conjunction with the provisions related to building coverage and boundary setbacks, the quantum is achievable, removing the need for a separate area to be provided for the storage of waste and recycling bins.
- 10.247 Therefore, I recommend that this submission point be accepted in part.
- 10.248 Kāinga Ora<sup>254</sup> requests that, as a consequential relief to their submission point in relation to LRZ-R11, LRZ-REQ11 be deleted. As I have recommended that [LRZ-R11](#) be retained, I recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 10.249 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-REQ11, as shown in **Appendix 2**, to improve clarity to plan users.
- 10.250 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 10.251 The scale of change does not require a s32AA evaluation.

#### **LRZ-REQ12 Comprehensive Development**

##### ***Submissions***

- 10.252 Three submission points were received in relation to LRZ-REQ12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	062	Oppose In Part	Amend as follows: 1. Any comprehensive development shall: ...

<sup>254</sup> DPR-0414.286 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				b. be setback a minimum of: ... iv. no internal <u>boundary</u> setback is required where a building shares a common wall with another building within the comprehensive development; <del>v. where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5m from that boundary;</del> vi. no internal boundary setback is required for any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;
DPR-0409	Hughes	027	Oppose	Delete as notified
DPR-0414	Kāinga Ora	287	Oppose	Delete as notified

### Analysis

- 10.253 SDC<sup>255</sup>, as with their submission on [LRZ-REQ11](#), seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes of as garages being sited 15cm from internal boundaries. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [LRZ-R12](#). This would ensure that the setback of garages is managed consistently across the PDP.
- 10.254 For the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted.
- 10.255 Hughes<sup>256</sup> requests that LRZ-REQ12 be deleted as the contents of LRZ-REQ12 are not conducive to encouraging comprehensive development. The submitter considers that the requirements such as the restriction of garaging to 50% of facades, outdoor living space restrictions in combination with setback and site area requirements do not work in combination to provide optimal outcomes. They also consider that the requirements are not conducive to encouraging future two-storey development by promoting desirable outcomes and on-site amenity.
- 10.256 I note here that the submitter did not seek consequential relief to delete the rule which provides for comprehensive development within the zone (LRZ-R12), only the bulk and location provisions associated with this form of development. As I have recommended that this activity be retained, and in the absence of an alternative suite of bulk and location provisions, I recommend that this submission point be rejected.
- 10.257 Kāinga Ora<sup>257</sup> requests that, as a consequential relief to their submission point in relation to LRZ-R12, LRZ-REQ12 be deleted. As I have recommended that [LRZ-R12](#) be retained, I recommend that this submission point be rejected.

<sup>255</sup> DPR-0207.062 SDC

<sup>256</sup> DPR-0409.027 Hughes

<sup>257</sup> DPR-0414.287 Kāinga Ora

### ***Recommendation and amendments***

- 10.258 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend LRZ-REQ12, as shown in **Appendix 2**, to improve clarity to plan users.
- 10.259 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 10.260 The scale of change does not require a s32AA evaluation.

### **LRZ-REQ13 Retirement Village**

#### ***Submissions***

- 10.261 Six submission points were received in relation to LRZ-REQ13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	288	Support	Retain as notified
DPR-0424	RVA	025	Oppose	<p>Amend as follows:</p> <p>1. Any retirement village shall:</p> <p>a. not exceed a maximum building coverage of 45% of net site area;</p> <p>b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height;</p> <p>c. be setback a minimum of:</p> <p>i. 3m from a road frontage or shared accessway; and</p> <p>ii. 2m from any other boundary,</p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m; and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></p> <p><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></p> <p><del>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del></p> <p><del>i. is located behind the front façade of the residential unit;</del></p> <p><del>ii. has a minimum horizontal dimension of 1.5m; and</del></p> <p><del>iii. has a minimum area of 12.5m<sup>2</sup>.</del></p> <p>...</p> <p>2. When compliance with any of LRZ-REQ13.1. is not achieved: <del>DIS</del><u>RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>3. The exercise of discretion in relation to LRZ-REQ13.1. is restricted to the following matters:</u></p> <p><u>RESZ-MATXX Retirement Village</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	026	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0425	Ryman	025	Oppose	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>1. Any retirement village shall: <ol style="list-style-type: none"> <li>a. not exceed a maximum building coverage of 45% of net site area;</li> <li>b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height;</li> <li>c. be setback a minimum of: <ol style="list-style-type: none"> <li>i. 3m from a road frontage or shared accessway; and</li> <li>ii. 2m from any other boundary,</li> </ol> </li> <li>d. <del>provide each residential unit with an outdoor living space that:</del> <ol style="list-style-type: none"> <li>i. <del>is directly accessible from the main living space;</del></li> <li>ii. <del>has a minimum horizontal dimension of 2.5m;</del> and</li> <li>iii. <del>has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></li> <li>iv. <del>has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></li> <li>v. <del>has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></li> <li>e. <del>provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del> <ol style="list-style-type: none"> <li>i. <del>is located behind the front façade of the residential unit;</del></li> <li>ii. <del>has a minimum horizontal dimension of 1.5m;</del> and</li> <li>iii. <del>has a minimum area of 12.5m<sup>2</sup>.</del></li> </ol> </li> </ol> </li> <li>...</li> <li>2. When compliance with any of LRZ-REQ13.1. is not achieved: <del>DISRDIS</del> <u>Matters for discretion:</u></li> <li><u>3. The exercise of discretion in relation to LRZ-REQ13.1. is restricted to the following matters:</u> <u>RESZ-MATXX Retirement Village</u></li> </ol> </li></ol>
DPR-0425	Ryman	026	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0447	Barton Fields	006	Support In Part	<p>Amend LRZ-REQ13 Retirement Village to read:</p> <ol style="list-style-type: none"> <li>1. Any retirement village shall: <ol style="list-style-type: none"> <li>a. not exceed a maximum building coverage of <del>45%</del> <u>50%</u> of net site area;</li> <li>b. ....</li> <li>c. be setback a minimum of: <ol style="list-style-type: none"> <li>i. 3m from a road frontage or shared accessway <del>except where sites have two road boundaries;</del> and</li> </ol> </li> </ol> </li> </ol>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>ii. 2m from any other boundary <u>where the site adjoins another site,</u></p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m; and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></p> <p><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></p> <p>e. provide each residential unit with one or more bedrooms at ground floor level with <del>an additional</del> service, storage, and waste management area that:</p> <p>i. ....</p>

### Analysis

- 10.262 RVA and Ryman<sup>258</sup> consider that internal built form controls should not be applied to retirement villages, as these are designed for typical residential units and are not an appropriate or necessary tool for retirement villages. As such, they seek the deletion of the elements of the provision that relation to outdoor living space and service, storage, and waste management areas. The submitters also request that the activity status for a breach of these provisions be amended from DIS to RDIS, and that the assessment should focus on the effect of that breach. The submitters also seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.
- 10.263 The submitters<sup>259</sup> also consider that there should be a presumption of non-notification for a retirement village that meets all relevant built form rule requirements and a presumption of no more than limited notification to affected neighbours in cases of breach of any development control that directly affects the relevant neighbours.
- 10.264 Barton Fields<sup>260</sup> considers that the provision as notified is not appropriate for retirement villages which are developed either as unit title developments or through a licensed to occupy. The submitter also considered that the proposed building coverage is inappropriate; that the outdoor living space requirements should be removed; and that there should be minor modification to the setback and additional storage area requirements.
- 10.265 I consider that it is important that the PDP manages on-site amenity for this form of development, as much as it does for any other form of residential activity. As such, I consider that it is appropriate that the PDP provides guidance to all plan users, be they proponents,

<sup>258</sup> DPR-0424.025 RVA and DPR-0425.025 Ryman

<sup>259</sup> DPR-0424.026 RVA and DPR-0425.026 Ryman

<sup>260</sup> DPR-0447.006 Barton Fields

neighbours, or administrators, on the appropriate quantum of built form of this form of development, as much as it does for any other form of activity within residential zones.

- 10.266 I consider that the quantum of outdoor living space required in relation to retirement villages acknowledges that a lessor area is generally required by residents compared to traditional residential activities. However, I acknowledge that the nature of this activity is such that outdoor living space is generally provided on a communal basis. As such I recommend that the provision be amended to reflect this.
- 10.267 I also acknowledge that retirement villages may not operate a waste collection service that utilises the three bins system provided by Council. However, I consider that there is still a need to ensure that each residential unit is provided with an area that is appropriately sized to locate a waste bin, have a clothesline, or store items more appropriately located outdoors. As such, I consider that this element of the provision should be retained, but I also consider that this area could be provided on a communal basis e.g. the central location of waste bins, so have recommended an amendment in this regard.
- 10.268 I do not agree with the suggest from Barton Fields that the bulk and location standards are not appropriate as this form of residential activity has a different title arrangement to traditional residential development. Rather, I consider that this make it more important that each unit can be provided with an appropriate outdoor living space so as to ensure that, if an any time in the future it was to be created as an independent site in its own right, the associated residential unit is provided with a sufficient level of on-site amenity.
- 10.269 I therefore recommend that, in relation to these elements of their submissions, the submission points of RVA, Ryman and Barton Fields are accepted in part.
- 10.270 In terms of the submission points from RVA and Ryman in relation to the activity status arising from a breach of one of the bulk and location provisions, I consider that it is appropriate that a RDIS activity status be applied, consistent with the approach of the PDP.
- 10.271 In terms of the submission points from these submitters regarding a presumption of non-notification, I consider that, as with any other breach of a bulk and location provisions within the PDP, the RMA notification tests allow for non-notification where it is appropriate, or a level of notification appropriate to the application, which is a matter of fact and degree. As such, I consider that it would be inappropriate to prevent those who may be adversely affected by a particular proposal from having the opportunity to participate in the process. I recommend that this element of the submission points be rejected.
- 10.272 Kāinga Ora<sup>261</sup> requests that LRZ-R13 be retained as notified. I recommend that this submission point be accepted in part as I have recommended changes to this provision.

#### ***Recommendation and amendments***

- 10.273 I recommend that, for the reasons given above, the Hearing Panel:

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<sup>261</sup> DPR-0414.288 Kāinga Ora

- a) amend LRZ-REQ13, as shown in **Appendix 2**, to enable outdoor living space areas to be provided communally and to recognise that the effects of a breach of a bulk and location standard are well understood.

10.274 I recommend that the original submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.

10.275 The scale of change does not require a s32AA evaluation.

#### **LRZ-REQ14 Variety in Appearance**

##### ***Submissions***

10.276 Two submission points were received in relation to LRZ-REQ14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0409	Hughes	028	Oppose	Delete as notified
DPR-0414	Kāinga Ora	289	Oppose	Delete as notified

##### ***Analysis***

10.277 Hughes<sup>262</sup> considers that design outcomes can be frustrated by the subjective nature of this provision and that it also has the potential to add a premium to building costs which can impact the affordability of housing.

10.278 Kāinga Ora<sup>263</sup> considers that this provision addresses design matters and are more appropriate as matters for control or discretion.

10.279 This rule requirement is only applied to those forms of residential activities that are likely to be developed in a coordinated way, being retirement villages and comprehensive developments. While a certain level of conformity in these larger scale residential developments is anticipated, I consider that variation in appearance assists in the internal legibility of these developments, allowing for individual houses to be distinguish from one another, creating a sense of identity for residents. Further I consider that, when viewed from the public realm, this provision assists in contributing to an attractive street scene, creating visual interest.

10.280 Therefore, for the reasons above, I recommend that these submission points be rejected.

##### ***Recommendation***

10.281 I recommend that the Hearing Panel retain LRZ-REQ14 as notified.

10.282 I recommend that the original submission points are rejected as shown in **Appendix 1**.

#### **LRZ-REQ15 Outdoor Storage**

##### ***Submissions***

10.283 One submission point was received in relation to LRZ-REQ15

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	290	Support	Retain as notified

<sup>262</sup> DPR-0409.028 Hughes

<sup>263</sup> DPR-0414.289 Kāinga Ora



**Analysis**

- 10.284 Kāinga Ora<sup>264</sup> requests that LRZ-REQ15 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 10.285 I recommend that the Hearing Panel retain LRZ-REQ15 as notified.
- 10.286 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**Low Density Residential Zone Chapter Generally****Submissions**

- 10.287 Two submission points were received in relation to the LRZ chapter generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	358	Support	Retain as notified
DPR-0384	RIDL	365	Support	Retain as notified.

**Analysis**

- 10.288 RWRL and RIDL<sup>265</sup> request that the provisions of the LRZ chapter be retained as notified. While the support is noted, as I have recommended a number of amendments to various provisions arising from the consideration of other submission points, I recommend that these submission points be accepted in part. I do not consider that any of the amendments proposed significantly alter the intent of the chapter as notified.

**Recommendation**

- 10.289 I recommend that, for the reason given above, the submission points are accepted in part by the Hearing Panel, as shown in **Appendix 1**.

**11. General Residential Zone****Introduction**

- 11.1 This section addresses all the submission points received in relation to the General Residential Zone (GRZ) chapter of the PDP.
- 11.2 As notified, the GRZ has been applied in townships that fall within the Greater Christchurch area that also have one or more commercially zoned areas. An exception to this is Castle Hill which, while not located in the Greater Christchurch area, has been developed at densities that are more consistent with that of the GRZ than any other zone. This zone is intended to accommodate denser forms of development and is also seen as a zone that can provide a range of housing typologies to meet the diverse needs of the community.

<sup>264</sup> DPR-0414.290 Kāinga Ora

<sup>265</sup> DPR-0358.358 RWRL and DPR-0384.365 RIDL

## Overview

### Submissions

- 11.3 Four submission points and six further submission points were received in relation to GRZ-Overview.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0375	Waka Kotahi	184	Support	Retain as notified.
DPR-0414	Kāinga Ora	291	Support	Retain as notified
DPR-0209	Manmeet Singh	FS205	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1057	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS296	Oppose In Part	Reject submission
DPR-0492	Kevler	FS633	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS281	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS148	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	005	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.
DPR-0425	Ryman	005	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.

### Analysis

- 11.4 RVA and Ryman<sup>266</sup> request that the GRZ-Overview be amended to recognise the role of retirement villages in providing for an ageing population, and that the nature and effects of retirement villages are different to other higher density residential activities. The purpose of the overview is to identify the general characteristics of the zone, including the range of activities that are considered appropriate within the zone. While the Overview does not explicitly recognise retirement villages, it does identify that higher density development is envisaged within the zone, including a variety of housing typologies to meet the needs of the community. As such, I recommend that these submission points be rejected.

<sup>266</sup> DPR-0424.005 RVA and DPR-0425.005 Ryman

- 11.5 Waka Kotahi and Kāinga Ora<sup>267</sup> request that GRZ-Overview be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 11.6 I recommend that the Hearing Panel retain the GRZ-Overview as notified.
- 11.7 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**Objectives**

**Submissions**

- 11.8 Four submission points and 15 further submission points were received in relation to GRZ-O1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	024	Support	Retain as notified
DPR-0358	RWRL	359	Support	Retain as notified
DPR-0209	Manmeet Singh	FS564	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS524	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS565	Support In Part	Accept submission in part
DPR-0492	Kevler	FS453	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS546	Support In Part	Accept the submission in part.
DPR-0384	RIDL	366	Support	Retain as notified
DPR-0414	Kāinga Ora	292	Support In Part	Amend as follows: <u>Development within the General Residential Zone is in keeping with the planned provides a quality, urban residential amenity and a range of residential unit typologies to meet the diverse needs of the community, at higher densities than anticipated in all other residential zones built form of predominantly two storey buildings, in a variety of housing typologies and sizes.</u>
DPR-0209	Manmeet Singh	FS207	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1058	Oppose In Part	Reject submission
DPR-0358	RWRL	FS282	Support	Adopt
DPR-0384	RIDL	FS282	Support	Adopt
DPR-0424	RVA	FS001	Oppose	Retain GRZ-O1 as notified.
DPR-0425	Ryman	FS001	Oppose	Retain GRZ-O1 as notified.
DPR-0461	Dunweavin	FS297	Oppose In Part	Reject submission
DPR-0492	Kevler	FS634	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS282	Oppose In Part	Reject the submission points in part.

<sup>267</sup> DPR-0375.184 Waka Kotahi and DPR-0414.291 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0565	SSHL	FS149	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.9 Kāinga Ora<sup>268</sup> considers that the provision should be amended to recognise the evolving character of the zone compared to existing development under the Operative Plan. Having regard to my reasoning on RESZ-O1, I consider that the planned built urban form is established by the permitted standards within the zone, therefore I do not see a need to refer to this in the objective. I therefore recommend that this submission point be rejected.
- 11.10 Summerset, RWRL and RIDL<sup>269</sup> request that GRZ-O1 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 11.11 I recommend that the Hearing Panel retain GRZ-O1 as notified.
- 11.12 It is recommended that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### Policies

### Submissions

- 11.13 Five submission points and 15 further submission points were received in relation to GRZ-P1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	027	Support	Retain as notified
DPR-0358	RWRL	360	Support	Retain as notified
DPR-0209	Manmeet Singh	FS565	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS525	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS5656	Support In Part	Accept submission in part
DPR-0492	Kevler	FS454	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS547	Support In Part	Accept the submission in part.
DPR-0375	Waka Kotahi	185	Support	Retain as notified.
DPR-0384	RIDL	367	Support	Retain as notified
DPR-0414	Kāinga Ora	293	Support In Part	Amend as follows: Enable residential development which <u>is in keeping with the planned urban built form of predominantly two storey buildings, in a variety of</u>

<sup>268</sup> DPR-0414.292 Kāinga Ora

<sup>269</sup> DPR-0217.024 Summerset, DPR-0358.359 RWRL and DPR-0384.366 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<del>housing typologies and sizes provides a range of housing typologies that are consistent with a compact urban character by managing the density of development and the scale and on-site amenity of the built form.</del>
DPR-0209	Manmeet Singh	FS208	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1059	Oppose In Part	Reject submission
DPR-0358	RWRL	FS283	Support	Adopt
DPR-0384	RIDL	FS283	Support	Adopt
DPR-0424	RVA	FS002	Oppose	Retain GRZ-P1 as notified.
DPR-0425	Ryman	FS002	Oppose	Retain GRZ-P1 as notified.
DPR-0461	Dunweavin	FS298	Oppose In Part	Reject submission
DPR-0492	Kevler	FS635	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS283	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS150	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.14 Kāinga Ora<sup>270</sup> considers that the provision should be amended to recognise the evolving character of the zone compared to existing development under the Operative Plan and to delete repetition with the general policies for the residential zones. Having regard to my reasoning on RESZ-O1, I consider that the planned built urban form is established by the permitted standards within the zone, therefore I do not see a need to refer to this in this provision. I therefore recommend that this submission point be rejected.
- 11.15 Summerset, RWRL, Waka Kotahi, and RIDL<sup>271</sup> request that GRZ-P1 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 11.16 I recommend that the Hearing Panel retain GRZ-P1 as notified.
- 11.17 It is recommended that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>270</sup> DPR-0414.293 Kāinga Ora

<sup>271</sup> DPR-0217.027 Summerset, DPR-0358.360 RWRL, DPR-0375.185 Waka Kotahi, and DPR-0384.367 RIDL

## Rules

**GRZ-R1 Residential Activity****Submissions**

11.18 One submission point and six further submission points were received in relation to GRZ-R1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	294	Support	Retain as notified
DPR-0209	Manmeet Singh	FS209	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1060	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS299	Oppose In Part	Reject submission
DPR-0492	Kevler	FS636	Oppose In Part	Reject submission points in part
DPR-0493	Gallina and Heinz-Wattie	FS284	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS151	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

11.19 Kāinga Ora<sup>272</sup> requests that GRZ-R1 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

11.20 I recommend that the Hearing Panel retain GRZ-R1 as notified.

11.21 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R2 Residential Unit or other Principal Building****Submissions**

11.22 One submission point and eight further submission points were received in relation to GRZ-R2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	295	Oppose	Amend as follows: Activity status: PER 1. The establishment of, or the addition/external alteration to, a residential unit or other principal building. Where: a. no more than <del>one</del> <u>two</u> residential units or other principal buildings, <del>is</del> <u>are</u> established on the site. And this activity complies with the following rule

<sup>272</sup> DPR-0414.294 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>requirements:</p> <p>...</p> <p><del>GRZ-REQ8 Presentation to the Street</del></p> <p>...</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of GRZ-R2.1. is not achieved: refer GRZ-R2.4.<del>or GRZ-R2.8.</del></p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to GRZ-Rule Requirements</p> <p>Activity status: RDIS</p> <p>4. The establishment of,<del>or the addition/external alteration to, a second</del> <u>three or more</u> residential units, or other principal buildings, on the site</p> <p><del>Where:</del></p> <p><del>a. the site has a minimum net site area of 1000m<sup>2</sup>.</del></p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p><del>GRZ-REQ8 Presentation to the Street</del></p> <p>...</p> <p>Matters for discretion:</p> <p>5. The exercise of discretion in relation to GRZ-R2.5 is restricted to the following matters:</p> <p>1. RESZ-MAT1 Residential Design</p> <p>2. RESZ-MAT8 Second Residential Unit</p> <p>3. NH-MAT3 Geotechnical Considerations</p> <p>Activity status when compliance not achieved:</p> <p><del>6. When compliance with any of GRZ-R2.5. is not achieved: DIS</del></p> <p>7. When compliance with any rule requirement listed in this rule is not achieved: Refer to GRZ-Rule Requirements.</p> <p><del>Activity Status: NC</del></p> <p><del>8. The establishment of a third or subsequent residential unit or other principal building on the site.</del></p> <p><u>Notification:</u></p> <p><u>Any application for a Residential unit or principal building pursuant to GRZ-R2 that complies with GRRZ-REQ3 Height and GRRZ-REQ5 Setback of Buildings and Structures shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</u></p>
DPR-0209	Manmeet Singh	FS210	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1061	Oppose In Part	Reject submission
DPR-0358	RWRL	FS284	Support	Adopt
DPR-0384	RIDL	FS284	Support	Adopt

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS300	Oppose In Part	Reject submission
DPR-0492	Kevler	FS637	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS285	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS152	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.23 Kāinga Ora<sup>273</sup> opposes the activity as proposed and seeks amendments consistent with their overall position on providing for urban growth and intensification in Selwyn, consistent with the NPS-UD. In particular, the submitter seeks “the release of density within the GRZ to enable intensification and variation in housing typologies” and considers that amenity and character outcomes are managed through standards that define a building envelope rather than density provisions. As such, the submitter requests that the provision be amended to enable up to two residential units per site as a PER activity and three or more residential units as an RDIS activity.
- 11.24 It is challenging to consider this submission point without having regard to the recent changes to the RMA to introduce MDRS which achieve a similar outcome as that requested by this submission point. I consider that those areas of the district where the submitter was mostly seeking this amendment are now included within Variation 1 and have had this outcome directed by government. As such, I consider that this submission point is now moot and consider that it should be rejected accordingly.
- 11.25 There are still areas within the district that have a GRZ zoning that are not affected by Variation 1, such as in West Melton and Castle Hill. In these areas, I do not consider that the outcome sought by this submission point are appropriate. I do not imagine that the submitter considers that Castle Hill would meet the criteria for intensification within the NPS-UD, and the Council<sup>274</sup> has specifically excluded West Melton from Variation 1 on the basis that it is also not suitable for intensification.
- 11.26 However, the submitter has also requested the rezoning of areas to GRZ within other townships that are outside of the reach of the Variation, such as Darfield and Leeston. And there is also the possibility that the Variation is not progressed or approved, in which case, there is still a need to consider the substance of this submission point.
- 11.27 On balance, I recommend that this submission point be rejected.

<sup>273</sup> DPR-0414.295 Kāinga Ora

<sup>274</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0013/1240123/Council-Report-Variation-EHS.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0013/1240123/Council-Report-Variation-EHS.pdf)



- 11.28 I consider that the provision as notified does allow for the intensification of sites and seeks to manage the effects of such through the consideration of the various rule requirements related to the bulk and location of development. Further, I consider that a variety of housing typologies is provided for through other provisions in the PDP, such as minor residential units, small site development and comprehensive development. I also consider that the minimum net site area and minimum average net site area provisions with the Subdivision chapter, the quantum of which the submitter did not submit on, are such that they provide for a density of development consistent with the outcome sought by UG-P13, as recommended be amended in the Urban Growth Right of Reply, in relation to areas within Greater Christchurch.
- 11.29 The submitter also requests that the provision be amended such that a residential unit or other principal building is not subject to the rule requirement related to presentation to the street, as a consequential relief to their submission point in relation to this rule requirement. For the reasons set out in relation to [GRZ-REQ8](#), I recommend that this element of the submission point be rejected.
- 11.30 The submitter also requests that a specific non-notification clause be included to ensure that buildings that comply with the height (GRZ-REQ3) and setback (GRZ-REQ5) rule requirements shall not require the written consent of affected persons and shall not be subject to any form of notification. For the reasons set out in relation to [LLRZ-R2](#), I recommend that this element of the submission point be rejected.

#### ***Recommendation***

- 11.31 I recommend that the Hearing Panel retain GRZ-R1 as notified.
- 11.32 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **GRZ-R3 Minor Residential Unit**

#### ***Submissions***

- 11.33 Eight submission points and seven further submission points were received in relation to GRZ-R3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0030	Elizabeth Owen	003	Support	Retain as notified
DPR-0051	Prateek Sharma	001	Support	Retain rules that allow minor residential units (family flats) without the requirement that only family members can live in them.
DPR-0078	Ian Laurenson	009	Support	Requests that rule has immediate legal effect.
DPR-0100	Annette Shankie	003	Support	Retain as notified.
DPR-0204	JP Singh	020	Support	Retain as notified
DPR-0285	AJ Bennett	001	Support	Retain as notified
DPR-0553	Paul Rutherford	FS002	Support In Part	Allow Submission Point in Part
DPR-0414	Kāinga Ora	296	Support In Part	Amend as follows: 1. The establishment of, or addition/ external alterations to, a minor residential unit. ... And this activity complies with the following rule

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				requirements: ... <del>GRZ-REQ8 Presentation to the Street</del> ...
DPR-0209	Manmeet Singh	FS211	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1062	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS301	Oppose In Part	Reject submission
DPR-0492	Kevler	FS638	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS286	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS153	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0463	Katie Bootsma	003	Support	Retain as notified.

### Analysis

- 11.34 Ian Laurenson<sup>275</sup> requests that GRZ-R3 has immediate legal effect. As this rule does not seek to protect any of the matters identified in s86B(3) of the Act, it cannot have immediate effect on notification of the PDP. As such, it can only have legal effect once decision on submissions have been made. I recommend that this submission point be rejected.
- 11.35 Kāinga Ora<sup>276</sup> requests that the provision be amended such that it is not subject to the rule requirement related to presentation to the street (GRZ-REQ8), as a consequential relief to their submission point in relation to this rule requirement. For the reasons set out in relation to [GRZ-REQ8](#), I recommend that this submission point be rejected.
- 11.36 Elizabeth Owen, Prateek Sharma, Annette Shankie, JP Singh, AJ Bennett, and Katie Bootsman<sup>277</sup> request that GRZ-R3 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 11.37 I recommend that the Hearing Panel amend GRZ-R3 for the reasons discussed in relation to [RESZ-P8](#).
- 11.38 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>275</sup> DPR-0078.009 Ian Laurenson,

<sup>276</sup> DPR-0414.296 Kāinga Ora

<sup>277</sup> DPR-0030.003 Elizabeth Owen, DPR-0051.001 Prateek Sharma, DPR-0100.003 Annette Shankie, DPR-0204.020 JP Singh, DPR-0285.001 AJ Bennett, and DPR-0463.003 Katie Bootsma

**GRZ-R4 Accessory Building****Submissions**

11.39 One submission point and six further submission points were received in relation to GRZ-R4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	297	Support	Retain as notified
DPR-0209	Manmeet Singh	FS212	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1063	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS302	Oppose In Part	Reject submission
DPR-0492	Kevler	FS639	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS287	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS154	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

11.40 Kāinga Ora<sup>278</sup> requests that GRZ-R4 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

11.41 I recommend that the Hearing Panel retain GRZ-R4 as notified.

11.42 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R5 Any structure not otherwise listed in GRZ-Rule List****Submissions**

11.43 One submission point and six further submission points were received in relation to GRZ-R5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	298	Support	Retain as notified
DPR-0209	Manmeet Singh	FS213	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1064	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS303	Oppose In Part	Reject submission
DPR-0492	Kevler	FS640	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS288	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS155	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street

<sup>278</sup> DPR-0414.297 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>including no. 30 George Street &amp; any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### Analysis

- 11.44 Kāinga Ora<sup>279</sup> requests that GRZ-R5 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.45 I recommend that the Hearing Panel retain GRZ-R5 as notified.
- 11.46 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### GRZ-R6 Fencing

#### Submissions

- 11.47 Ten submission points and 19 further submission points were received in relation to GRZ-R6.
- 11.48 This provision comprises of two components. The first component manages fencing in the GRZ whereas the second manages fencing in the SCA-AD2 which is applied to Castle Hill.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0005	Jessica Graham	001	Oppose	Either retain the fencing rules in the operative district plan, where a boundary fence on a corner section along a secondary road may be up to 1.8m in height, or requests that if the rules change, only enforce the rule for new fences only, not existing ones.
DPR-0108	Jaclyn Phillott	006	Oppose In Part	Amend to a maximum height of 1.8m with minimum spacings of 20mm between fence palings to allow for slight visibility, but also maintain privacy especially for houses on busy main roads or with heavy pedestrian use.
DPR-0398	Fletcher	006	Oppose In Part	Amend the provision so as to provide for a fence on a: - secondary boundary of a corner site to be a solid 1.8m high fence; and - road boundary or reserve boundary to 1.2m high.
DPR-0409	Hughes	021	Support In Part	In addition to reinstating the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence, amend provision as follows: 1. Any fence or freestanding wall Where: a. within 4m of any road boundary, is a maximum height of 1m <u>if solid and 1.2m where more than 50% visually permeable</u> ;

<sup>279</sup> DPR-0414.298 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>b. a site shares a boundary with a reserve: ...</p> <p>ii. the fence or freestanding wall shall be a maximum of: 1. 1m in height if solid; or 2. 1.8m in height where no more than 50% of the length of the reserve boundary of the site has fencing that is less than 50% visually permeable.</p> <p><del>the site shares a boundary with a reserve:</del></p> <p>c. ...</p> <p><u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u></p>
DPR-0209	Manmeet Singh	FS169	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS881	Support In Part	Accept submission in part
DPR-0358	RWRL	FS285	Support	Adopt
DPR-0384	RIDL	FS285	Support	Adopt
DPR-0461	Dunweavin	FS073	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS023	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS042	Support In Part	Accept submission in part.
DPR-0410	Urban Estates	007	Support In Part	<p>In addition to reinstating the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence, amend provision as follows:</p> <p>1. Any fence or freestanding wall Where: a. within 4m of any road boundary, is a maximum height of 1m <u>if solid and 1.2m where more than 50% visually permeable;</u> b. a site shares a boundary with a reserve: ...</p> <p>ii. the fence or freestanding wall shall be a maximum of: 1. 1m in height if solid; or 2. 1.8m in height where no more than 50% of the length of the reserve boundary of the site has fencing that is less than 50% visually permeable.</p> <p><del>the site shares a boundary with a reserve:</del></p> <p>c. ...</p> <p><u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u></p>
DPR-0414	Kāinga Ora	299	Support In Part	<p>Amend as follows: GRZ (excluding SCA-AD2)</p> <p>1. Any fence or freestanding wall Where: a. within 4m of any road boundary,:</p> <p>i. is a maximum height of <del>±</del><u>1.4m. or</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>ii. the fence or freestanding wall shall be a maximum of 1.8m in height if the fence or free-standing wall is at least 50 per cent visually open as viewed perpendicular to the road boundary.</p> <p>...</p>
DPR-0209	Manmeet Singh	FS214	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1065	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS304	Oppose In Part	Reject submission
DPR-0492	Kevler	FS641	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS289	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS156	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0414	Kāinga Ora	300	Support	Retain as notified
DPR-0209	Manmeet Singh	FS215	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1066	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS305	Oppose In Part	Reject submission
DPR-0492	Kevler	FS642	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS290	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS157	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0442	CHCA	016	Support In Part	Requests that GRZ-R6.1 be extended to apply to Castle Hill Village in addition to GRZ-R6.4
DPR-0456	Four Stars & Gould	007	Oppose	<p>Amend as follows:</p> <p>4. Any fence or freestanding wall</p> <p>Where:</p> <p>a. it is a <del>temporary netting</del> fencing erected to contain stock, pets, or children; or</p> <p>....</p>
DPR-0456	Four Stars & Gould	020	Oppose	<p>Amend as follows:</p> <p>1. Any fence or freestanding wall</p> <p>Where:</p> <p>a. within 4m of any road boundary, is a maximum height of 1m except:</p> <p><u>i. Where the adjoining road is an arterial or collector road in which case the alternative design solution can apply:</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>- the fencing is 1.8m high and a minimum of 50% transparent; or</p> <p>- the fencing is 1.8m high for a maximum of 70% of the road frontage with a minimum of 30% transparency and fencing for the remainder of the frontage is no higher than 1.2m;</p> <p>ii. For small site development located on the south side of subdivision roads in which the alternative design solution can apply:</p> <p><u>Fence and Landscaping Details</u></p> <p>iii. The remainder of the site frontage shall be unfenced and remain visually open to ensure passive surveillance and a sense of openness is achieved;</p> <p>iv. All fencing, where located between the road boundary and the front of the dwelling shall not exceed 1.8m, shall be 50% visually permeable above 1.2m in height to enable passive surveillance over the public environment from internal spaces and outdoor areas and shall include an access gate.</p> <p>v. Where road frontage fencing is proposed, there shall be a planting strip up to 1m wide between the front fence and front boundary planted with evergreen species capable of reaching at least 500mm in height. The landscaping between the fencing and the road boundary shall be maintained at a height not exceeding 1.2 metres, to maintain passive surveillance and an open streetscene. The planting within the landscaping strip shall be retained and maintained in perpetuity by the owner/occupier, with any dead or diseased landscaping replaced in the next available planting season with a similar/equivalent species.</p> <p>....</p>

### Analysis

- 11.49 Jessica Graham<sup>280</sup> requests that current fencing rules be retained which, in relation to corner sites, permit a fence up to 1.8m in height along a secondary boundary.
- 11.50 Jaclyn Phillott<sup>281</sup> request that the maximum height of fencing be increased to 1.8m, but that it be of an open nature to allow for both visibility and privacy.
- 11.51 Fletcher<sup>282</sup> requests that the height of a solid fence on a boundary with a reserve be increased to 1.2m and that the road fencing requirement should be similarly increased. They also request that

<sup>280</sup> DPR-0005.001 Jessica Graham

<sup>281</sup> DPR-0108.006 Jaclyn Phillott

<sup>282</sup> DPR-0398.006 Fletcher

the provision enable a solid 1.8m high fence on a secondary boundary to accommodate for private outdoor space.

- 11.52 Hughes and Urban Estates<sup>283</sup> request several amendments to the provision including that:
- it provides for the ability to have a 1.8m high fence on a secondary boundary of a corner site, to provide for private outdoor living space, particularly for those sites where one of the road boundaries is on the northern or western side of the residential unit.
  - additional height be permitted adjacent the road boundary where the fence is visually permeable to reflect the standard size of open style pool-type that can be readily purchased.
  - only applies to fences that are parallel to the boundary, not perpendicular.
- 11.53 These submitters also identified an error in LRZ-R6.1.b.ii.2 which has been addressed through a cl16(2) amendment, as set out in [Section 5](#).
- 11.54 Kāinga Ora<sup>284</sup> requests that the provision be amended to provide greater flexibility to provide for privacy to residential units while still enabling opportunities for passive surveillance of the street.
- 11.55 Four Stars & Gould<sup>285</sup> oppose the provision as notified and propose an amended provision which they consider to be a more appropriate approach, specific to circumstances such as sites located in arterial or collector roads, smaller sites, or where sites are provided on the southern side of roads.
- 11.56 For the reasons set out in relation to [LRZ-R6](#), I recommend that the submission points of Jessica Graham, Jaclyn Phillott, Fletcher, Hughes, Urban Estates, Kāinga Ora, and Four Stars & Gould are accepted in part.
- SCA-AD2
- 11.57 CHCA<sup>286</sup> supports the idea that fencing and hedges are limited within the Castle Hill Village area. While their submission requests that GRAZ-R6 be extended to Castle Hill Village, they state that *“the only fencing permitted be that contemplated by SCA-AD2”*. I interpret this to mean that they support GRZ-R6.4 as notified, therefore recommend that this submission point be accepted.
- 11.58 Four Stars & Gould<sup>287</sup> consider that the provision as notified has conflated several things under an undefined term and that the provision has no standard regarding height and location so is quite nonspecific. I consider that this provision could be clarified, so recommend that this submission point be accepted in part.
- 11.59 Kāinga Ora<sup>288</sup> also requests that GRZ-R6 related to SCA-AD2 be retained as notified. I recommend that this submission point be accepted in part as I have recommended a minor amendment.

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<sup>283</sup> DPR-0409.021 Hughes and DPR-0410.007 Urban Estates

<sup>284</sup> DPR-0414.299 Kāinga Ora

<sup>285</sup> DPR-0456.020 Four Stars & Gould

<sup>286</sup> DPR-0442.016 CHCA

<sup>287</sup> DPR-0456.007 Four Stars & Gould

<sup>288</sup> DPR-0414.300 Kāinga Ora



### ***Recommendation and amendments***

- 11.60 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-R6.a., as shown in **Appendix 2**, to provide greater flexibility in fencing while still enabling opportunities for passive surveillance of the street; and
  - b) amend GRZ-R6.1.b.ii.2., as shown in **Appendix 2**, for consistency; and
  - c) amend GRZ-R6.4.a., as shown in **Appendix 2**, for clarity.
- 11.61 I recommend that the original submission points and the further submission points are accepted or rejected in part as shown in **Appendix 1**.
- 11.62 The scale of change does not require a s32AA evaluation.

### **GRZ-R7 Relocated Building**

#### ***Submissions***

- 11.63 Two submission points and six further submission points were received in relation to GRZ-R7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0296	NZHHA	003	Oppose	<p>Amend Rule GRZ-R7 to provide for relocated, re-siting and removal of residential dwellings as a permitted activity and</p> <p>Insert new <u>Permitted Activity Standards</u>:</p> <p><u>a. Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.</u></p> <p><u>b. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.</u></p> <p><u>c. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include certification by the property owner that the reinstatement works shall be completed within the specified (12) month period.</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than (2) months of the building being moved to the site.</u></p> <p><u>e. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within (12) months of the building being delivered to the site. Without limiting (c) (above) reinstatement works is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p>and</p> <p>Insert a pre-inspection report in schedule 2 and</p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>Insert Rule: <u>Restricted Discretionary Activity (on a non-notified, non-service basis)</u></p> <p>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</p> <p>i) <u>proposed landscaping;</u></p> <p>ii) <u>the proposed timetable for completion for the work required to reinstate the exterior of the building and connections to services.</u></p>
DPR-0414	Kāinga Ora	301	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS216	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1067	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS306	Oppose In Part	Reject submission
DPR-0492	Kevler	FS643	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS291	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS158	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

11.64 The submissions of NZHHA and Kāinga Ora<sup>289</sup> in relation to GRZ-R7 are the same as for LLRZ-R7. In this regard, NZHHA requests that GRZ-R7 be amended to provide for relocated residential units as a permitted activity, subject to the same land use planning controls as new residential units, along with a number of additional standards which relate to obtaining a building consent, and a RDIS activity status where these are not able to be complied with and Kāinga Ora opposes the separate recognition of relocated buildings and request that the provision be deleted.

11.65 For the reasons given in relation to [LLRZ-R7](#), I recommend that the submission from NZHHA be rejected and that the submission from Kāinga Ora be accepted.

### Recommendation and amendments

11.66 I recommend that, for the reasons given above, the Hearing Panel:

- a) delete GRZ-R7, as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.

11.67 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>289</sup> DPR-0296.003 NZHHA and DPR-0414.301 Kāinga Ora

- 11.68 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

**GRZ-R8 Keeping of Animals**

***Submissions***

- 11.69 One submission point and six further submission points were received in relation to GRZ-R8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	302	Support	Retain as notified
DPR-0209	Manmeet Singh	FS217	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1068	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS307	Oppose In Part	Reject submission
DPR-0492	Kevler	FS644	Oppose In Part	Reject submission points in part
DPR-0493	Gallina and Heinz-Wattie	FS292	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS159	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

***Analysis***

- 11.70 Kāinga Ora<sup>290</sup> requests that GRZ-R8 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 11.71 I recommend that the Hearing Panel retain GRZ-R8 as notified.
- 11.72 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R9 Home business**

***Submissions***

- 11.73 One submission point and six further submission points were received in relation to GRZ-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	303	Support	Retain as notified
DPR-0209	Manmeet Singh	FS218	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1069	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS308	Oppose In Part	Reject submission
DPR-0492	Kevler	FS645	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS293	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS160	Support In Part	Support the submission subject to amendments to the MDRZ boundary at

<sup>290</sup> DPR-0414.302 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Rolleston to include properties on the east side of George Street including no. 30 George Street &amp; any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### **Analysis**

- 11.74 Kāinga Ora<sup>291</sup> requests that GRZ-R9 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 11.75 I recommend that the Hearing Panel retain GRZ-R9 as notified.
- 11.76 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R10 Supported Residential Accommodation**

#### **Submissions**

- 11.77 Two submission points and six further submission points were received in relation to GRZ-R10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	008	Support	Retain as notified
DPR-0414	Kāinga Ora	304	Support	Retain as notified
DPR-0209	Manmeet Singh	FS219	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1070	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS309	Oppose In Part	Reject submission
DPR-0492	Kevler	FS646	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS294	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS161	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

<sup>291</sup> DPR-0414.303 Kāinga Ora

### Analysis

- 11.78 Ara Poutama Aotearoa and Kāinga Ora<sup>292</sup> request that GRZ-R10 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 11.79 I recommend that the Hearing Panel retain GRZ-R10 as notified.
- 11.80 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R11 Small Site Development**

#### Submissions

- 11.81 Three submission points and eight further submission points were received in relation to GRZ-R11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	021	Support	Retain as notified
DPR-0207	SDC	058	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ... <u>GRZ-REQ6 Setback of Garages</u> ...
DPR-0414	Kāinga Ora	305	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS197	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1071	Oppose In Part	Reject submission
DPR-0358	RWRL	FS286	Oppose	Reject
DPR-0384	RIDL	FS286	Oppose	Reject
DPR-0461	Dunweavin	FS310	Oppose In Part	Reject submission
DPR-0492	Kevler	FS647	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS295	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS162	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.82 SDC<sup>293</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to GRZ-REQ11. For the

<sup>292</sup> DPR-0300.008 Ara Poutama Aotearoa and DPR-0414.304 Kāinga Ora

<sup>293</sup> DPR-0207.058 SDC

reasons set out in relation to [GRZ-REQ11](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to small site development.

- 11.83 Kāinga Ora<sup>294</sup> request that, as a consequential relief to their submission point in relation to GRZ-R2, this provision be deleted. They consider that providing for small site development with different rule requirements adds an additional layer of complexity and assessment to intensification at lower intensities (i.e. up to three dwellings per site). They consider that sufficient scope is available in the effects standards to assess the effects of any non-compliance. For the reasons set out in relation to [GRZ-R2](#), I recommend that this submission point be rejected.
- 11.84 JP Singh<sup>295</sup> request that GRZ-R11 be retained as notified. I recommend that this submission point be accepted in part as I have recommended a minor amendment.

#### **Recommendation and amendments**

- 11.85 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-R11, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.
- 11.86 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 11.87 The scale of change does not require a s32AA evaluation.

#### **GRZ-R12 Comprehensive Development**

##### ***Submissions***

- 11.88 Three submission points and eight further submission points were received in relation to GRZ-R12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	023	Support	Retain as notified
DPR-0207	SDC	064	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ... <a href="#">GRZ-REQ6 Setback of Garages</a> ...
DPR-0414	Kāinga Ora	306	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS220	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1072	Oppose In Part	Reject submission
DPR-0358	RWRL	FS287	Oppose	Reject
DPR-0384	RIDL	FS287	Oppose	Reject
DPR-0461	Dunweavin	FS311	Oppose In Part	Reject submission
DPR-0492	Kevler	FS648	Oppose In Part	Reject submission points in part

<sup>294</sup> DPR-0414.305 Kāinga Ora

<sup>295</sup> DPR-0204.021 JP Singh

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0493	Gallina & Heinz-Wattie	FS296	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS163	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.89 SDC<sup>296</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to GRZ-REQ12. For the reasons set out in relation to [GRZ-REQ12](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to comprehensive development.
- 11.90 Kāinga Ora<sup>297</sup> request that, as a consequential relief to their submission point in relation to GRZ-R2, this provision be deleted. They consider that providing for comprehensive development with different rule requirements adds an additional layer of complexity and assessment to intensification at higher intensities (i.e. over three dwellings per site). They consider that sufficient scope is available in the effects standards and matters of discretion to assess the effects of any proposal on the planned character and urban form of the zone. For the reasons set out in relation to [GRZ-R2](#), I recommend that this submission point be rejected.
- 11.91 JP Singh<sup>298</sup> requests that GRZ-R12 be retained as notified. I recommend that this submission point be accepted in part as I have recommended a minor amendment.

### Recommendation and amendments

- 11.92 I recommend that, for the reasons given above, the Hearing Panel:
- amend GRZ-R12, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.
- 11.93 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 11.94 The scale of change does not require a s32AA evaluation.

### **GRZ-R13 Retirement Village**

#### ***Submissions***

- 11.95 Eight submission points and eight further submission points were received in relation to GRZ-R13.

<sup>296</sup> DPR-0207.064 SDC

<sup>297</sup> DPR-0414.306 Kāinga Ora

<sup>298</sup> DPR-0204.023 JP Singh

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0192	Merf Ag Services & Reed	005	Oppose	Amend GRZ-R13 to remove GRZ-REQ14 Variety in Appearance
DPR-0204	JP Singh	026	Oppose	Amend as follows: 1. Any retirement village where this activity complies with the following rule requirements: ... <del>GRZ-REQ3 Height</del> GRZ-REQ4 Height in Relation to Boundary <del>GRZ-REQ8 Presentation to the Street</del> GRZ-REQ13 Retirement Village <del>GRZ-REQ14 Variety in Appearance</del>
DPR-0204	JP Singh	027	Oppose	Amend as follows: Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> ...
DPR-0217	Summerset	029	Oppose	Amend as follows: Where this activity complies with the following rule requirements: GRZ-REQ1 Servicing <del>GRZ-REQ3 Height</del> GRZ-REQ4 Height in Relation to Boundary <del>GRZ-REQ8 Presentation to the Street</del> GRZ-REQ13 Retirement Village <del>GRZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: a. <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> b. ...
<i>DPR-0447</i>	<i>Barton Fields</i>	<i>FS002</i>	<i>Support</i>	<i>Allow</i>
DPR-0414	Kāinga Ora	307	Support In Part	Amend as follows: 1. Any retirement village Where this activity complies with the following rule requirements: ... <del>GRZ-REQ8 Presentation to the Street</del> ... <del>GRZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: 1. <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del>
<i>DPR-0209</i>	<i>Manmeet Singh</i>	<i>FS221</i>	<i>Oppose In Part</i>	<i>Reject the submission in part</i>
<i>DPR-0298</i>	<i>Trices Road Group</i>	<i>FS1073</i>	<i>Oppose In Part</i>	<i>Reject submission</i>
<i>DPR-0461</i>	<i>Dunweavin</i>	<i>FS312</i>	<i>Oppose In Part</i>	<i>Reject submission</i>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0492	Kevler	FS649	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS297	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS164	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	027	Oppose	Amend as follows: Activity status: <del>RDISPER</del> 1. Any retirement village Where this activity complies with the following rule requirements: ... <del>GRZ-REQ8 Presentation to the Street</del> <del>GRZ-REQ10 Landscaping</del> <del>GRZ-REQ13 Retirement Village</del> <del>GRZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> <del>RESZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del> <del>RESZ-MATXX - Retirement Villages</del> NH-MAT3 Geotechnical Considerations
DPR-0217	Summerset	FS003	Support	Accept the Submission
DPR-0425	Ryman	027	Oppose	Amend as follows: Activity status: <del>RDISPER</del> 1. Any retirement village Where this activity complies with the following rule requirements: ... <del>GRZ-REQ8 Presentation to the Street</del> <del>GRZ-REQ10 Landscaping</del> <del>GRZ-REQ13 Retirement Village</del> <del>GRZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> <del>RESZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del> <del>RESZ-MATXX - Retirement Villages</del> NH-MAT3 Geotechnical Considerations
DPR-0447	Barton Fields	002	Support In Part	Amend GRZ-R13 to read: Activity status: RDIS 1. Any retirement village

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				Where this activity complies with the following rule requirements: .... <del>GRZ-REQ13 Retirement Village</del> ....
DPR-0447	Barton Fields	009	Oppose	Amend GRZ-R13 to read: Activity status: RDIS 1. Any retirement village .... Matters for discretion: 2. The exercise of discretion in relation to GRZ-R13.1. is restricted to the following matters: <del>a. RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> ....

### Analysis

- 11.96 Merf Ag Services & Reed<sup>299</sup> requests that the provision be amended such that it is exempt from the requirement relating to variety in appearance.
- 11.97 JP Singh<sup>300</sup> requests that this activity not be subject to the rule requirement related to height, as set out in GRZ-REQ3 as this is also addressed in GRZ-REQ13 which relates specifically to height associated with retirement villages. The submitter also considers that it is not necessary that this provision be subject to the rule requirements related to presentation to the street, or variety in appearance, as the RDIS activity status and matters of discretion applicable to GRZ-R13 enable urban design matters to be assessed.
- 11.98 Summerset<sup>301</sup> requests that, as a consequential relief to their submission related to the location of retirement villages (RESZ-MAT13), that this matter be deleted from the provision.
- 11.99 Kāinga Ora<sup>302</sup> requests that the provision be amended such that it is not subject to the rule requirements related to presentation to the street or variety in appearance, as a consequential relief related to their submission point in relation to these rule requirements. The submitter seeks a minor amendment as a consequential relief in relation their submission point related to RESZ-MAT13.
- 11.100 RVA and Ryman<sup>303</sup> request that retirement villages be recognised as a permitted activity, to make it clear to the surrounding community that such uses are part of the fabric of the residential zones and not challengeable in consenting processes. The submitters also request that this activity not be subject to the rule requirements related to presentation to the street, landscaping, or variety in appearance, as they consider that these provisions “*address concerns that may be applicable to other higher density residential activities, but which do not necessarily apply equally*”

<sup>299</sup> DPR-0192.005 Merf Ag Services & Reed

<sup>300</sup> DPR-0204.026 and 027 JP Singh

<sup>301</sup> DPR-0217.029 Summerset

<sup>302</sup> DPR-0414.307 Kāinga Ora

<sup>303</sup> DPR-0424.027 RVA and DRP-0425.027 Ryman

to retirement villages”. Finally, these submitters seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.

- 11.101 Barton Fields<sup>304</sup> request that provision not be subject to the requirement related to variety in appearance as they consider that retirement villages are designed to be cohesive to provide a sense of community within the village and that requiring building design to change for every 4 – 6 units is counter intuitive to this design philosophy. The submitter also requests an amendment to the matters applicable to this activity, as a consequential relief related to their submission point in that respect.
- 11.102 For the reasons set out in relation to [GRZ-REQ8](#), [GRZ-REQ10](#) and [GRZ-REQ14](#), I recommend that these elements of the above submission points be rejected.
- 11.103 In terms of the request from RVA and Ryman for this activity to be permitted, for the reasons set out in relation to [LRZ-R13](#), I recommend that these elements of the above submission point be rejected.
- 11.104 For the reasons set out in relation to [RESZ-MAT13](#) and [RESZ-MAT14](#), I recommend that these elements of the above submission points from JP Singh, Summerset, Kāinga Ora, RVA, Ryman and Barton Fields be rejected.
- 11.105 Finally, I recommend that the element of the submission point from JP Singh in relation to the inclusion of GRZ-REQ3 Height in the list of requirements be accepted as I consider that this is a drafting error. A cl16(2) amendment is recommended to rectify this.

### ***Recommendation***

- 11.106 I recommend that the Hearing Panel retain GRZ-R13 as notified, but it is subject to a cl 16(2) amendment being undertaken as identified above.
- 11.107 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R14 Visitor Accommodation**

#### ***Submissions***

- 11.108 Six submission points and six further submission points were received in relation to GRZ-R14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0113	Gerrad Frater	002	Support In Part	Amend to include additional rules to clarify the difference between home sharing and commercial accommodation in residential areas. Refer to original submission for full decision requested.
DPR-0119	Karen Meares	001	Support In Part	Amend the limit of five paying guests to increase to six paying guests.
DPR-0173	S & S Bensberg	001	Support	Retain as notified.
DPR-0204	JP Singh	030	Support	Retain as notified
DPR-0414	Kāinga Ora	308	Support	Retain as notified

<sup>304</sup> DPR-0447.003 and 010 Barton Fields

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0209	Manmeet Singh	FS222	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1074	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS313	Oppose In Part	Reject submission
DPR-0492	Kevler	FS650	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS298	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS165	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### **Analysis**

- 11.109 Gerrad Frater<sup>305</sup> requests that additional rules be included to clarify the difference between home sharing and commercial accommodation in residential areas. I consider that the PDP does this, by the inclusion of a definition and the incorporation of this provision. I therefore recommend that this submission point be rejected.
- 11.110 Karen Meares<sup>306</sup> requests that the number of guests permitted be increased to six. I consider that accommodating more than five paying guests would escalate the activity to the point where the scale of the activity becomes more obvious, with associated effects on the character and amenity of the residential area that should be considered through a consent process to consider if they still achieve the objectives and policies of the zone. I therefore recommend that this submission point be rejected.
- 11.111 S & S Bensberg, JP Singh, and Kāinga Ora<sup>307</sup> requests that GRZ-R14 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

- 11.112 I recommend that the Hearing Panel retain GRZ-R14 as notified.
- 11.113 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R15 Commercial Activities**

- 11.114 This provision comprises of two components. The first component manages commercial activities within PREC3, being a precinct designed to enable some commercial developments to establish

<sup>305</sup> DPR-0113.002 Gerrad Frater

<sup>306</sup> DPR-0119.001 Karen Meares

<sup>307</sup> DPR-0173.001 S & S Bensberg, DPR-0204.030 JP Singh and DPR-0414.308 Kāinga Ora

over time in the residential zoned area within the Rolleston Key Activity Centre. The second component manages commercial activities in the balance of the GRZ.

- 11.115 For ease of identification, the tables below group the submission points according to the component of the provision to which they relate.

PREC3 Rolleston Transitional Precinct

***Submissions***

- 11.116 77 submission points were received in relation to GRZ-R15.1, which relates to PREC3.
- 11.117 PREC3 relates to an area of residential properties located on Markham Way, Peel Close, Wilbur Close and Landor Common, Rolleston. While land within this precinct has been identified in various spatial planning documents<sup>308</sup> as transitioning to commercial activities over time, within the operative district plan the area has a residential zoning. The approach of the PDP has been to retain an underlying residential zoning but enable small scale commercial activities to establish more easily within this precinct than within the balance of the GRZ.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0037	Ross Liddicoat	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone
DPR-0039	Jennifer Hardy	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0040	Lucy Liu	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0054	Julie Westland	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0059	Dothery Hunter	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0064	James Richard Kendall	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0065	Linda Kathryn Kendall	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0073	Vicki Bool	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0075	Laura Rich	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0076	Stephen Rich	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0081	Trevor McIvor	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0084	Jason Hardy	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0086	Bevan Duke	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0087	Nico Van Der Zwet	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0089	Eddie Louis Wipere	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0090	Terina Keelan	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.

<sup>308</sup> [Rolleston Structure Plan](#) and [Rolleston Town Centre Masterplan](#)

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0091	Daniel Mladek	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0092	Blanka Mladek	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0102	Rowan Trauē	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0103	Joe Taipari	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0109	Linda Mclvor	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0110	Paula Michelle Rich	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0112	Nathan Bool	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0114	Li Lihua	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0115	Ni Ping	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0120	Ron Clark	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0121	Kenneth Wayne Scott	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0123	Sharon Scott	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0129	Michelle Leath	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0138	Helen Adrienne Hayes	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0146	Gregory Kenneth Frear	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3.
DPR-0148	Jenny McLean	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0151	Leslie Adamson	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0152	Maureen Dobbin	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0175	Philip Clement Dickie	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0193	Sonia Mooyman	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0194	Janice Norton	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0195	Allan Ogilvy	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0197	Pam Hoskins & Ron Koole	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0201	Melanie Hoskins	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0204	JP Singh	010	Support In Part	Retain PREC3 as notified
DPR-0218	Shane Wootton	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0225	Tonia Lowen	001	Oppose	Not specified

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0227	Craig Oliver	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0228	Jacinda McCarthy	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0229	Tracey Liddicoat	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0230	Courtney Oliver	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0235	Leah Munro	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0237	Milan Kucera	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0240	Jan-Liselle Mann	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0244	Darryl Gallagher	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0247	R Barnes	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0274	Nicholas & Melody Johnson	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0285	AJ Bennett	006	Oppose	Delete GRZ-R15 Commercial Activities PREC3 as notified.
DPR-0286	Barbara McKeage	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0288	Caitlyn Hardy	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0309	GJ Mills	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0310	Brent Heron	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0311	Jens Christensen	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0320	Ryan Roche	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0321	Kathy Dore	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0322	Mike Patterson	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0324	Aaron Harper	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0325	Clayton McKnight	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0326	Sue Allan	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0327	Hayden McLean	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0328	Mary Pannett	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0329	Godfrey Stanley Pannett	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0330	Tina Washington	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0331	David Bainbridge	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0332	Stephanie Crocker	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0333	Stephanie Crocker	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0334	Bob Humm	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0336	Simon Lamont	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0337	David Watson	001	Oppose	Delete GRZ-R15 Commercial Activities PREC3 and maintain General Residential Zone only.
DPR-0386	Rolleston Square Limited	002	Oppose In Part	Amend the Commercial Precincts Overlay to delete PREC3 as notified.
DPR-0475	RRA	003	Neither Support Nor Oppose	Not specified

### ***Analysis***

- 11.118 JP Singh<sup>309</sup> seeks that PREC3 is retained as notified, as this reflects the Rolleston Town Centre Masterplan, which earmarks land within this area for future retail expansion.
- 11.119 Rolleston Square Limited<sup>310</sup> considers that proposed precinct is not a sufficient step towards transitioning this residential 'enclave' into a productive part of the Rolleston town centre, in that it does not provide for either commercial uses appropriate to a town centre, in terms of built form, or that it preserves the amenity of the residential area for residents. The submitter considers that it would be more appropriate for the area to be zoned solely for residential use, with a deferred zoning being applied that would provide for it to become TCZ at a certain point in the future. The submitter considers that this would allow residents a reasonable degree of certainty to plan for their future, and would also allow for proper, planned commercial development in keeping with the town centre of Rolleston.
- 11.120 RRA<sup>311</sup> considers that the imposition of a transitional commercial activities zone rule is unfair and will cause unnecessary stress and hardships for the residents of that area.
- 11.121 The balance of the submitter above<sup>312</sup> request that PREC3 be deleted as they consider that enabling commercial activities within this area will have detrimental effects on the residential amenity of the area in term of car parking, traffic generation, noise, and lighting.

<sup>309</sup> DPR-204.010 JP Singh

<sup>310</sup> DPR-386.002 Rolleston Square Limited

<sup>311</sup> DPR-475.003 RRA

<sup>312</sup> DPR-0037.001 Ross Liddicoat, DPR-0039.001 Jennifer Hardy, DPR-0040.001 Lucy Liu, DPR-0054.001 Julie Westland, DPR-0059.001 Dothery Hunter, DPR-0064.001 James Richard Kendall, DPR-0065.001 Linda Kathryn Kendall, DPR-0073.001 Vicki Bool, DPR-0075.001 Laura Rich, DPR-0076.001 Stephen Rich, DPR-0081.001 Trevor McIvor, DPR-0084.001 Jason Hardy, DPR-0086.001 Bevan Duke, DPR-0087.001 Nico Van Der Zwet, DPR-0089.001 Eddie Louis Wipere, DPR-0090.001 Terina Keelan, DPR-0091.001 Daniel Mladek, DPR-0092.001 Blanka Mladek, DPR-0102.001 Rowan Trauë, DPR-0103.001 Joe Taipari, DPR-0109.001 Linda McIvor, DPR-0110.001 Paula Michelle Rich, DPR-0112.001 Nathan Bool, DPR-0114.001 Li Lihua, DPR-0115.001 Ni Ping, DPR-0120.001 Ron Clark, DPR-0121.001 Kenneth Wayne Scott, DPR-



- 11.122 I consider that PREC3 should be retained as notified. I consider that the inclusion of PREC3 within the PDP recognises that, as identified in various spatial planning documents, this area is to accommodate commercial activities over time but ensures that, as this transition occurs, the impact on the amenity of the residential area is managed by limiting the nature and scale of commercial activities through provisions relating to built form, noise, lighting, parking, and signage. Any development that is inconsistent with the relevant provisions would require a resource consent.
- 11.123 I note that the proposed conditions within PREC3 are the same as those in the operative district plan<sup>313</sup>, except for the number of full-time staff employed who live off-site.
- 11.124 Therefore, I recommend that the submission point of JP Singh be accepted, and the remaining submission points be rejected.

#### GRZ-R15.4

#### ***Submissions***

- 11.125 Three submission points and 14 further submission points were received in relation to GRZ-R15.4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	362	Support In Part	Amend activity status of GRZ-R15.4 to DIS rather than NC.
DPR-0084	Jason Hardy	FS001	Oppose	Delete Rule GRZ-R15 Commercial Activities, transitional precinct and maintain the status quo of General Residential Zone only for Markham Way, Peel Close, Wilbur Close and Landor Common properties.
DPR-0209	Manmeet Singh	FS567	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS528	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS568	Support In Part	Accept submission in part
DPR-0492	Kevler	FS456	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS549	Support In Part	Accept the submission in part.
DPR-0384	RIDL	369	Support In Part	Amend activity status of GRZ-R15.4 to DIS rather than NC.
DPR-0084	Jason Hardy	FS002	Oppose	Delete Rule GRZ-R15 Commercial Activities, transitional precinct and maintain the status quo of General Residential Zone only for Markham

0123.001 Sharon Scott, DPR-0129.001 Michelle Leath, DPR-0138.001 Helen Adrienne Hayes, DPR-0146.001 Gregory Kenneth Frear, DPR-0148.001 Jenny McLean, DPR-0151.001 Leslie Adamson, DPR-0152.001 Maureen Dobbin, DPR-0175.001 Philip Clement Dickie, DPR-0193.001 Sonia Mooyman, DPR-0194.001 Janice Norton, DPR-0195.001 Allan Ogilvy, DPR-0197.001 Pam Hoskins & Ron Koole, DPR-0201.001 Melanie Hoskins, DPR-0218.001 Shane Wootton, DPR-0225.001 Tonia Lowen, DPR-0227.001 Craig Oliver, DPR-0228.001 Jacinda McCarthy, DPR-0229.001 Tracey Liddicoat, DPR-0230.001 Courtney Oliver, DPR-0235.001 Leah Munro, DPR-0237.001 Milan Kucera, DPR-0240.001 Jan-Liselle Mann, DPR-0244.001 Darryl Gallagher, DPR-0247.001 R Barnes, DPR-0274.001 Nicholas & Melody Johnson, DPR-0285.006 AJ Bennett, DPR-0286.001 Barbara McKeage, DPR-0288.001 Caitlyn Hardy, DPR-0309.001 GJ Mills, DPR-0310.001 Brent Heron, DPR-0311.001 Jens Christensen, DPR-0320.001 Ryan Roche, DPR-0321.001 Kathy Dore, DPR-0322.001 Mike Patterson, DPR-0324.001 Aaron Harper, DPR-0325.001 Clayton McKnight, DPR-0326.001 Sue Allan, DPR-0327.001 Hayden McLean, DPR-0328.001 Mary Pannett, DPR-0329.001 Godfrey Stanley Pannett, DPR-0330.001 Tina Washington, DPR-0331.001 David Bainbridge, DPR-0332.001 Stephanie Crocker, DPR-0333.001 Stephanie Crocker, DPR-0334.001 Bob Humm, DPR-0336.001 Simon Lamont, and DPR-0337.001 David Watson

<sup>313</sup> Rule 10.8.1

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Way, Peel Close, Wilbur Close and Landor Common properties</i>
DPR-0414	Kāinga Ora	309	Support	Retain as notified
DPR-0084	Jason Hardy	FS003	Oppose	<i>Delete Rule GRZ-R15 Commercial Activities, transitional precinct and maintain the status quo of General Residential Zone only for Markham Way, Peel Close, Wilbur Close and Landor Common properties</i>
DPR-0209	Manmeet Singh	FS223	Oppose In Part	<i>Reject the submission in part</i>
DPR-0298	Trices Road Group	FS1075	Oppose In Part	<i>Reject submission</i>
DPR-0461	Dunweavin	FS314	Oppose In Part	<i>Reject submission</i>
DPR-0492	Kevler	FS651	Oppose In Part	<i>Reject submission points in part</i>
DPR-0493	Gallina & Heinz-Wattie	FS299	Oppose In Part	<i>Reject the submission points in part.</i>
DPR-0565	SSHL	FS166	Support In Part	<i>Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street &amp; any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### Analysis

- 11.126 RWRL and RIDL<sup>314</sup> consider that the activity status of GRZ-R15.4 should be amended, to recognise that some commercial activities may be appropriate within the zone and that a discretionary status would still provide for all effects and policy provisions to be assessed. Referring to the various baseline analysis<sup>315</sup> undertaken to support the PDP, I consider that an in-depth review was undertaken of the range of activities suitable within a residential zone, having regard not only to residential zones but also to the CMUZ, to ensure that the range of activities permitted within each zone was appropriate, having regard to their likely effects. In terms of commercial activities, these are to be avoided in residential zones to protect the character and amenity of these areas. Commercial activities, beyond the scale of home business activities, are more appropriately established in the CMUZ, with the exception being in the SETZ where there is a need to enable flexibility to for commercial activities to establish as the townships do not have a specific CMUZ. I consider that the PDP appropriately recognises those non-residential activities that are of a scale and intensity anticipated within a residential zone, and the adverse effects are adequately avoided, remedied, or mitigated, such as education facilities. I therefore recommend that these submission points be rejected.

<sup>314</sup> DPR-0358.362 RWRL and DPR-0384.369 RIDL

<sup>315</sup> For example: [Home Based Business Baseline Report December 2017](#), [Preferred Options Report Home Based Business Activities and Business Activities \(not home based\) in Living Zone June 2018](#), [Business Activities in Small Settlements May 2018](#), [Community and Recreation Facilities Baseline Report December 2017](#)

- 11.127 Kāinga Ora<sup>316</sup> requests that GRZ-R15 be retained as notified. As I am recommending an amendment to this provision, I recommend that this submission point be accepted in part.

**Recommendation and amendments**

- 11.128 I recommend that, for procedural reasons set out above, the Hearing Panel retain GRZ-R15 as notified.
- 11.129 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.

**GRZ-R16 Educational Facility**

**Submissions**

- 11.130 Three submission points and six further submission points were received in relation to GRZ-R16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	031	Support	Retain as notified
DPR-0378	MoE	025	Support	Retain as notified
DPR-0414	Kāinga Ora	310	Support	Retain as notified
DPR-0209	Manmeet Singh	FS224	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1076	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS315	Oppose In Part	Reject submission
DPR-0492	Kevler	FS652	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS300	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS167	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

- 11.131 JP Singh, MoE and Kāinga Ora<sup>317</sup> requests that GRZ-R16 be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 11.132 I recommend that the Hearing Panel retain GRZ-R16 as notified.
- 11.133 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>316</sup> DPR-0414.309 Kāinga Ora

<sup>317</sup> DPR-0204.031 JP Singh, DPR-0378.025 MoE and DPR-0414.310 Kāinga Ora

**GRZ-R17 Public Amenity****Submissions**

11.134 One submission point and six further submission points were received in relation to GRZ-R17.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	311	Support	Retain as notified
DPR-0209	Manmeet Singh	FS225	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1077	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS316	Oppose In Part	Reject submission
DPR-0492	Kevler	FS653	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS301	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS168	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

11.135 Kāinga Ora<sup>318</sup> requests that GRZ-R17 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

11.136 I recommend that the Hearing Panel retain GRZ-R17 as notified.

11.137 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R18 Community Facility****Submissions**

11.138 Two submission points and eight further submission points were received in relation to GRZ-R18.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0352	NLD	002	Neither Support Nor Oppose	Amend as follows: Activity status: <del>DISPER</del> 1. Any community facility <u>Where</u> <u>a. the hours of operation are between 0700 and 2200.</u> And the activity complies with the following rule requirements: <u>GRZ-REQ10 Landscaping</u> <u>GRZ-REQ15 Outdoor storage</u> <u>Activity status when compliance not achieved/A</u>

<sup>318</sup> DPR-0414.311 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>2. When compliance with any of GRZ-R18.1a is not achieved: DIS</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to GRZ - Rule Requirements</p>
DPR-0358	RWRL	FS288	Support	Adopt.
DPR-0384	RIDL	FS288	Support	Adopt.
DPR-0414	Kāinga Ora	312	Support	Retain as notified
DPR-0209	Manmeet Singh	FS226	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1078	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS317	Oppose In Part	Reject submission
DPR-0492	Kevler	FS654	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS302	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS169	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.139 NLD<sup>319</sup> requests that the provisions related to community facilities within the GRZ be aligned with provisions in other zones so as to provide flexibility in allowing compatible ‘community activities’ to co-locate within the urban environment.
- 11.140 Having regard to the Community Facilities s32 Report<sup>320</sup>, “communities have always contained a range of non-residential activities, especially those that serve the community. These include schools, churches, health care, pre-schools, and recreation activities, as well as some commercial services. These facilities enable residents to conveniently meet their day-to-day needs within their local community, potentially reducing car travel and promoting walking or cycling. It can also, to some degree, shape what constitutes that community. Many of these facilities could also potentially detract from the viability of commercial centres, for example a school locating within a commercial centre takes up a large area that doesn’t generate retail spending. Further, health services establishing in a residential area could undermine the sustainability of commercial centres”. While it is not clear in the s32 report why community facilities are proposed to be managed differently in the GRZ, or the LLRZ for that matter, from other residential zones, I consider that, given the denser nature of the GRZ, it is appropriate that the effects be assessed so as to ensure that they do not detract from the coherence of the neighbourhood. In this respect, I consider that the scale of community facilities can potentially affect the amenity of the

<sup>319</sup> DPR-0352.002 NDL

<sup>320</sup> [Community and Recreation Facilities s32 Report](#)

area through increased traffic generation, noise, and additional activity occurring on site. I therefore recommend that this submission point be rejected.

- 11.141 Kāinga Ora<sup>321</sup> requests that GRZ-R18 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 11.142 I recommend that the Hearing Panel retain GRZ-R18 as notified.
- 11.143 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R19 Automotive Activity**

**Submissions**

- 11.144 One submission point and six further submission points were received in relation to GRZ-R19.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	313	Support	Retain as notified
DPR-0209	Manmeet Singh	FS227	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1079	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS318	Oppose In Part	Reject submission
DPR-0492	Kevler	FS655	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS303	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS170	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

- 11.145 Kāinga Ora<sup>322</sup> requests that GRZ-R19 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 11.146 I recommend that the Hearing Panel retain GRZ-R19 as notified.
- 11.147 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

<sup>321</sup> DPR-0414.312 Kāinga Ora

<sup>322</sup> DPR-0414.313 Kāinga Ora

**GRZ-R20 Industrial Activity****Submissions**

11.148 One submission point and six further submission points were received in relation to GRZ-R20.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	314	Support	Retain as notified
DPR-0209	Manmeet Singh	FS228	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1080	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS319	Oppose In Part	Reject submission
DPR-0492	Kevler	FS656	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS304	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS171	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

11.149 Kāinga Ora<sup>323</sup> requests that GRZ-R20 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

11.150 I recommend that the Hearing Panel retain GRZ-R20 as notified.

11.151 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R21 Research Activity****Submissions**

11.152 One submission point and six further submission points were received in relation to GRZ-R21.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	315	Support	Retain as notified
DPR-0209	Manmeet Singh	FS229	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1081	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS320	Oppose In Part	Reject submission
DPR-0492	Kevler	FS657	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS305	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS172	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street

<sup>323</sup> DPR-0414.314 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>including no. 30 George Street &amp; any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### **Analysis**

- 11.153 Kāinga Ora<sup>324</sup> requests that GRZ-R21 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 11.154 I recommend that the Hearing Panel retain GRZ-R21 as notified.
- 11.155 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R22 Rural Activity, Rural Industry, Rural Production and/or Rural Service**

### **Submissions**

- 11.156 One submission point and six further submission points were received in relation to GRZ-R22.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	316	Support	Retain as notified
DPR-0209	Manmeet Singh	FS230	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1082	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS321	Oppose In Part	Reject submission
DPR-0492	Kevler	FS658	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS306	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS173	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### **Analysis**

- 11.157 Kāinga Ora<sup>325</sup> requests that GRZ-R22 be retained as notified. I recommend that this submission point be accepted.

### **Recommendation**

- 11.158 I recommend that the Hearing Panel retain GRZ-R22 as notified.

<sup>324</sup> DPR-0414.315 Kāinga Ora

<sup>325</sup> DPR-0414.316 Kāinga Ora



- 11.159 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R23 Mineral Extraction and/or Mineral Prospecting**

***Submissions***

- 11.160 One submission point and six further submission points were received in relation to GRZ-R23.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	317	Support	Retain as notified
DPR-0209	Manmeet Singh	FS231	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1083	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS322	Oppose In Part	Reject submission
DPR-0492	Kevler	FS659	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS307	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS174	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

***Analysis***

- 11.161 Kāinga Ora<sup>326</sup> requests that GRZ-R23 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 11.162 I recommend that the Hearing Panel retain GRZ-R23 as notified.
- 11.163 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R24 Firearm Range**

***Submissions***

- 11.164 One submission point and six further submission points were received in relation to GRZ-R24.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	318	Support	Retain as notified
DPR-0209	Manmeet Singh	FS198	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1084	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS323	Oppose In Part	Reject submission
DPR-0492	Kevler	FS660	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS308	Oppose In Part	Reject the submission points in part.

<sup>326</sup> DPR-0414.317 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0565	SSHL	FS175	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.165 Kāinga Ora<sup>327</sup> requests that GRZ-R24 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.166 I recommend that the Hearing Panel retain GRZ-R24 as notified.
- 11.167 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### GRZ-R25 Motor Sport

### Submissions

- 11.168 One submission point and six further submission points were received in relation to GRZ-R25.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	319	Support	Retain as notified
DPR-0209	Manmeet Singh	FS232	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1085	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS324	Oppose In Part	Reject submission
DPR-0492	Kevler	FS661	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS309	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS176	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.169 Kāinga Ora<sup>328</sup> requests that GRZ-R25 be retained as notified. I recommend that this submission point be accepted.

<sup>327</sup> DPR-0414.318 Kāinga Ora

<sup>328</sup> DPR-0414.319 Kāinga Ora

**Recommendation**

- 11.170 I recommend that the Hearing Panel retain GRZ-R25 as notified.
- 11.171 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R26 Waste and Diverted Material Facility****Submissions**

- 11.172 One submission point and six further submission points were received in relation to GRZ-R26.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	320	Support	Retain as notified
DPR-0209	Manmeet Singh	FS233	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1086	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS325	Oppose In Part	Reject submission
DPR-0492	Kevler	FS662	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS310	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS177	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

**Analysis**

- 11.173 Kāinga Ora<sup>329</sup> requests that GRZ-R26 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 11.174 I recommend that the Hearing Panel retain GRZ-R26 as notified.
- 11.175 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

**GRZ-R27 Landfill****Submissions**

- 11.176 Two submission points and six further submission points were received in relation to GRZ-R27.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0122	Frews Quarries Ltd	036	Oppose	Amend plan objectives, policies and methods, including rules, to recognise the landfill classification system in WasteMINZ Guidelines, and establish appropriate policy

<sup>329</sup> DPR-0414.320 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				and rules that reflect the classification of the landfill.
DPR-0414	Kāinga Ora	321	Support	Retain as notified
DPR-0209	Manmeet Singh	FS234	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1087	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS326	Oppose In Part	Reject submission
DPR-0492	Kevler	FS663	Oppose In Part	Reject submission points in part
DPR-0493	Gallina and Heinz-Wattie	FS311	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS178	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

11.177 Frews Quarries Ltd<sup>330</sup> considers that there are a range of landfill classes which have varying degrees of adverse effects on the environment and therefore it is not appropriate to classify all landfill activities as non-complying within the PDP. The submission point was made specifically in relation to GRUZ-R37 yet, as the relief sought referred to the PDP in its totality, this submission point was replicated in all zones. For the reasons given in relation to [LLRZ-R23](#), I recommend that the submission point from Frews Quarries Ltd be rejected.

11.178 Kāinga Ora<sup>331</sup> requests that GRZ-R27 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

11.179 I recommend that, for the reasons given above, the Hearing Panel retain GRZ-R27 as notified.

11.180 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-R28 Any activity not otherwise listed in GRZ-Rule List**

#### ***Submissions***

11.181 One submission point and six further submission points were received in relation to GRZ-R28.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	322	Support	Retain as notified
DPR-0209	Manmeet Singh	FS236	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1088	Oppose In Part	Reject submission

<sup>330</sup> DPR-0122.036 Frews Quarries Ltd

<sup>331</sup> DPR-0414.321 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS327	Oppose In Part	Reject submission
DPR-0492	Kevler	FS664	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS312	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS179	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.182 Kāinga Ora<sup>332</sup> requests that GRZ-R28 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.183 I recommend that the Hearing Panel retain GRZ-R28 as notified.
- 11.184 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Rule Requirements

#### **GRZ-REQ1 Servicing**

#### **Submissions**

- 11.185 One submission point and six further submission points were received in relation to GRZ-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0343	CDHB	061	Support In Part	Amend as follow: 1. Any residential unit or other principal building shall be connected to a Council reticulated water supply. 2. Any residential unit or principal building in a township with a reticulated sewer network shall be connected to that network. 3. Any residential unit or principal building in a township without a reticulated sewer network shall be provided with an on-site wastewater treatment and disposal system.
DPR-0414	Kāinga Ora	323	Support	Retain as notified
DPR-0209	Manmeet Singh	FS237	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1089	Oppose In Part	Reject submission

<sup>332</sup> DPR-0414.322 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS328	Oppose In Part	Reject submission
DPR-0492	Kevler	FS665	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS313	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS180	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.186 As identified in [Section 5](#), the submission from CDHB<sup>333</sup> was incorrectly summarised. As corrected, CDHB request that GRZ-REQ1.3 be deleted as they consider that all townships containing land zoned as GRZ have wastewater schemes in place, therefore all properties should be connected to that network. I have confirmed with Council's Asset Manager Water Services that a reticulated sewer network is in place in relation to all land that is currently zoned GRZ. However, Council has received submissions seeking rezoning of land to GRZ in townships that are not currently provided with a reticulated sewer system, such as Hororata. Until such time as the rezoning submissions have been resolved, I consider that this this provision should be retained, to ensure that any residential unit or other principal building is provided with an appropriate system for the treatment and disposal of wastewater. I therefore recommend that this submission point be rejected.
- 11.187 Kāinga Ora<sup>334</sup> requests that GRZ-REQ1 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.188 I recommend that, for the reasons given above, the Hearing Panel retain GRZ-REQ1 as notified.
- 11.189 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### GRZ-REQ2 Building Coverage

#### Submissions

- 11.190 Two submission points and six further submission points were received in relation to GRZ-REQ2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0108	Jaclyn Phillott	007	Oppose	Amend rule requirement so that total site coverage for general residential zones is increased

<sup>333</sup> DPR-0343.061 CDHB

<sup>334</sup> DPR-0414.323 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				to 50%, or should be increased further when in close proximity to a local park.
DPR-0414	Kāinga Ora	324	Support	Retain as notified
DPR-0209	Manmeet Singh	FS238	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1090	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS329	Oppose In Part	Reject submission
DPR-0492	Kevler	FS666	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS314	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS181	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.191 Jaclyn Phillott<sup>335</sup> requests that the quantum of building coverage be increased to encourage higher density development, to avoid urban sprawl. While higher levels of building coverage have been proposed for small site development and comprehensive development, both of which enable higher density development, I consider that GRZ-REQ2 as notified is appropriate for traditional forms of residential development. Further, I consider that building coverage does not directly affect urban sprawl, and that increasing building coverage for traditional residential development is only likely result in larger houses. I consider that urban sprawl is more appropriately managed by site sizes. I therefore recommend that this submission point be rejected.
- 11.192 Kāinga Ora<sup>336</sup> requests that GRZ-R1 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.193 I recommend that the Hearing Panel retain GRZ-REQ2 as notified.
- 11.194 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

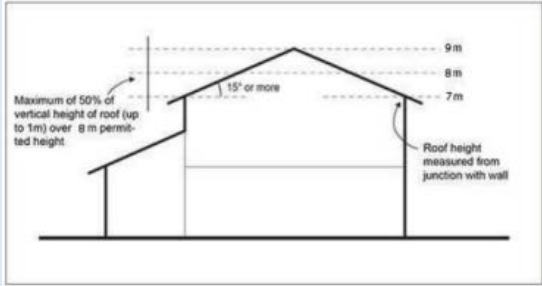
### GRZ-REQ3 Height

#### Submissions

- 11.195 Two submission points and eight further submission points were received in relation to GRZ-REQ3.

<sup>335</sup> DPR-0108.007 Jaclyn Phillott

<sup>336</sup> DPR-0414.324 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	325	Support In Part	<p>Amend as follows:            The maximum height of any building or structure, when measured from ground level, shall not exceed 8m, <u>except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in the Figure below.</u></p> 
DPR-0209	Manmeet Singh	FS239	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1091	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS330	Oppose In Part	Reject submission
DPR-0492	Kevler	FS667	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS315	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS182	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	008	Oppose	<p>Amend as follows:            1. The maximum height of any building or structure, when measured from ground level, shall not exceed <del>8m</del><u>9m</u>.</p>
DPR-0358	RWRL	FS289	Support	Adopt.
DPR-0384	RIDL	FS289	Support	Adopt.

### Analysis

- 11.196 Kāinga Ora<sup>337</sup> seeks that the requirement be amended to allow for a roof form exceedance, to enable differing roof forms within the zone. For the reasons given in relation to [LLRZ-REQ3](#), I recommend that this submission point be accepted.
- 11.197 Four Stars & Gould<sup>338</sup> seeks that the maximum height be increased to 9m, as they consider that the 8m height limit notified forces two storey buildings to have a low roof pitch, limiting variety in built form. I consider that this submission point should be accepted in part as I prefer the

<sup>337</sup> DPR-0414.325 Kāinga Ora

<sup>338</sup> DPR-0453.008 Four Stars & Gould



amendment proposed by Kāinga Ora, largely as this aligns with the approach to height directed by the recent changes to the RMA.

#### **Recommendation and amendments**

11.198 I recommend that, for the reasons given above, the Hearing Panel:

- a) amend GRZ-REQ3, as shown in **Appendix 2**, to allow for a building's roof to exceed the maximum height limit, to provide for different roof forms within the zone.

11.199 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

11.200 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ4 Height in relation to Boundary**

##### ***Submissions***

11.201 Two submission points and six further submission points were received in relation to GRZ-REQ4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0271	Pete & Sonia Wakefield	006	Oppose	Amend rule requirement: GRZ-REQ4 (excluding SCA-AD2) 1. Except where provided.... <u>SCA-AD2</u> 5. Except where provided in GRZ-REQ4.2., or in the sub-clauses below any building or structure shall comply with the Height in Relation to Boundary A requirement in APP3 - Height in Relation to Boundary. <u>a. The height in relation to boundary requirement shall not apply along shared driveway boundaries.</u> <u>b. The height in relation to boundary shall not apply along reserve boundaries.</u>
DPR-0414	Kāinga Ora	326	Oppose	Delete as notified and undertake a full review of the provision and introduce a new series of rules in relation to: - a general height in relation to boundary control; - an 'alternate' control for the front 20 metres of the site; - a height in relation to boundary adjoining lower intensity zones control; - height in relation to boundary control adjoining Open Space zones and no height in relation to boundary control where the adjacent park exceeds 2,000m2. - exclusion relating to solar panels; and - how the vertical measurement is defined.
DPR-0209	Manmeet Singh	FS240	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1092	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS331	Oppose In Part	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0492	Kevler	FS668	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS316	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS183	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.202 Pete & Sonia Wakefield<sup>339</sup> request that, in relation to Castle Hill, the application of this provision be excluded from boundaries that adjoin shared driveways or reserves. I consider that the provision (APP3) acknowledges that where an internal boundary abuts an access site or right of way, the application of the control should be taken from the furthest boundary of the access way. I consider that it is appropriate to maintain the control in relation to reserve boundaries, to ensure that these areas maintain a reasonable level of sunlight access. I therefore recommend that this submission point is rejected.
- 11.203 Kāinga Ora<sup>340</sup> are opposed to GRZ-REQ4 and seeks a comprehensive review to better provide for flexibility in built form/residential typologies while still managing the potential for adverse effects to adjoining properties.
- 11.204 I note that the relief sought by the submitter in relation to GRZ-REQ4 is similar to that sought in relation to LRZ-REQ4. However, in relation to GRZ-REQ4, the submitter also seeks an *'alternate' control for the front 20 metres of the site (to provide flexibility) and a 'height in relation to boundary adjoining lower intensity zones' control – to specifically assist to manage zone interface effects.*
- 11.205 In relation to the former alternative control sought, I note that while the height in relation to boundary control does not apply to road boundaries, I consider that it is appropriate to apply this provision to the full length of any internal boundary, to manage the effect of the scale and bulk of development on adjoining properties.
- 11.206 In respect to the later alternative, I note that three height in relation to boundary controls have been included in the PDP as notified, and these do establish a different approach to recession planes relative to either zone boundaries or, more particularly in terms of intensive forms of residential development, the boundary of the site upon which this form of development is being undertaken. As such, I consider that the provision, as notified, does seek to manage interface issues, be these at a zone or site boundary.

<sup>339</sup> DPR-0271.006 Pete & Sonia Wakefield

<sup>340</sup> DPR-0414.283 Kāinga Ora

- 11.207 For the reasons given above, and in relation to [LRZ-REQ4](#), I recommend that this submission point be accepted in part.

***Recommendation and amendments***

- 11.208 I recommend that, for the reasons given above, the Hearing Panel:

a) amend APP3, as shown in **Appendix 2**, to allow for solar panels or heating devices.

- 11.209 I recommend that the original submission point is accepted in part as shown in **Appendix 1**.

- 11.210 The scale of change does not require a s32AA evaluation.

**GRZ-REQ5      Setback of buildings**

***Submissions***

- 11.211 Eight submission points and sixteen further submission points were received in relation to GRZ-REQ5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0113	Gerrad Frater	001	Support In Part	Amend to maintain an internal setback of 5 metres minimum and a setback of 10m from road boundaries in order to maintain the character of larger residential properties. Any encroachment on this should be mitigated by suitable landscaping to reduce the impact.
DPR-0268	E J Smith	006	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0271	Pete & Sonia Wakefield	001	Oppose	Amend as follows: 2. Any residential unit or principal building shall be setback a minimum of: a. 1.5m from all internal and road boundaries, <u>or</u> shared accessway <u>or reserves</u> ; and
DPR-0353	HortNZ	236	Oppose In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, shared accessway, or reserve or <u>zone boundary</u> ; and ....
DPR-0398	Fletcher	002	Oppose In Part	Amend as follows:  1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, <del>shared accessway,</del> <u>or reserve</u> ; and b. ...
DPR-0358	RWRL	FS290	Support	Adopt.
DPR-0384	RIDL	FS290	Support	Adopt.
DPR-0414	Kāinga Ora	327	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, <del>shared accessway,</del> <u>or reserve</u> ; and b. <u>2.1m</u> from any internal boundary, unless the

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				residential unit or other principal building has been designed to share a common wall along an internal boundary ...
DPR-0209	Manmeet Singh	FS241	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1093	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS332	Oppose In Part	Reject submission
DPR-0492	Kevler	FS669	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS317	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS184	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0597	B and A Radburnd	FS001	Support	Support
DPR-0414	Kāinga Ora	328	Support	Retain as notified
DPR-0209	Manmeet Singh	FS242	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1094	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS333	Oppose In Part	Reject submission
DPR-0492	Kevler	FS670	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS318	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS185	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0458	KiwiRail	054	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: ... <u>c. 5m from any operational railway corridor boundary.</u>
DPR-0414	Kāinga Ora	FS089	Oppose	Not specified

### ***Analysis***

- 11.212 Gerrad Frater<sup>341</sup> supports the setbacks as notified for properties that are zoned GRZ but considers that these setbacks would be inappropriate for properties that are zoned LLRZ. As each zone includes rule requirements relevant for each zone, I do not consider that the smaller setbacks could be applied in relation to the LLRZ. Therefore, I recommend that this submission point be rejected.
- 11.213 E J Smith<sup>342</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules have legal effect.
- 11.214 HortNZ<sup>343</sup> consider that the provision does not include a setback from a zone boundary, so a residential unit could be established 2m from a GRUZ boundary, however the relief sought is that a setback provision is required from any zone boundary. For the reasons given in relation to [LRZ-REQ5](#), I recommend that this submission point be rejected.
- 11.215 Kāinga Ora<sup>344</sup> considers that the setback requirement from shared accessways or reserves is overly restrictive. The submitter also seeks a reduction in the internal boundary setback; from 2m to 1m.
- 11.216 Fletcher<sup>345</sup> similarly consider that the requirement to have a 4m setback from the boundary with a shared accessway or reserve to be too onerous and could result in sites not being of able to be utilised properly by future owners.
- 11.217 For the reasons given in relation to [LRZ-REQ5](#), I recommend that these submission points be accepted in part.
- 11.218 KiwiRail<sup>346</sup> requests that a 5m setback apply to all building operational railway corridor boundaries. They consider that this setback is required for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. Having regard to the path of the rail corridor within the district, I consider that there are no locations in the GRZ where the rail corridor is not further separated from residential properties by either roads or natural features. Therefore, I recommend that this submission point be rejected.
- 11.219 As identified in [Section 5](#), the submission from Pete & Sonia Wakefield<sup>347</sup> was incorrectly summarised. As corrected, the submitters request that, in respect of the setback provision related to SCA-AD2 applied in Castle Hill, there be no setback required from reserves. I consider that it is appropriate to require the setback provision as notified for SCA-AD2, so that residential

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<sup>341</sup> DPR-0113.001 Gerrad Frater

<sup>342</sup> DPR-0268.006 E J Smith

<sup>343</sup> DPR-0353.236 HortNZ

<sup>344</sup> DPR-0414.327 Kāinga Ora

<sup>345</sup> DPR-0398..002 Fletcher

<sup>346</sup> DPR-0458.054 KiwiRail

<sup>347</sup> DPR-0271.001 Pete & Sonia Wakefield

units do not visually dominate reserves. I therefore recommend that this submission point be rejected.

- 11.220 Kāinga Ora<sup>348</sup> requests that GRZ-REQ5 related to SCA-AD2 be retained as notified. I recommend that this submission point be accepted.

***Recommendation and amendments***

- 11.221 I recommend that, for the reasons given above, the Hearing Panel:

- a) amend GRZ-REQ5, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves.

- 11.222 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.

- 11.223 The scale of change does not require a s32AA evaluation.

**GRZ-REQ6-Setback of Garages**

***Submissions***

- 11.224 Three submission points and six further submission points were received in relation to GRZ-REQ6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0268	E J Smith	007	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	329	Support In Part	<p>Amend as follows:</p> <p>1. Any garage that has a vehicle door that <del>faces a road boundary or shared accessway</del> is located <u>within a front yard of front and corner sites</u> <del>shall be setback:</del></p> <p>a. <u>Must not project forward by more than 0.5m from the front façade of the residential unit</u> <del>5.5m from the road boundary or shared accessway;</del> and</p> <p>b. <u>2m from the internal boundary if the wall length adjacent the internal boundary is greater than 7m;</u> or</p> <p>c. <u>1m from the internal boundary if the wall length adjacent the internal boundary is less than or equal to 7m.</u></p> <p>2. Any garage that has a vehicle door that faces an internal boundary and:</p> <p>a. the wall length adjacent any road boundary or shared accessway</p> <p>i. is greater than 7m, shall be setback 4m from the <del>road boundary or shared accessway;</del></p> <p>ii. is less than or equal to 7m, shall be setback 2m from the <del>road boundary or shared accessway;</del></p> <p>b. the wall length adjacent any internal boundary</p> <p>i. is greater than 7m, shall be setback 2m from the <del>internal boundary;</del></p>

<sup>348</sup> DPR-0414.328 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>ii. is less than or equal to 7m, shall be setback 1m from the internal boundary.</p> <p>...</p> <p>Matters for discretion:</p> <p>4. The exercise of discretion in relation to GRZ-REQ6.3. is restricted to the following matters:</p> <p>RESZ-MAT5 Road Boundary Setback</p> <p><del>RESZ-MAT6 Internal Boundary Setback</del></p>
DPR-0209	Manmeet Singh	FS243	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1095	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS334	Oppose In Part	Reject submission
DPR-0492	Kevler	FS671	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS319	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS186	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	009	Oppose	<p>Delete as notified.</p> <p>In the alternative: Simplify the rule by setting a 1m setback from internal boundaries for all accessory buildings and garages and remove the relationship to building wall length on a boundary for garages and accessory buildings.</p>

### Analysis

- 11.225 E J Smith<sup>349</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules have legal effect.
- 11.226 Kāinga Ora<sup>350</sup> supports setting back garages to ensure the primacy of residential units from a streetscape amenity perspective but considers that the additional elements of the provisions will unnecessarily constrain development. For the reasons given in relation to [LRZ-REQ6](#), I recommend that this submission point be rejected.
- 11.227 Four Stars & Gould<sup>351</sup> consider that the 7m length for garages and accessory buildings is an arbitrary figure and it could be any number and that the provision should focus on what setback is best from an amenity perspective, not the type of building. I do not consider that 7m is an

<sup>349</sup> DPR-0268.007 E J Smith

<sup>350</sup> DPR-0414.329 Kāinga Ora

<sup>351</sup> DPR-0456.009 Four Stars & Gould

arbitrary number; rather it acknowledges the minimum internal depth dimension of a garage set out in the PDP<sup>352</sup> and allows additional length to provide for circulation space around any vehicle parked within this space. Where a garage has a wall length less than 7m, the provision allows a garage to be located closer to either an internal or external boundary, however where length exceeds 7m, the required setback is consistent with that of the residential unit. I consider that these setback distances should be retained in relation to garages as so as to avoid any adverse effects on adjoining properties or and to minimise their visual dominance on the streetscape. I therefore recommend that this submission point be rejected.

### **Recommendation**

11.228 I recommend that the Hearing Panel retain GRZ-REQ6 as notified.

11.229 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-REQ7 Setback of Accessory Buildings and/or Structures**

#### **Submissions**

11.230 Five submission points and six further submission points were received in relation to GRZ-REQ7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	052	Oppose In Part	Amend as follows: 1. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is greater than 7m, be setback: ... 2. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is less than or equal to 7m, be setback:
DPR-0268	E J Smith	008	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	330	Support In Part	Amend as follows: 1. Any accessory building shall, where the wall length is greater than 7m, be setback: a. 4m from any road boundary, <del>shared accessway or reserve</del> ; and b. 2m from any internal boundary. 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: a. 2m from any road boundary, <del>shared accessway or reserve</del> ; and b. 1m from any internal boundary. 3. Any structure shall be setback 2m from any road boundary <del>or reserve</del> .
DPR-0209	Manmeet Singh	FS244	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1096	Oppose In Part	Reject submission

<sup>352</sup> TRAN-TABLE11



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0461	Dunweavin	FS335	Oppose In Part	Reject submission
DPR-0492	Kevler	FS672	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS320	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS187	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	010	Oppose	Delete as notified. In the alternative: Simplify the rule by setting a 1m setback from internal boundaries for all accessory buildings and garages and remove the relationship to building wall length on a boundary for garages and accessory buildings.
DPR-0458	KiwiRail	068	Support In Part	Amend as follows: 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: ... b. $\pm 2$ m from any internal boundary.

### Analysis

- 11.231 SDC<sup>353</sup> considers that as currently drafted, ancillary structures and fences would be included within the required setback. For the reasons given in relation to [LRZ-REQ7](#), I recommend that this submission point be rejected.
- 11.232 E J Smith<sup>354</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 11.233 Kāinga Ora<sup>355</sup> consider that the setbacks from shared accessways and reserves are overly restrictive. The effect of the relief sought is that accessory buildings and/or structures would not be subject to any setback from shared accessways or reserves. For the reasons given in relation to [LRZ-REQ7](#), I recommend that these submission points be accepted in part.
- 11.234 Four Stars & Gould<sup>356</sup> request that the provision be deleted as they consider that there is no justification for a delineation in setback relative to wall length when the residential unit is not so constrained. The submitter considers that the provision should focus on what setback is best

<sup>353</sup> DPR-027.052 SDC

<sup>354</sup> DPR-0268.008 E J Smith

<sup>355</sup> DPR-0414.330 Kāinga Ora

<sup>356</sup> DPR-0456.010 Four Stars & Gould

from an amenity perspective, not the type of building. The submitter has proposed an alternative relief, simplifying the provision to require a 1m setback from internal boundaries only.

- 11.235 I agree with the sentiment of the submitter but consider that the setback requirements do consider the effect that the length of an accessory building wall has on the amenity of an area. By their nature, accessory buildings are likely to have solid walls, with few openings thus presenting with blank facades to the boundaries. As such, I consider that the retention of a setback from a road boundary is necessary to manage the effect on the amenity of an area. In regard to internal boundary setbacks, I consider it appropriate to provide for setbacks based on wall length to minimise the dominance of accessory buildings on adjoining properties. I therefore recommend that this submission point be rejected.
- 11.236 KiwiRail<sup>357</sup> requests that a setback is necessary form operational railway corridor boundaries, for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. Having regard to the path of the rail corridor within the district, I consider that there are no locations in the GRZ where the rail corridor is not further separated from residential properties by either roads or natural features. Therefore, I recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 11.237 I recommend that, for the reasons given above, the Hearing Panel:
- amend GRTZ-REQ7, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves in respect of accessory buildings.
- 11.238 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 11.239 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ8 Presentation to the Street**

##### ***Submissions***

- 11.240 Seven submission points and 15 further submission points were received in relation to GRZ-REQ8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0069	Paul McStay Ltd	001	Oppose In Part	Delete GRZ-REQ8.1.b and replace as follows: <u>b. each habitable room having a window glass area of at least 2sqm facing the road or public space.</u>
DPR-0177	Andrew O'Donoghue	001	Oppose In Part	Amend as follows: .... <u>b. at least 20% glazing in the facade facing the road or public space each habitable room having a window glass area of at least 2m<sup>2</sup> facing the road or public space; and</u> ....

<sup>357</sup> DPR-0458.068 KiwiRail

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0271	Pete & Sonia Wakefield	002	Oppose	Amend GRZ REQ8.1.c. to exclude SCA-AD2.
DPR-0398	Fletcher	003	Oppose	Delete GRZ-REQ8.1.b as notified
DPR-0298	Trices Road Group	FS542	Support	Accept submission
DPR-0456	Four Stars & Gould	FS142	Support	Accept the submission
DPR-0409	Hughes	023	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS170	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS883	Support In Part	Accept submission in part
DPR-0358	RWRL	FS291	Support	Adopt.
DPR-0384	RIDL	FS291	Support	Adopt.
DPR-0461	Dunweavin	FS074	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS024	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS040	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	331	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS245	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1097	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS336	Oppose In Part	Reject submission
DPR-0492	Kevler	FS673	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS320	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS188	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	011	Oppose	<p>Delete as notified.</p> <p>In the alternative 1: Amend GRZ-REQ8 Presentation to the street to read: 1. Where <u>any lot any residential unit or other principal building</u> has direct frontage to a road or public space, the ground level of <u>any residential unit or other principal building</u> facing the road or public space shall incorporate <u>Except for corner sites and small sites less than 500m<sup>2</sup> that are exempt from GRZ-REQ8.1</u></p> <p>....</p> <p>In the alternative 2: Amend GRZ-REQ8 Presentation to the street following the Te Whariki negotiated standards: <u>Windows</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>i. <u>The ground floor of a residential unit (dwelling) shall have a habitable space with a window comprised of at least 1.6m<sup>2</sup> of clear glazing facing the road boundary. The horizontal dimension (excluding framing) of the window shall not be less than 400mm. The maximum height of the window sill shall not exceed 1.2m from finished floor level. The window shall not be within the fenced area and shall not be obstructed by any building element i.e. shading devices or any planting taller than 1.2m.</u></p> <p><u>For the purposes of interpretation, a habitable space is a room with frequent, or prolonged use for living purposes, but shall exclude a bathroom, laundry, pantry, walk-in wardrobe, walk-in cupboard, corridor, hallway, lobby or clothes drying room.</u></p> <p><u>Front Door</u></p> <p>ii. <u>Any front door of a residential unit (dwelling) shall comprise a minimum of 0.4m<sup>2</sup> area of clear glazing that shall be included to the entry area either as a side window or incorporated into the front door and be visible from the street</u></p>

### Analysis

- 11.241 Hughes<sup>358</sup> opposes GRZ-REQ8 as it considers that the requirement consists of subjective design detail that restricts individual expression and imposes unnecessary exposure to the additional subjectivity of the assessment matters if compliance cannot be achieved. For the reasons given in relation to [LLRZ-REQ6](#), I recommend that this submission point be rejected.
- 11.242 Kāinga Ora<sup>359</sup> opposes GRZ-REQ8 as it considers that this rule requirement addresses design matters where allowing some flexibility is appropriate and this is more appropriately dealt with as an assessment matter. For the reasons given in relation to [LLRZ-REQ6](#), I recommend that this submission point be rejected.
- 11.243 Pete & Sonia Wakefield<sup>360</sup> consider that in SCA-AD2, an area subject to urban design controls to manage and protect the existing alpine vibe of the Castle Hill township, GRZ-REQ8.1.c should not apply, for 'personal security reasons'. The submitters consider that it not appropriate to require the primary pedestrian entrance be visible and accessible from the road or public space in a village where standard boundary fences are excluded and there are many properties that share a boundary with council recreation reserves. I consider that, although the development of the Castle Hill area may have increased opportunities for passive surveillance than in the wider GRZ, the principles of CPTED are still relevant in this environment. I therefore recommend that this submission point be rejected.

<sup>358</sup> DPR-0409.023 Hughes

<sup>359</sup> DPR-0414.331 Kāinga Ora

<sup>360</sup> DPR-0271.002 Pete & Sonia Wakefield

- 11.244 Paul McStay Ltd and Andrew O'Donoghue<sup>361</sup> consider that GRZ-REQ8.1.b. as notified is unworkable and will lead to a significant number of building consents being non-compliant, therefore requiring a resource consent. The submitters request that the provision be amended to improve clarity and have proposed that, rather than a percentage of glazing being required relative to the façade, this be calculated on a square metre basis. I consider that a percentage requirement is appropriate as it recognises that façade dimensions vary, providing flexibility in design responses.
- 11.245 In this regard, I agree with the above submitters that GRZ-REQ8.1.b is unclear. I recommend that a note be included in the provision clarifying where the provision is to be applied and how the percentage of glazing is to be calculated. This approach is consistent with other provisions in the PDP.
- 11.246 As addressed in relation to [LLRZ-REQ6](#), the intent of this provision is to allow passive surveillance of streets and improve the visual appearance of buildings from the street. For that reason, I consider that calculation of glazing should:
- apply to all road frontages where a site has direct frontage to a road. On a corner site, this provision would apply to both road frontages.
  - exclude any area of a residential unit that is used as a garage, as well as the fully enclosed roof space of any gabled end. I consider that the inclusion of these areas would distract from the intension of the provision in that these areas are not habitable spaces and therefore would not provide opportunities for passive surveillance.
  - only refer to the area of glass, excluding window and door frames.
- 11.247 I therefore recommend that the submission points of Paul McStay Ltd and Andrew O'Donoghue<sup>362</sup> be accepted in part and the GRZ.REQ8 be amended as shown in **Appendix 2**.
- 11.248 Fletcher<sup>363</sup> considers that GRZ-REQ8.1.b compromises the ability to provide variation in building design and that the requirement penalises designs that incorporate gable ends and garage doors facing the street. The submitter requests that this component be deleted from the provision. As I have recommended that this element of the provision be retained, albeit modified to improve clarity for plan users, I recommend that this submission point be rejected.
- 11.249 As identified in [Section 5](#), the submission from Four Stars & Gould<sup>364</sup> was incorrectly summarised. As corrected, the submitter considers that developers need to be given the freedom to design buildings according to site shape, site orientation, preferences of the market and to provide variety in building layout and request that the requirement be deleted. As an alternative relief the submitter has proposed two alternative wordings to the provision. For the reasons given above, I prefer the approach shown in **Appendix 2**.

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<sup>361</sup> DPR-0069.001 Paul McStay Ltd and DPR-0177.001 Andrew O'Donoghue

<sup>362</sup> DPR-0398.003 Fletcher, DPR-0069.001 Paul McStay Ltd and DPR-0177.001 Andrew O'Donoghue

<sup>363</sup> DPR-0398.003 Fletcher

<sup>364</sup> DPR-0456.011 Four Stars & Gould

### ***Recommendation and amendments***

- 11.250 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ8, as shown in **Appendix 2**, to improve clarity to plan users regarding the calculation of glazing, by the inclusion of a guidance note.
- 11.251 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 11.252 The scale of change does not require a s32AA evaluation.
- 11.253 I note that, as the PDP was prepared following an activities based planning framework, this same requirement is incorporated into the other three residential zones. As such, I recommend that the Hearing Panel include the same note regarding the calculation of glazing in LLRZ-REQ6, LRZ-REQ8 and SETZ-REQ8.

### **GRZ-REQ9 Outdoor Living Space**

#### ***Submissions***

- 11.254 Six submission points and 15 further submission points were received in relation to GRZ-REQ9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0108	Jaclyn Phillott	002	Oppose In Part	Amend so that the requirements are based on the size of the dwelling and number of people intending to use the space.
DPR-0398	Fletcher	004	Oppose	Delete GRZ-REQ9.1.d as notified
DPR-0298	Trices Road Group	FS541	Support	Accept submission
DPR-0456	Four Stars & Gould	FS143	Support	Accept the submission
DPR-0409	Hughes	024	Oppose In Part	Amend as follows: 1. Every residential unit shall be provided with an area of outdoor living space that: ... <del>d. is not located between the road boundary and the residential unit; and</del> ...
DPR-0209	Manmeet Singh	FS171	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS884	Support In Part	Accept submission in part
DPR-0358	RWRL	FS292	Support	Adopt.
DPR-0384	RIDL	FS292	Support	Adopt.
DPR-0461	Dunweavin	FS075	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS025	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS039	Support In Part	Accept submission in part.
DPR-0410	Urban Estates	004	Oppose	Amend as follows: 1. Every residential unit shall be provided with an area of outdoor living space that: ...

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<del>d. is not located between the road boundary and the residential unit; and</del> ...
DPR-0414	Kāinga Ora	332	Support In Part	Amend as follows: 1. Every residential unit shall be provided with an area of outdoor living space that: a. is directly accessible from a habitable room; b. has a minimum area of <del>50</del> 20m <sup>2</sup> ; c. has a minimum horizontal dimension of 4m; <del>d. is not located between the road boundary and the residential unit; and</del> e. is free of driveways, manoeuvring areas, parking spaces, accessory buildings, and service areas. <u>f. Where part of the required outdoor living space requires a deck, balcony or roof terrace located above ground floor level, the area shall be:</u> <u>i. directly accessible from any habitable room or kitchen;</u> <u>ii. have a minimum area of 10m<sup>2</sup>; and</u> <u>iii. have a minimum depth of 1.5m.</u>
DPR-0209	Manmeet Singh	FS247	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1098	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS3367	Oppose In Part	Reject submission
DPR-0492	Kevler	FS674	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS322	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS189	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	012	Oppose	Delete as notified

### Analysis

- 11.255 Jaclyn Phillott<sup>365</sup> considers that the minimum area of outdoor living space should be based on the size of the residential unit and the number of people intending to use the space. I consider that the PDP does, in a fashion, approach the provision of outdoor space having regard to the size of the residential unit. However, it does this through requiring a different quantum of space relative to either the size of the site, in respect of small site development, or the nature of the activity, in respect of retirement villages, for example. I consider that the quantum notified is appropriate for traditional forms of residential development, is generally easy to achieve having

<sup>365</sup> DPR-0108.002 Jaclyn Phillott

regard to other requirements such as building coverage and setbacks and is able to efficiently and effectively administered. Therefore, I recommend that this submission point be rejected.

- 11.256 Fletcher<sup>366</sup> considers that location of outdoor living space in compliance with this provision can be challenging for some sites, particularly corner sites and those that may be of an irregular shape and that this requirement also appears to be contrary to other requirements which try to encourage passive surveillance over public realm.
- 11.257 Hughes and Urban Estates<sup>367</sup> consider that being able to locate an outdoor living space between the residential unit and the road boundary is necessary to ensure the outdoor living space achieves maximum solar gain, particularly when sites are located on the southern side of a road. Further, they consider that enabling outdoor living space at the front of a site allows for passive surveillance of the street front.
- 11.258 Kāinga Ora<sup>368</sup> seeks that the provision be amended to reduce the minimum area required to enable more flexibility for medium density development and to ensure that the provision covers different housing typologies.
- 11.259 For the reasons given in relation to [LRZ-REQ9](#), I recommend that the submission point of Kāinga Ora be accepted in part and the submission points of Fletcher, Hughes and Urban Estates be rejected.
- 11.260 Four Stars & Gould<sup>369</sup> request that the provision be deleted as they consider that small site development will struggle to meet these requirements and will create significant costs and inefficiencies in land development for consents where the benefits are internal to the site. I consider that, in conjunction with the provisions related to building coverage and boundary setbacks, the quantum is achievable. I therefore recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 11.261 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ9, as shown in **Appendix 2**, to provide guidance where outdoor living space is located above the ground floor level.
- 11.262 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 11.263 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ10 Landscaping**

##### ***Submissions***

- 11.264 Three submission points and 13 further submission points were received in relation to GRZ-REQ10.

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<sup>366</sup> DPR-0398.004 Fletcher

<sup>367</sup> DPR-0398.004 Fletcher, DPR-0409.024 Hughes and DPR-0410.004 Urban Estates

<sup>368</sup> DPR-0414.332 Kāinga Ora

<sup>369</sup> DPR-0456.012 Four Stars & Gould



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0108	Jaclyn Phillott	003	Oppose In Part	Amend by either deleting the requirement for a specimen tree (shrubbery should be sufficient to create an attractive road frontage) or, if the specimen tree requirement is to remain, the final height should be restricted to below the height of overhead powerlines.
DPR-0409	Hughes	025	Oppose In Part	Amend as follows: The area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be: a. landscaped with a mix of lawn, garden beds, or shrubs; and <del>b. provided with one specimen tree for every 10m of frontage that is:</del> c. a minimum of 1.8m high at time of planting; and d. capable of achieving a height at maturity of 8m.
DPR-0209	Manmeet Singh	FS172	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS885	Support In Part	Accept submission in part
DPR-0358	RWRL	FS293	Support	Adopt.
DPR-0384	RIDL	FS293	Support	Adopt.
DPR-0461	Dunweavin	FS076	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS026	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS038	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	333	Support In Part	Amend as follows: 1. <del>50% of t</del> The area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be: a. landscaped with a mix of lawn, garden beds, or shrubs; and <del>b. provided with one specimen tree for every 10m of frontage that is:</del> i. a minimum of 1.8m high at time of planting; and ii. capable of achieving a height at maturity of 8m.
DPR-0209	Manmeet Singh	FS248	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1099	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS338	Oppose In Part	Reject submission
DPR-0492	Kevler	FS675	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS323	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS190	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### Analysis

- 11.265 Jaclyn Phillott<sup>370</sup> considers that the size of specimen trees suggested is not suitable in the long term because they will need future maintenance to avoid overhead powerlines, and the potential that roots could cause damage to underground works and piping networks. I consider that, while the provision requires the plating of trees, this can be provided anywhere in the area between the road boundary and the development on the site, allowing sufficient space for any trees to be located such that they can be setback sufficiently from any overhead powerlines or underground pipes. As such, I recommend that this submission point should be rejected.
- 11.266 Hughes<sup>371</sup> considers that this requirement is too prescriptive and limit the ability to respond to individual site characteristics and can impact on the amenity of occupants by limiting viewshafts and restricting solar access. They also consider that trees come with additional maintenance requirements that may exceed the capabilities or preferences of occupants.
- 11.267 Kāinga Ora<sup>372</sup> seek that LRZ-REQ10 be amended as they consider that this requirement is overly onerous and that an 8m high specimen may not be appropriate in a higher density development.
- 11.268 As set out in relation to [LRZ-REQ10](#), this rule requirement is not applicable to traditional residential uses, which generally provide a landscaped area between the residential unit and the road boundary. Rather it is only applicable to supported residential accommodation and visitor accommodation activities, to ensure that these activities integrate into the residential environment. As such, I do not consider that the requirement is onerous. Therefore, I recommend that this these submission points be rejected.

### Recommendation

- 11.269 I recommend that the Hearing Panel retain GRZ-REQ10 as notified.
- 11.270 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### GRZ-REQ11 Small Site Development

#### Submissions

- 11.271 Six submission points and six further submission points were received in relation to GRZ-REQ11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0108	Jaclyn Phillott	004	Oppose	Delete GRZ-REQ11.1.e. as notified.
DPR-0204	JP Singh	022	Support	Retain as notified
DPR-0207	SDC	055	Oppose In Part	Amend as follows: 1. Any small site development shall:

<sup>370</sup> DPR-0108.003 Jaclyn Phillott

<sup>371</sup> DPR-0409.025 Hughes

<sup>372</sup> DPR-0414.333 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				... be setback a minimum of: i. 3m from any road boundary or shared accessway; and ii. 2m from any internal boundary; except that iii. no internal boundary setback is required for any where a building shares a common wall with another building; where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5.5m from that boundary; iv. no internal boundary setback is required for any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;
DPR-0358	RWRL	FS294	Support	Adopt.
DPR-0384	RIDL	FS294	Support	Adopt.
DPR-0398	Fletcher	005	Oppose In Part	Amend as follows:  1. Any small site development shall: ... <del>d. not comprise garaging of more than 50% of the width of any ground floor front façade of a residential unit;</del> ...
DPR-0358	RWRL	FS295	Support	Adopt.
DPR-0384	RIDL	FS295	Support	Adopt.
DPR-0414	Kāinga Ora	334	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS249	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1100	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS339	Oppose In Part	Reject submission
DPR-0492	Kevler	FS676	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS324	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS191	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0456	Four Stars & Gould	014	Oppose	Amend as follows: 1. Any small site development shall: .... c. not locate a garage between the front façade of any residential unit and road boundary or shared accessway <u>unless the garage is stepped back a minimum of 1m from the façade or include design modulation for continuous walls and roof lines longer than 15m; this rules does not apply to one road frontage for corner sites.</u> <del>d. not comprise garaging of more than 50% of the</del>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				width of any ground floor front façade of a residential unit; ....

### ***Analysis***

- 11.272 Jaclyn Phillott<sup>373</sup> considers that there should be no restrictions on windows on a ground floor. I recommend that this submission be rejected as the provisions only seeks to manage windows above the ground floor to maintain privacy.
- 11.273 JP Singh<sup>374</sup> requests that GRZ-REQ11 be retained as notified. I recommend that this submission point be accepted.
- 11.274 SDC<sup>375</sup> seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes such as garages being sited 15cm from internal boundaries. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [GRZ-R11](#). This submission point is the same as that for LRZ-REQ11, therefore the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted.
- 11.275 Fletcher<sup>376</sup> considers that the limit on the width of a garage makes it difficult for some sites to have a double garage, limiting the design options available to the market and can lead to a lack of variety in the street scape.
- 11.276 Four Stars & Gould<sup>377</sup> also considers that limiting the width of a garage reduces design options for double garages.
- 11.277 Having regard to the building setbacks and considering that this form of development can occur on smaller sites, with a minimum frontage of 12m (SUB-R9.1.c.), the intent of the provision is to ensure that garage doors do not dominate the streetscape, thereby creating a frontage where the residential unit is the dominating feature and opportunities are created for passive surveillance, as sought by RESZ-O1 and RESZ-O5 (as proposed to be amended).
- 11.278 Four Stars & Gould<sup>378</sup> also consider that a garage should be stepped back by at least 1m behind the front road facing facade of the dwelling and/or require design modulation for continuous walls and roof lines longer than 15m, and on corner sites. I consider that the outcome of this request would enable a garage to be setback a minimum of 4m from the road boundary (being the minimum building setback plus 1m), which I consider would have a detrimental impact of the safety of the adjoining road reserve.

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<sup>373</sup> DPR-108.004 Jaclyn Phillott

<sup>374</sup> DPR-204.022 JP Singh

<sup>375</sup> DPR-0207.055 SDC

<sup>376</sup> DPR-0398.005 Fletcher

<sup>377</sup> DPR-0456.014 Four Stars & Gould

<sup>378</sup> DPR-0456.014 Four Stars & Gould

- 11.279 I recommend that the submission points of Fletcher and Four Stars & Gould be rejected for the reasons given above.
- 11.280 Kāinga Ora<sup>379</sup> requests that, as a consequential relief to their submission point in relation to GRZ-R11, GRZ-REQ11 be deleted. As I have recommended that [GRZ-R11](#) be retained, I recommend that this submission point be rejected.

#### **Recommendation and amendments**

- 11.281 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ11, as shown in **Appendix 2**, to improve clarity to plan users.
- 11.282 However, I note that, as the PDP was prepared following an activities based planning framework, this same requirement was also included in the LRZ where, on the basis of submission points in relation to LRZ-REQ11, I have made recommendations to vary the requirements in relation to first floor windows. As such, I also recommend that the Hearing Panel consider providing the same relief in this provision.
- 11.283 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 11.284 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ12 Comprehensive Development**

##### ***Submissions***

- 11.285 Five submission points and ten further submission points were received in relation to GRZ-REQ12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0108	Jaclyn Phillott	005	Oppose	Delete all requirements on ground floor glazing in GRZ-REQ12.1
DPR-0204	JP Singh	024	Support In Part	Retain as notified
DPR-0204	JP Singh	025	Support In Part	Amend as follows: 2. When compliance with any of GRZ-REQ12.1. is not achieved: <del>DIS</del> <u>RD</u> <u>IS</u>
<i>DPR-0358</i>	<i>RWRL</i>	<i>FS296</i>	<i>Support</i>	<i>Adopt.</i>
<i>DPR-0384</i>	<i>RIDL</i>	<i>FS296</i>	<i>Support</i>	<i>Adopt.</i>
DPR-0207	SDC	061	Oppose In Part	Amend as follows: 1. Any comprehensive development shall: ... b. be setback a minimum of: ... iv. no internal <u>boundary</u> setback is required where a building shares a common wall with another building within the comprehensive development; <del>v. where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5m from that boundary;</del> <del>vi. no internal boundary setback is required for</del>

<sup>379</sup> DPR-0414.334 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<del>any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;</del>
DPR-0358	RWRL	FS297	Support	Adopt.
DPR-0384	RIDL	FS297	Support	Adopt.
DPR-0414	Kāinga Ora	335	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS250	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1101	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS340	Oppose In Part	Reject submission
DPR-0492	Kevler	FS678	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS325	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS192	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 11.286 Jaclyn Phillott<sup>380</sup> considers that there should be no restrictions on windows on a ground floor. I recommend that this submission be rejected as the provisions only seeks to manage windows above the ground floor to maintain privacy.
- 11.287 JP Singh<sup>381</sup> requests that GRZ-REQ12 be retained as notified. I recommend that this submission point be accepted.
- 11.288 The submitter<sup>382</sup> also considers that the DIS activity status for non-compliance with these requirements to be out of step with the activity status applying to other built form standards and considers that a RDIS status is more appropriate. I agree with the submitter that the effects resulting from non-compliance with the associated rule requirement relates to a narrow range of matters that are well understood and easily identifiable. Therefore, I recommend that this submission point be accepted.
- 11.289 SDC<sup>383</sup> seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes such as garages being sited 15cm from internal boundaries. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [GRZ-](#)

<sup>380</sup> DPR-0108.005 Jaclyn Phillott

<sup>381</sup> DPR-0204.024 JP Singh

<sup>382</sup> DPR-0204.025 JP Singh

<sup>383</sup> DPR-0207.061 SDC

[R12](#). This submission point is the same as that for LRZ-REQ11, therefore the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted.

- 11.290 Kāinga Ora<sup>384</sup> requests that, as a consequential relief to their submission point in relation to LRZ-R12, LRZ-REQ12 be deleted. As I have recommended that [LRZ-R12](#) be retained, I recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 11.291 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ12, as shown in **Appendix 2**, to improve clarity to plan users and recognise that non-compliance with the associated rule requirement relates to a narrow range of matters that are well understood and easily identifiable.
- 11.292 I recommend that the original submission points and further submission points are accepted or rejected, as shown in **Appendix 1**.
- 11.293 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ13 Retirement Village**

##### ***Submissions***

- 11.294 Ten submission points and seven further submission points were received in relation to GRZ-REQ13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	028	Support In Part	<p>Amend as follows:</p> <p>1. Any retirement village shall:</p> <p>...</p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m;</del></p> <p><del>and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></p> <p><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></p> <p><del>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del></p> <p><del>i. is located behind the front façade of the residential unit;</del></p> <p><del>ii. has a minimum horizontal dimension of 1.5m;</del></p> <p><del>and</del></p> <p><del>iii. has a minimum area of 12.5m<sup>2</sup>.</del></p>

<sup>384</sup> DPR-0414.335 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0204	JP Singh	029	Support In Part	Amend as follows: 2. When compliance with any of GRZ-REQ13.1. is not achieved: <del>DISRDIS</del>
DPR-0217	Summerset	030	Neither Support Nor Oppose	Amend as follows: 1. Any retirement village shall: ... <del>d. provide each residential unit with an outdoor living space that:</del> <del>i. is directly accessible from the main living space;</del> <del>ii. has a minimum horizontal dimension of 2.5m; and</del> <del>iii. has a minimum area of 10m2 for residential units with no separate bedrooms; or</del> <del>iv. has a minimum area of 25m2 for one bedroom residential units; or</del> <del>v. has a minimum area of 30m2 for two or more bedroom residential units;</del> <del>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del> <del>i. is located behind the front façade of the residential unit;</del> <del>ii. has a minimum horizontal dimension of 1.5m; and</del> <del>iii. has a minimum area of 12.5m2.</del> <u>d. provide communal rubbish/recycling space/s for use of residents within the site, sized and located to meet the needs of all residents.</u>
DPR-0414	Kāinga Ora	336	Support	Retain as notified
DPR-0209	Manmeet Singh	FS251	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1102	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS341	Oppose In Part	Reject submission
DPR-0492	Kevler	FS679	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS326	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS193	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.
DPR-0424	RVA	028	Oppose	Amend as follows: 1. Any retirement village shall: a. not exceed a maximum building coverage of 45% of net site area; b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height; c. be setback a minimum of:



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>i. 3m from a road frontage or shared accessway; and</p> <p>ii. 2m from any other boundary,</p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m; and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></p> <p><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></p> <p><del>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del></p> <p><del>i. is located behind the front façade of the residential unit;</del></p> <p><del>ii. has a minimum horizontal dimension of 1.5m; and</del></p> <p><del>iii. has a minimum area of 12.5m<sup>2</sup>.</del></p> <p>...</p> <p>2. When compliance with any of GRZ-REQ13.1. is not achieved: <del>DISRDIS</del>  <u>Matters for discretion:</u>  <u>3. The exercise of discretion in relation to GRZ-REQ13.1. is restricted to the following matters:</u>  <u>RESZ-MATXX Retirement Village</u></p>
DPR-0217	Summerset	FS004	Support	Accept the submission
DPR-0424	RVA	032	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0425	Ryman	028	Oppose	<p>Amend as follows:</p> <p>1. Any retirement village shall:</p> <p>a. not exceed a maximum building coverage of 45% of net site area;</p> <p>b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height;</p> <p>c. be setback a minimum of:</p> <p>i. 3m from a road frontage or shared accessway; and</p> <p>ii. 2m from any other boundary,</p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m; and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom</del></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>residential units; or</p> <p>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</p> <p>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</p> <p>i. is located behind the front façade of the residential unit;</p> <p>ii. has a minimum horizontal dimension of 1.5m; and</p> <p>iii. has a minimum area of 12.5m<sup>2</sup>.</p> <p>...</p> <p>2. When compliance with any of GRZ-REQ13.1. is not achieved: <del>DIS</del><u>RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>3. The exercise of discretion in relation to GRZ-REQ13.1. is restricted to the following matters:</u></p> <p><u>RESZ-MATXX Retirement Village</u></p>
DPR-0425	Ryman	033	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0447	Barton Fields	005	Support In Part	<p>Amend GRZ-REQ13 Retirement Village to read:</p> <p>1. Any retirement village shall:</p> <p>a. not exceed a maximum building coverage of <del>45%</del> <u>50%</u> of net site area;</p> <p>b. ....</p> <p>c. be setback a minimum of:</p> <p>i. 3m from a road frontage or shared accessway <u>except where sites have two road boundaries; and</u></p> <p>ii. 2m from any other boundary <u>where the site adjoins another site,</u></p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p> <p><del>i. is directly accessible from the main living space;</del></p> <p><del>ii. has a minimum horizontal dimension of 2.5m; and</del></p> <p><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></p> <p><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></p> <p><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></p> <p>e. provide each residential unit with one or more bedrooms at ground floor level with <del>an additional</del> service, storage, and waste management area that:</p> <p>i. ....</p>
DPR-0456	Four Stars & Gould	013	Oppose	<p>Amend as follows:</p> <p>1. Any retirement village shall:</p> <p>a. ....</p> <p><del>d. provide each residential unit with an outdoor living space that:</del></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>i. is directly accessible from the main living space;</p> <p>ii. has a minimum horizontal dimension of 2.5m;</p> <p>and</p> <p>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</p> <p>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</p> <p>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</p> <p>e. ....</p>

### Analysis

- 11.295 JP Singh<sup>385</sup> considers that the requirements for outdoor living and service spaces are highly prescriptive, and do not provide any flexibility for provision of communal facilities. The submitter also considers that the DIS activity status for a breach of a bulk and location standard to be out of step with the rest of the PDP in this regard and considers that a RDIS activity status is more appropriate for any retirement village activities that fail to comply with the relevant built form rule requirements.
- 11.296 Summerset<sup>386</sup> also considers that the provision of individual outdoor living spaces for each residential unit is inappropriate and unnecessary within a retirement village. The submitter also considers that it is unnecessary to require a separate service, storage, and waste management area per units, instead proposing that a communal area be provided for waste management
- 11.297 RVA and Ryman<sup>387</sup> consider that internal built form controls should not be applied to retirement villages, as these are designed for typical residential units and are not an appropriate or necessary tool for retirement villages. As such, they seek the deletion of the elements of the provision that relation to outdoor living space and service, storage, and waste management areas. The submitters also request that the activity status for a breach of these provisions be amended from DIS to RDIS, and that the assessment should on the effect of that breach. The submitters also seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.
- 11.298 The submitters<sup>388</sup> also consider that there should be a presumption of non-notification for a retirement village that meets all relevant built form rule requirements and a presumption of no more than limited notification to affected neighbours in cases of breach of any development control that directly affects the relevant neighbours.
- 11.299 Barton Fields<sup>389</sup> considers that the provision as notified is not appropriate for retirement villages which are developed either as unit title developments or through a licensed to occupy. The submitter also considered that the proposed building coverage is inappropriate; that the outdoor

<sup>385</sup> DPR-0204.028 and 029 JP Singh

<sup>386</sup> DPR-0217.030 Summerset

<sup>387</sup> DPR-0424.028 RVA and DPR-0425.028 Ryman

<sup>388</sup> DPR-0424.032 RVA and DPR-0425.033 Ryman

<sup>389</sup> DPR-0447.005 Barton Fields

living space requirements should be removed; and that there should be minor modification to the setback and additional storage area requirements.

- 11.300 Four Stars & Gould<sup>390</sup> request the deletion of the elements of the provision relating to outdoor living space.
- 11.301 I consider that the submission points made in relation to this provision are the same as those made in relation to LRZ-REQ13. For the set out in relation to [LRZ-REQ13](#), I recommend that these submission points be accepted in part.
- 11.302 Kāinga Ora<sup>391</sup> requests that GRZ-REQ13 be retained as notified. I recommend that this submission point be accepted in part as I have recommended changes to this provision.

#### **Recommendation and amendments**

- 11.303 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ13, as shown in **Appendix 2**, to enable outdoor living space areas to be provided communally and to recognise that the effects of a breach of a bulk and location standard are well understood.
- 11.304 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 11.305 The scale of change does not require a s32AA evaluation.

#### **GRZ-REQ14 Variety in Appearance**

##### ***Submissions***

- 11.306 Two submission points and six further submission points were received in relation to GRZ-REQ14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0217	Summerset	031	Oppose	Seeks that design and appearance controls are more appropriately considers as a matter of discretion.
DPR-0414	Kāinga Ora	337	Oppose	Delete as notified
DPR-0209	Manmeet Singh	FS252	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1103	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS342	Oppose In Part	Reject submission
DPR-0492	Kevler	FS680	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS327	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS194	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other

<sup>390</sup> DPR-0456.013 Four Stars & Gould

<sup>391</sup> DPR-0414.336 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.</i>

### Analysis

- 11.307 Summerset<sup>392</sup> considers that there is an inequity in the application of this provision, in that is only applicable to comprehensive development and retirement villages, yet any developer could subdivide a large site and all the residential units could be of the same design and materials. Further, they consider that retirement villages are generally designed to ensure they appear to be a comprehensive development and that designs and materials are varied to ensure they complement the look and feel of the surrounding area. They consider that these issues are more appropriate as matters for control or discretion.
- 11.308 Kāinga Ora<sup>393</sup> considers that this provision addresses design matters and are more appropriate as matters for control or discretion.
- 11.309 For the reasons given in relation to [LRZ-REQ14](#), I recommend that these submission points be rejected.

### Recommendation

- 11.310 I recommend that the Hearing Panel retain GRZ-REQ14 as notified.
- 11.311 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **GRZ-REQ15 Outdoor Storage**

#### ***Submissions***

- 11.312 One submission point and six further submission points were received in relation to GRZ-REQ15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	338	Support	Retain as notified
DPR-0209	Manmeet Singh	FS253	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS1104	Oppose In Part	Reject submission
DPR-0461	Dunweavin	FS343	Oppose In Part	Reject submission
DPR-0492	Kevler	FS681	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS328	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS195	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

<sup>392</sup> DPR-0217.031 Summerset

<sup>393</sup> DPR-0414.337 Kāinga Ora

### Analysis

- 11.313 Kāinga Ora<sup>394</sup> requests that GRZ-REQ15 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 11.314 I recommend that the Hearing Panel retain GRZ-REQ15 as notified.
- 11.315 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

### GRZ-REQ16 Castle Hill Specific Control Area – Alpine Design

#### Submissions

- 11.316 Nine submission points and five further submission points were received in relation to GRZ-REQ16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	067	Oppose	Amend as follows: 1. The exterior of any building or structure shall: ... <del>iv. coloured corrugated metal sheeting;</del>
DPR-0391	CHAT	FS007	Support	Delete iv. coloured corrugated metal sheeting from GRZ-REQ16.
DPR-0271	Pete & Sonia Wakefield	003	Oppose	Amend as follows: 1. The exterior of any building or structure shall: a. have a minimum roof pitch of <del>40</del> 30° over at least 70% of the plan area of the building;
DPR-0391	CHAT	FS009	Support	Amend roof pitch to 30 degrees over 70% of roof area of buildings.
DPR-0271	Pete & Sonia Wakefield	004	Support	Not specified.
DPR-0271	Pete & Sonia Wakefield	005	Support In Part	Amend as follows: 1. The exterior of any building or structure shall: c. comprise of at least 80% wall cladding (by area excluding glazing) that consists of: i. timber; and/or ii. stone of the same type as that found in the local area; and/or iii. stone in a natural and unworked form; and/or iv. <del>coloured corrugated metal sheeting</del> <u>metal profile sheeting where the metal profile matches that of the selected roofing metal;</u>
DPR-0391	CHAT	FS008	Oppose	Delete iv. coloured corrugated metal sheeting from GRZ-REQ16.
DPR-0442	CHCA	006	Support	Retain GRZ-REQ16.1.a as notified
DPR-0442	CHCA	008	Support	Retain GRZ-REQ15.1.b as notified
DPR-0442	CHCA	010	Support In Part	Amend as follows: .... c. comprise of at least 80% wall cladding (by area

<sup>394</sup> DPR-0414.338 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				excluding glazing) that consists of: i. .... iv. <del>coloured corrugated metal sheeting;</del> ....
DPR-0391	CHAT	FS012	Support	<i>Retain the existing rules relating to the percentage of cladding that can be other than timber and stone.</i>
DPR-0442	CHCA	013	Oppose In Part	Amend the status of non-compliance with GRZ-REQ16.1.c. to reflect the concerns of the submitter.
DPR-0442	CHCA	014	Oppose In Part	Amend to clarify that GRZ-REQ15.1.d applies to all external surfaces except windows.
DPR-0391	CHAT	FS010	Support	<i>Clarify the rule to cover all exterior pipework, chimney flues and heat pumps</i>

### Analysis

- 11.317 As the above submission points relate to various components of GRZ-REQ16, I have addressed each by the component, rather than by submitter.

#### GRZ-REQ16.1.a. – Roof Pitch

- 11.318 Pete & Sonia Wakefield<sup>395</sup> requests that the minimum roof pitch be reduced from 40° to 30°. The submitters point to original covenants on sites within Castle Hill that stated that the pitch of the roof was to be greater than a minimum of 30 deg for the principal roof area. The operative district plan provisions<sup>396</sup> allow for a minimum roof pitch of 40° over at least 70% of the plan area of the building. The submitters consider that this roof pitch, in combination with the operative district plan provision in relation to height has resulted in buildings where a proportionally high amount of roof is visible and that the design of first floor spaces is difficult and expensive with a steep roof pitch. They further consider that, where property owners have opted for a single storey residence, this roof pitch makes it difficult to design a compact, energy efficient building, forcing the design into long narrow houses often with multiple wings and high site coverages. They support specifying a minimum roof area percentage of 70% at a specified minimum roof pitch as this provides a more testable condition than the words "principal roof area" as noted in the covenant.
- 11.319 I have not been able to locate any design covenants that may apply to sites at Castle Hill, however I note that these are legal mechanisms that sit outside of the PDP. I consider that the quantum notified is a carryover from the operative plan provision and no issues were identified with this in practice to indicate that a change is required. I therefore recommend that this submission point be rejected.
- 11.320 CHCA<sup>397</sup> request that GRZ-REQ16.1.a. be retained as notified. I recommend that this submission point be accepted.

<sup>395</sup> DPR-0271.003 Pete & Sonia Wakefield

<sup>396</sup> Rule 11.1.1.3

<sup>397</sup> DPR-0442.006 CHCA

GRZ-REQ16.1.b. – Gable Ends

- 11.321 Pete & Sonia Wakefield and CHCA<sup>398</sup> request that the provision be retained as notified. I recommend that these submission points be accepted.

GRZ-REQ16.1.c. – Materials

- 11.322 SDC and CHCA<sup>399</sup> request that provision be amended to remove reference to coloured corrugated metal sheeting as a suitable wall cladding. SDC notes that the requirement for buildings to consist of coloured corrugated metal sheeting was not intended to be applied to the Castle Hill township, only the Arthur Pass township, consistent with the operative district plan provisions. CHCA makes a similar observation and considers that the use of this material is prohibited by covenants and does not reflect the character of the village. I consider that these submission points should be accepted as I note from the various baseline and preferred option reports that the operative district plan provisions were largely to be carried through into the PDP and that, in this respect, the use of coloured corrugated metal sheeting is only permitted in Arthur's Pass. I consider that the inclusion of this material within GRZ-REQ16 is a drafting error.
- 11.323 Pete & Sonia Wakefield<sup>400</sup> support the inclusion of coloured metal cladding as a wall cladding option in Castle Hill, where the profile matches that of the roof as that consider that this material would be consistent with the modern architectural style at Castle Hill. I recommend that this submission point be rejected as wall cladding of this material would be inconsistent with the character of the township, as noted in the baseline report<sup>401</sup>.
- 11.324 CHCA<sup>402</sup> opposes more than 20% of a building being clad in non-complying materials and request that the activity status is amended to reflect this. I consider that this submission point should be accepted in part, as I consider that the provision already provides for this e.g. if less than 80% of the wall cladding consists of materials identified in GRZ-REQ16.1.c., the activity defaults to RDIS.

GRZ-REQ16.1.d. – Reflectivity

- 11.325 CHCA<sup>403</sup> requests that GRZ-REQ16.1.d be applied to all external surfaces except windows and that the rule be clarified to give effect to this, citing recent examples where this has not been applied to roofs. I consider that the provision as notified applies to all exterior surfaces, as such this would apply equally to roofs, and pipework, chimney flues and heat pumps as suggested by CHAT<sup>404</sup> in their further submission, as much as it does to walls. Therefore, I recommend that this submission point be rejected as I do not consider that it requires clarification.

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<sup>398</sup> DPR-0271.004 Pete & Sonia Wakefield and DPR-0442.008 CHCA

<sup>399</sup> DPR-0207.067 SDC and DPR-0442.010 CHCA

<sup>400</sup> DPR-0271.005 Pete & Sonia Wakefield

<sup>401</sup> [Alpine village Baseline Report October 2018](#)

<sup>402</sup> DPR-0442.013 CHCA

<sup>403</sup> DPR-0442.0 14 CHCA

<sup>404</sup> DPR-0391.FS010 CHAT



### ***Recommendation and amendments***

- 11.326 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend GRZ-REQ16, as shown in **Appendix 2**, to remove reference to coloured corrugated metal sheeting.
- 11.327 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.
- 11.328 The scale of change does not require a s32AA evaluation.

### **GRZ-REQ Generally**

### ***Submissions***

- 11.329 Two submission points and five further submission points were received in relation to the GRZ rule requirements generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	363	Oppose	Delete and/or significantly amend these provisions so as to reduce their prescriptiveness and otherwise ensure they are subject to non-notification clauses.
DPR-0209	Manmeet Singh	FS568	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS529	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS569	Support In Part	Accept submission in part
DPR-0492	Kevler	FS457	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS550	Support In Part	Accept the submission in part.
DPR-0384	RIDL	370	Oppose	Delete and/or significantly amend these provisions so as to reduce their prescriptiveness and otherwise ensure they are subject to non-notification clauses.

### ***Analysis***

- 11.330 RWRL and RIDL<sup>405</sup> generally oppose the rule requirements associated with the GRZ as they consider them to be overly prescriptive and restrictive in terms of the development, use and enjoyment of residential property and otherwise lacking in terms of non-notification clauses. I disagree and consider that the rule requirements, as amended, are appropriate to achieve the outcomes sought for the GRZ. I further consider that the matter of notification has been appropriately considered. I therefore recommend that these submission points be rejected.

### ***Recommendation***

- 11.331 I recommend that, for the reasons given above, the original submission points and the further submission points are accepted or rejected by the Hearing Panel, as shown in **Appendix 1**.

<sup>405</sup> DPR-0358.363 RWRL and DPR-0384.370 RIDL

## 12. Settlement Zone

### *Introduction*

- 12.1 This section addresses all the submission points received in relation to the Settlement Zone (SETZ) chapter of the PDP.
- 12.2 This zone applies to townships where existing land use activity comprises a mixture of residential and commercial activities, but there are no commercial or mixed use zones. Development in this zone is generally characterised by detached residential units on large sites. The zone also allows for the township to respond to the changing needs of the community by enabling limited commercial and community activities, as well as an increase in housing choice.

### *Overview*

### *Submissions*

- 12.3 Two submission points were received in relation to the SETZ-Overview.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	006	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.
DPR-0425	Ryman	006	Oppose In Part	Amend the overview section to recognise the important role of retirement villages in providing for an ageing population, and to recognise that the nature and effects of retirement villages are different to other higher density residential activities.

### *Analysis*

- 12.4 RVA and Ryman<sup>406</sup> request that the SETZ-Overview be amended to recognise the role of retirement villages in providing for an ageing population, and that the nature and effects of retirement villages are different to other higher density residential activities. The purpose of the overview is to identify the general characteristics of the zone, including the range of activities that are considered appropriate within the zone. While the Overview does not explicitly recognise retirement villages, it does allow for the zone to respond to the changing needs of the community by providing for retirement villages within the provisions, which do recognise that this activity is developed at a different scale from traditional residential development. As such, I recommend that these submission points be rejected.

### *Recommendation*

- 12.5 I recommend that, for the reasons given above, the Hearing Panel retain the SETZ-Overview as notified.

<sup>406</sup> DPR-0424.006 RVA and DPR-0425.006 Ryman

- 12.6 I recommend that the original submission points are rejected as shown in **Appendix 1**.

### Objectives

#### **SETZ-O1**

##### ***Submissions***

- 12.7 Two submission points were received in relation to SETZ-O1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0125	BE Faulkner	010	Support	Not specified.
DPR-0414	Kāinga Ora	339	Support	Retain as notified

##### ***Analysis***

- 12.8 Referring to BE Faulkner<sup>407</sup> full submission, I record their support for SETZ-O1 as notified. I recommend that this submission point be accepted.
- 12.9 Kāinga Ora<sup>408</sup> requests that SETZ-O1 be retained as notified. I recommend that this submission point be accepted.

##### ***Recommendation***

- 12.10 I recommend that the Hearing Panel retain SETZ-O1 as notified.
- 12.11 I recommend that the original submission points are accepted as shown in **Appendix 1**.

### Policies

#### **SETZ-P1 and SETZ-P2**

##### ***Submissions***

- 12.12 Two submission points were received in relation to SETZ-P1 and two submission points were received in relation to SETZ-P2.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0125	BE Faulkner	011	SETZ-P1	Support	Not specified.
DPR-0125	BE Faulkner	041	SETZ-P2	Support	Not specified.
DPR-0414	Kāinga Ora - Homes & Communities	340	SETZ-P1	Support In Part	Unspecified amendments sought.
DPR-0441	Manawa	154	SETZ-P2	Support	Retain as notified

##### ***Analysis***

- 12.13 Referring to BE Faulkner<sup>409</sup> full submission, I record their support for SETZ-P1 and SETZ-P2 as notified. I recommend that these submission points be accepted.
- 12.14 The relief sought from Kāinga Ora<sup>410</sup> in their original decision appeared to refer to LLRZ-P1. This was queried with the submitter who advised that they would provide specific amendments at

<sup>407</sup> DPR-0125.010 BE Faulkner

<sup>408</sup> DPR-0414.339 Kāinga Ora

<sup>409</sup> DPR-0125.011 and 041 BE Faulkner

<sup>410</sup> DPR-0414.340 Kāinga Ora

the hearing. As such, at this time, I recommend that this submission point be rejected as it is unclear what amendments the submitter seeks.

- 12.15 Manawa<sup>411</sup> requests that SETZ-P2 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 12.16 I recommend that the Hearing Panel retain SETZ-P1 and SETZ-P2 as notified.
- 12.17 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.

**Rules**

**SETZ-R1 Residential Activity**

***Submissions***

- 12.18 One submission point was received in relation to SETZ-R1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	341	Support	Retain as notified

***Analysis***

- 12.19 Kāinga Ora<sup>412</sup> requests that SETZ-R1 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

- 12.20 I recommend that the Hearing Panel retain SETZ-R1 as notified.
- 12.21 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R2 Residential Unit or other Principal Building**

***Submissions***

- 12.22 Two submission points and two further submission points were received in relation to SETZ-R2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	342	Support In Part	Amend as follows: 1. The establishment of, or the addition/external alteration to, a residential unit or other principal building ... And this activity complies with the following rule requirements: ... <del>SETZ-REQ8 Presentation to the Street</del> ... Notification: <u>Any application for a new building pursuant to</u>

<sup>411</sup> DPR-0441.154 Manawa

<sup>412</sup> DPR-0414.341 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>SETZ-R2 that complies with SETZ-REQ3 Height and SETZ-REQ5 Setback of Buildings and Structures shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</u></p> <p>Activity status: RDIS</p> <p>4. The establishment of, or the addition/external alteration to, a second residential unit, or other principal building on the site</p> <p>...</p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p><u>SETZ-REQ8 Presentation to the Street</u></p> <p>...</p>
DPR-0441	Manawa	156	Support In Part	<p>Amend as follows:</p> <p>...</p> <p>SETZ-REQ16....</p> <p><u>SETZ-REQx Lake Coleridge...</u></p>
DPR-0381	CDL	FS089	Oppose	Disallow
DPR-0486	CDL	FS089	Oppose	Disallow

### Analysis

- 12.23 As identified in [Section 5](#), the submission from Kāinga Ora<sup>413</sup> was incorrectly summarised. As corrected, Kāinga Ora requests that the provision be amended such that a residential unit or other principal building is not subject to the rule requirement related to presentation to the street (SETZ-REQ8), as a consequential relief to related submissions point in relation to this rule requirement. For the reasons set out in relation to [SETZ-REQ8](#), I recommend that this element of the submission point be rejected.
- 12.24 The submitter also requests that a specific non-notification clause be included to ensure that buildings that comply with the height (SETZ-REQ3) and setback (SETZ-REQ5) rule requirements shall not require the written consent of affected persons and shall not be subject to any form of notification. For the reasons set out in relation to [LLRZ-R2](#), I recommend that this element of the submission point be rejected.
- 12.25 Manawa<sup>414</sup> requests that the provision be amended, as a consequential relief to their related submission point seeking the inclusion of a new rule requirement to address potential reverse sensitivity of any new residential development near the Lake Coleridge HEPS. For the reasons set out in relation to the broader relief sought by [Manawa](#), I recommend that this submission point be rejected.

<sup>413</sup> DPR-0414.342 Kāinga Ora

<sup>414</sup> DPR-0441.156 Manawa

### Recommendation

- 12.26 I recommend that the Hearing Panel retain SETZ-R2 as notified.
- 12.27 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### SETZ-R3 Minor Residential Unit

#### Submissions

- 12.28 Seven submission points and two further submission points were received in relation to SETZ-R3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0030	Elizabeth Owen	004	Support	Retain as notified
DPR-0051	Prateek Sharma	004	Support	Retain rules that allow minor residential units (family flats) without the requirement that only family members can live in them.
DPR-0498	Gordon Hamilton	FS002	Oppose	Supports flats on larger rural sections but opposes non-family flats in smaller sections in residential areas.
DPR-0078	Ian Laurenson	010	Support	Requests that rule has immediate legal effect.
DPR-0100	Annette Shankie	004	Support	Retain as notified.
DPR-0498	Gordon Hamilton	FS001	Oppose In Part	The amendment should only be allowed for larger sections where road access is not an issue. If off street parking is not available there must be on street parking on the section frontage.
DPR-0285	AJ Bennett	004	Support	Retain as notified
DPR-0414	Kāinga Ora	343	Support In Part	Amend as follows: 1. The establishment of, or addition/external alteration to, a minor residential unit ... And this activity complies with the following rule requirements: ... <del>SETZ-REQ8 Presentation to the Street</del> ...
DPR-0463	Katie Bootsma	004	Support	Retain as notified.

### Analysis

- 12.29 Ian Laurenson<sup>415</sup> requests that SETZ-R3 has immediate legal effect. As this rule does not seek to protect any of the matters identified in s86B(3) of the Act, it cannot have immediate effect on notification of the PDP. As such, it can only have legal effect once decision on submissions have been made. I recommend that this submission point be rejected.
- 12.30 Kāinga Ora<sup>416</sup> requests that the provision be amended such that it is not subject to the rule requirement related to presentation to the street (SETZ-REQ8), as a consequential relief to their submission point in relation to this rule requirement. For the reasons set out in relation to [SETZ-REQ8](#), I recommend that this submission point be rejected.

<sup>415</sup> DPR-0078.010 Ian Laurenson,

<sup>416</sup> DPR-0414.343 Kāinga Ora

- 12.31 Elizabeth Owen, Prateek Sharma, Annette Shankie, AJ Bennett, and Katie Bootsman<sup>417</sup> request that SETZ-R3 be retained as notified. I recommend that these submission points be accepted.

**Recommendation**

- 12.32 I recommend that the Hearing Panel amend SETZ-R3 for the reasons discussed in relation to [RESZ-P8](#).
- 12.33 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**SETZ-R4 Accessory Building**

**Submissions**

- 12.34 One submission point was received in relation to SETZ-R4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	344	Support	Retain as notified

**Analysis**

- 12.35 Kāinga Ora<sup>418</sup> requests that SETZ-R4 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.36 I recommend that the Hearing Panel retain SETZ-R4 as notified.
- 12.37 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R5 Any structure not otherwise listed in SETZ-Rule List**

**Submissions**

- 12.38 One submission point was received in relation to SETZ-R5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	345	Support	Retain as notified

**Analysis**

- 12.39 Kāinga Ora<sup>419</sup> requests that SETZ-R5 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.40 I recommend that the Hearing Panel retain SETZ-R5 as notified.
- 12.41 I recommend that the original submission point is accepted as shown in **Appendix 1**.

<sup>417</sup> DPR-0030.004 Elizabeth Owen, DPR-0051.004 Prateek Sharma, DPR-0100.004 Annette Shankie, DPR-0285.004 AJ Bennett, and DPR-0463.004 Katie Bootsma

<sup>418</sup> DPR-0414.344 Kāinga Ora

<sup>419</sup> DPR-0414.345 Kāinga Ora

**SETZ-R6 Fencing****Submissions**

12.42 Three submission points were received in relation to SETZ-R6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0005	Jessica Graham	004	Oppose	Either retain the fencing rules in the operative district plan, where a boundary fence on a corner section along a secondary road may be up to 1.8m in height, or requests that if the rules change, only enforce the rule for new fences only, not existing ones.
DPR-0414	Kāinga Ora	346	Support In Part	Amend as follows: 1. Any fence or freestanding wall Where: a. within 4m of any road boundary,: i. is a maximum height of <del>1.4m</del> <u>1.8m</u> ; <u>or</u> ii. <u>the fence or freestanding wall shall be a maximum of 1.8m in height if the fence or free-standing wall is at least 50 per cent visually open as viewed perpendicular to the road boundary.</u> ...
DPR-0449	BDL	008	Oppose In Part	Amend as follows: - provide for a fence on the secondary boundary of a corner site to be a solid 1.8m fence. - increase the fence height for fencing on a road boundary or reserve boundary to 1.2m.

**Analysis**

- 12.43 Jessica Graham<sup>420</sup> requests that current fencing rules be retained which, in relation to corner sites, permit a fence up to 1.8m in height along a secondary boundary.
- 12.44 Kāinga Ora<sup>421</sup> requests that the provision be amended to provide greater flexibility to provide for privacy to residential units while still enabling opportunities for passive surveillance of the street.
- 12.45 BDL<sup>422</sup> requests that the height of a solid fence on a boundary with a reserve be increased to 1.2m and that the road fencing requirement should be similarly increased. They also request that the provision enable a solid 1.8m high fence on a secondary boundary to accommodate for private outdoor space.
- 12.46 For the reasons set out in relation to [LRZ-R6](#), I recommend that the submission points of Jessica Graham, Kāinga Ora and BDL are accepted in part.

**Recommendation and amendments**

- 12.47 I recommend that, for the reasons given above, the Hearing Panel:

<sup>420</sup> DPR-0005.004 Jessica Graham

<sup>421</sup> DPR-0414.346 Kāinga Ora

<sup>422</sup> DPR-0449.008 BDL



- a) amend SETZ-R6.a., as shown in **Appendix 2**, to provide greater flexibility in fencing while still enabling opportunities for passive surveillance of the street; and
- b) amend SETZ-R6.1.b.ii.2., as shown in **Appendix 2**, for consistency.

12.48 I recommend that the original submission points are accepted or rejected in part as shown in **Appendix 1**.

12.49 The scale of change does not require a s32AA evaluation.

**SETZ-R7 Relocated Building**

***Submissions***

12.50 Two submission points were received in relation to SETZ-R7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0296	NZHHA	004	Oppose	<p>Amend Rule SETZ-R7 to provide for relocated, re-siting and removal of residential dwellings as a permitted activity and</p> <p>Insert new <u>Permitted Activity Standards</u>:</p> <p><u>a. Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.</u></p> <p><u>b. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.</u></p> <p><u>c. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include certification by the property owner that the reinstatement works shall be completed within the specified (12) month period.</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than (2) months of the building being moved to the site.</u></p> <p><u>e. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within (12) months of the building being delivered to the site. Without limiting (c) (above) reinstatement works is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p>and</p> <p>Insert a pre-inspection report in schedule 2 and</p> <p>Insert Rule: <u>Restricted Discretionary Activity (on a non-notified, non-service basis)</u></p> <p><u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				i) <u>proposed landscaping;</u> ii) <u>the proposed timetable for completion for the work required to reinstate the exterior of the building and connections to services.</u>
DPR-0414	Kāinga Ora	347	Oppose	Delete as notified

### ***Analysis***

12.51 The submissions of NZHHA and Kāinga Ora<sup>423</sup> in relation to SETZ-R7 are the same as for LLRZ-R7. In this regard, NZHHA requests that SETZ-R7 be amended to provide for relocated residential units as a permitted activity, subject to the same land use planning controls as new residential units, along with a number of additional standards which relate to obtaining a building consent, and a RDIS activity status where these are not able to be complied with and Kāinga Ora opposes the separate recognition of relocated buildings and request that the provision be deleted.

12.52 For the reasons given in relation to [LLRZ-R7](#), I recommend that the submission from NZHHA be rejected and that the submission from Kāinga Ora be accepted.

### ***Recommendation and amendments***

12.53 I recommend that, for the reasons given above, the Hearing Panel:

- a) delete SETZ-R7, as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.

12.54 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.

12.55 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#).

### **SETZ-R8 Keeping of Animals**

#### ***Submissions***

12.56 One submission point was received in relation to SETZ-R8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	348	Support	Retain as notified

### ***Analysis***

12.57 Kāinga Ora<sup>424</sup> requests that SETZ-R8 be retained as notified. I recommend that this submission point be accepted.

### ***Recommendation***

12.58 I recommend that the Hearing Panel retain SETZ-R8 as notified.

12.59 I recommend that the original submission point is accepted as shown in **Appendix 1**.

<sup>423</sup> DPR-0296.004 NZHHA and DPR-0414.347 Kāinga Ora

<sup>424</sup> DPR-0414.348 Kāinga Ora

**SETZ-R9 Home business*****Submissions***

12.60 One submission point was received in relation to SETZ-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	349	Support	Retain as notified

***Analysis***

12.61 Kāinga Ora<sup>425</sup> requests that SETZ-R9 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

12.62 I recommend that the Hearing Panel retain SETZ-R9 as notified.

12.63 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R10 Supported Residential Accommodation*****Submissions***

12.64 Two submission points were received in relation to SETZ-R10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	009	Support	Retain as notified
DPR-0414	Kāinga Ora	350	Support	Retain as notified

***Analysis***

12.65 Ara Poutama Aotearoa and Kāinga Ora<sup>426</sup> request that SETZ-R10 be retained as notified. I recommend that these submission points be accepted.

***Recommendation***

12.66 I recommend that the Hearing Panel retain SETZ-R10 as notified.

12.67 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.

**SETZ-R11 Small Site Development*****Submissions***

12.68 Two submission points were received in relation to SETZ-R11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	060	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ...

<sup>425</sup> DPR-0414.349 Kāinga Ora

<sup>426</sup> DPR-0300.009 Ara Poutama Aotearoa and DPR-0414.350 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>SETZ-REQ6 Setback of Garages</u> ...
DPR-0414	Kāinga Ora	351	Oppose	Delete as notified

### ***Analysis***

- 12.69 SDC<sup>427</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to SETZ-REQ11. For the reasons set out in relation to [SETZ-REQ11](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to small site development.
- 12.70 Kāinga Ora<sup>428</sup> considers that the provision of higher density development is inconsistent with the objectives and policies of the SETZ zone and requests that the rule be deleted. As the zone is largely provided across an entire township, I consider that the retention of this rule provides for a greater range of housing choice and diversity within the zone/township as envisaged by RESZ-O1 and RESZ-O3. It also provides for the intensification of existing urban areas, as envisaged by RESZ-P2, and promotes a compact urban form. I further consider that this provision is consistent with SETZ-O1 and SETZ-P1, in that it enables a form of development at an increased density that may serve the needs of the local community. I therefore consider that this submission point should be rejected.

### ***Recommendation and amendments***

- 12.71 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend SETZ-R11, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.
- 12.72 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 12.73 The scale of change does not require a s32AA evaluation.

### **SETZ-R12 Comprehensive Development**

#### ***Submissions***

- 12.74 Two submission points were received in relation to SETZ-R12.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	066	Oppose In Part	Amend as follows: Where this activity complies with the following rule requirements: ... <u>SETZ-REQ6 Setback of Garages</u> ...
DPR-0414	Kāinga Ora	352	Oppose	Delete as notified

<sup>427</sup> DPR-0207.060 SDC

<sup>428</sup> DPR-0414.351 Kāinga Ora

### **Analysis**

- 12.75 SDC<sup>429</sup> requests that the rule requirement pertaining to the setback of garages be included in the rule, as a consequential relief to their related submission point in relation to SETZ-REQ12. For the reasons set out in relation to [SETZ-REQ12](#), I recommend that this submission point be accepted, otherwise the setback of garages would not be managed in relation to comprehensive development.
- 12.76 Kāinga Ora<sup>430</sup> considers that the provision of higher density development is inconsistent with the objectives and policies of the SETZ zone and requests that the rule be deleted. As the zone is largely provided across an entire township, I consider that the retention of this rule provides for a greater range of housing choice and diversity within the zone/township as envisaged by RESZ-O1 and RESZ-O3. It also provides for the intensification of existing urban areas, as envisaged by RESZ-P2, and promotes a compact urban form. I further consider that this provision is consistent with SETZ-O1 and SETZ-P1, in that it enables a form of development at an increased density that may serve the needs of the local community. I therefore consider that this submission point should be rejected.

### **Recommendation and amendments**

- 12.77 I recommend that, for the reasons given above, the Hearing Panel:
- amend SETZZ-R12, as shown in **Appendix 2**, to ensure that the setback of garages is managed consistently across the PDP.
- 12.78 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 12.79 The scale of change does not require a s32AA evaluation.

### **SETZ-R13 Retirement Village**

#### ***Submissions***

- 12.80 Five submission points were received in relation to SETZ-R13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	353	Support In Part	<p>Amend as follows:</p> <p>1. Any retirement village Where this activity complies with the following rule requirements:</p> <p>...</p> <p><b>SETZ-REQ8 Presentation to the Street</b> <b>SETZ-REQ14 Variety in Appearance</b></p> <p>Matters for discretion:</p> <p>2. The exercise of discretion in relation to SETZ-R13.1. is restricted to the following matters:</p>

<sup>429</sup> DPR-0207.065 SDC

<sup>430</sup> DPR-0414.352 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				a. RESZ-MAT13 Location of Comprehensive Development and Retirement Village ...
DPR-0424	RVA	031	Oppose	Amend as follows: Activity status: <del>RDISPER</del> 1. Any retirement village Where this activity complies with the following rule requirements: ... <del>SETZ-REQ8 Presentation to the Street</del> <del>SETZ-REQ10 Landscaping</del> <del>SETZ-REQ13 Retirement Village</del> <del>SETZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to <del>SETZ-R13.1</del> is restricted to the following matters: <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> <del>REZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del> <del>RESZ-MATXX - Retirement Villages</del> NH-MAT3 Geotechnical Considerations
DPR-0425	Ryman	031	Support In Part	Amend as follows: Activity status: <del>RDIS PER</del> 1. Any retirement village Where this activity complies with the following rule requirements: ... <del>SETZ-REQ8 Presentation to the Street</del> <del>SETZ-REQ10 Landscaping</del> <del>SETZ-REQ13 Retirement Village</del> <del>SETZ-REQ14 Variety in Appearance</del> Matters for discretion: 2. The exercise of discretion in relation to SETZ-R13.1. is restricted to the following matters: <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> <del>REZ-MAT14 Design of Small Site Development, Comprehensive Development and Retirement Village</del> <del>RESZ-MATXX - Retirement Villages</del> NH-MAT3 Geotechnical Considerations
DPR-0447	Barton Fields	004	Support In Part	Amend SETZ-R13 Retirement Villages to read: Activity status: RDIS 1. Any retirement village Where this activity complies with the following rule requirements: .... <del>SETZ-REQ14 Variety in Appearance</del> ....
DPR-0447	Barton Fields	011	Oppose	Amend SETZ-R13 to read: Activity status: RDIS 1. Any retirement village

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				.... Matters for discretion: 2. The exercise of discretion in relation to <b>SETZ-R13.1.</b> is restricted to the following matters: a. <del>RESZ-MAT13 Location of Comprehensive Development and Retirement Village</del> ....

### Analysis

- 12.81 Kāinga Ora<sup>431</sup> requests that the provision be amended such that it is not subject to the rule requirements related to presentation to the street or variety in appearance, as a consequential relief related to their submission point in relation to these rule requirements. The submitter seeks a minor amendment as a consequential relief in relation their submission point related to RESZ-MAT13.
- 12.82 RVA and Ryman<sup>432</sup> request that retirement villages be recognised as a permitted activity, to make it clear to the surrounding community that such uses are part of the fabric of the residential zones and not challengeable in consenting processes. The submitters also request that this activity not be subject to the rule requirements related to presentation to the street, landscaping, or variety in appearance, as they consider that these provisions “*address concerns that may be applicable to other higher density residential activities, but which do not necessarily apply equally to retirement villages*”. Finally, these submitters seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.
- 12.83 Barton Fields<sup>433</sup> request that provision not be subject to the requirement related to variety in appearance as they consider that retirement villages are designed to be cohesive to provide a sense of community within the village and that requiring building design to change for every 4 – 6 units is counter intuitive to this design philosophy. The submitter also requests an amendment to the matters applicable to this activity, as a consequential relief related to their submission point in that respect.
- 12.84 For the reasons set out in relation to [SETZ-REQ8](#), [SETZ-REQ10](#) and [SETZ-REQ14](#), I recommend that these elements of the above submission points be rejected.
- 12.85 In terms of the request from RVA and Ryman for this activity to be permitted, for the reasons set out in relation to [LRZ-R13](#), I recommend that these elements of the above submission point be rejected.
- 12.86 For the reasons set out in relation to [RESZ-MAT13](#) and [RESZ-MAT14](#), I recommend that these elements of the above submission points from RVA, Ryman and Barton Fields be rejected.

<sup>431</sup> DPR-0414.353 Kāinga Ora

<sup>432</sup> DPR-0424.031 RVA and DRP-0425.031 Ryman

<sup>433</sup> DPR-0447.004 and 011 Barton Fields

**Recommendation**

- 12.87 I recommend that the Hearing Panel retain SETZ-R13 as notified.
- 12.88 I recommend that the original submission points are rejected as shown in **Appendix 1**.

**SETZ-R14 Visitor Accommodation****Submissions**

- 12.89 Two submission points and one further submission point were received in relation to SETZ-R14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trolove	004	Oppose	Delete SETZ-R14 in its entirety.
DPR-0407	Forest & Bird	FS410	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	354	Support	Retain as notified

**Analysis**

- 12.90 William Trolove<sup>434</sup> requests that SETZ-R14 be deleted as notified. The submitter considers that the effect of the provision will be that it enables all properties in Arthur's Pass to be used as visitor accommodation, and that fire safety and building standards will be ignored.
- 12.91 Noting first that fire safety and buildings standards are more appropriately addressed through the building consent process, in accordance with the NZ Building Code which also contains criteria to determine if a change of use would trigger more onerous compliance requirements, I consider that it is appropriate that a threshold be provided which allows Council and the community to consider the effects of the activity where it exceeds the level envisaged in relation to residential activity (SETZ-R1). I consider that the quantum notified is a carryover from the operative plan provision and no issues were identified with this in practice to indicate that a change is required. Therefore, I recommend that this submission point be rejected.
- 12.92 Kāinga Ora<sup>435</sup> requests that SETZ-R14 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.93 I recommend that the Hearing Panel retain SETZ-R14 as notified.
- 12.94 I recommend that the original submission points and further submission point are accepted or rejected as shown in **Appendix 1**.

**SETZ-R15 Camping Ground Facility****Submissions**

- 12.95 Three submission points and two further submission points were received in relation to SETZ-R15.

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<sup>434</sup> DPR-0211.004 William Trolove

<sup>435</sup> DPR-0414.354 Kāinga Ora



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trolove	005	Oppose	Amend SETZ-R15 to allow camping grounds as a permitted activity subject only to the Camping-Grounds Regulations 1985.
DPR-0407	Forest & Bird	FS411	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0211	William Trolove	006	Oppose	Amend SETZ-R15 to include a statement that the campground operator can apply for a Section 14 Certificate of Exemption for camping activities not associated with a vehicle.
DPR-0407	Forest & Bird	FS412	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	355	Support	Retain as notified

### Analysis

- 12.96 William Trolove<sup>436</sup> considers that the provision as notified creates an inequity between camping grounds established on public and private land and requests that any camping ground be permitted subject only to the *Camping Ground Regulations 1985*, which require any land being used as a camping ground to be registered with a Local Authority and to comply with a range of operational standards such as rubbish disposal, cleanliness, size of cabins, campsites and relocatable home sites, and lighting. I consider that the purpose of the *Camping Ground Regulations* is to promote and protect public health within the facility, as opposed to managing the effects on the surrounding environment.
- 12.97 I consider that when a camping ground is established under the *Reserves Act 1977*, which essentially means that it is established within a public reserve, there is a degree of oversight and community engagement that is required, outside of a resource consenting environment. I do not consider that the same level of oversight would exist if private entities were able to provide camping grounds as a permitted activity. I therefore recommend that this submission point be rejected, and the PDP should manage those activities and effects which are not addressed through other processes.
- 12.98 The submitter further requests that ‘minor tenting activity’ be acknowledged within the PDP, with the statement that a camping ground operator can apply for a s14 Certificate of Exemption for camping activities not associated with a vehicle. I consider that this submission point should be rejected as the exemption requested relates to the *Camping Ground Regulations*, so is more appropriately managed through that process. I do not consider that the definition of *camping ground facility* draws a distinction between camping activities that do or do not involve a vehicle.
- 12.99 Kāinga Ora<sup>437</sup> requests that SETZ-R15 be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 12.100 I recommend that the Hearing Panel retain SETZ-R15 as notified.

<sup>436</sup> DPR-0211.005 William Trolove

<sup>437</sup> DPR-0414.355 Kāinga Ora

- 12.101 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

**SETZ-R16 Commercial Activities**

***Submissions***

- 12.102 Three submission points and one further submission point were received in relation to SETZ-R16.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trolove	007	Support	Retain SETZ-R16 as notified.
DPR-0407	Forest & Bird	FS413	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	356	Support	Retain as notified
DPR-0449	BDL	005	Support	Retain the permitted status for commercial activities within the Settlement Zone

***Analysis***

- 12.103 William Trolove, Kāinga Ora and BDL<sup>438</sup> request that SETZ-R16 be retained as notified. I recommend that these submission points be accepted.

***Recommendation***

- 12.104 I recommend that the Hearing Panel retain SETZ-R16 as notified.
- 12.105 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

**SETZ-R17 Educational Facility**

***Submissions***

- 12.106 Two submission points were received in relation to SETZ-R17.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0378	MoE	026	Support	Retain as notified
DPR-0414	Kāinga Ora	357	Support	Retain as notified

***Analysis***

- 12.107 MoE and Kāinga Ora<sup>439</sup> requests that SETZ-R17 be retained as notified. I recommend that these submission points be accepted.

***Recommendation***

- 12.108 I recommend that the Hearing Panel retain SETZ-R17 as notified.
- 12.109 I recommend that the original submission points are accepted as shown in **Appendix 1**.

<sup>438</sup> DPR-0211.007 William Trolove, DPR-0414.356 Kāinga Ora, and DPR-0449.005 BDL

<sup>439</sup> DPR-0378.026 MoE and DPR-0414.357 Kāinga Ora

**SETZ-R18 Public Amenity*****Submissions***

12.110 One submission point was received in relation to SETZ-R18.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	358	Support	Retain as notified

***Analysis***

12.111 Kāinga Ora<sup>440</sup> requests that SETZ-R18 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

12.112 I recommend that the Hearing Panel retain SETZ-R18 as notified.

12.113 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R19 Community Facility*****Submissions***

12.114 Two submission points and one further submission point were received in relation to SETZ-R19.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trollove	008	Support	Retain SETZ-R19 as notified.
DPR-0407	Forest & Bird	FS414	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	359	Support	Retain as notified

***Analysis***

12.115 William Trollove and Kāinga Ora<sup>441</sup> request that SETZ-R19 be retained as notified. I recommend that these submission points be accepted.

***Recommendation***

12.116 I recommend that the Hearing Panel retain SETZ-R19 as notified.

12.117 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

**SETZ-R20 Community Corrections Activity*****Submissions***

12.118 Two points submission points were received in relation to SETZ-R20.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	010	Oppose	Delete as notified.
DPR-0414	Kāinga Ora	360	Support	Retain as notified

<sup>440</sup> DPR-0414.358 Kāinga Ora

<sup>441</sup> DPR-0211.008 William Trollove and DPR-0414.359 Kāinga Ora

**Analysis**

- 12.119 Ara Poutama Aotearoa<sup>442</sup> submits that this rule is not necessary as it is unlikely that they would look to locate such an activity within the SETZ as it would be inconsistent with the character and amenity of this zone. The deletion of this rule would result in a discretionary status for the activity (by virtue of the catch all rule (SETZ-R30)), and Ara Poutama Aotearoa have submitted that they consider that it is appropriate that any such activity be subject to a resource consent process to allow the Council to assess the effects on the environment. I accept the analysis of the agency responsible for the provision of community corrections activities that these are likely to be inconsistent with the amenity of the SETZ and therefore recommend that this submission point be accepted.
- 12.120 Kāinga Ora<sup>443</sup> requests that SETZ-R20 be retained as notified, however, for the reason above, I recommend that this submission point be rejected.

**Recommendation and amendments**

- 12.121 I recommend that, for the reasons given above, the Hearing Panel:
- a) delete SETZ-R20, as shown in **Appendix 2**, as this activity is unlikely to be consistent with the amenity of the zone.
- 12.122 It is recommended that the submission points are accepted or rejected as shown in **Appendix 1**.
- 12.123 The scale of change does not require a s32AA evaluation.

**SETZ-R21 Automotive Activity****Submissions**

- 12.124 One submission point was received in relation to SETZ-R21.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	361	Support	Retain as notified

**Analysis**

- 12.125 Kāinga Ora<sup>444</sup> requests that SETZ-R21 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.126 I recommend that the Hearing Panel retain SETZ-R21 as notified.
- 12.127 I recommend that the original submission point is accepted as shown in **Appendix 1**.

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<sup>442</sup> DPR-0300.010 Ara Poutama Aotearoa

<sup>443</sup> DPR-0414.360 Kāinga Ora

<sup>444</sup> DPR-0414.361 Kāinga Ora

**SETZ-R22 Industrial Activity*****Submissions***

12.128 One submission point was received in relation to SETZ-R22.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	362	Support	Retain as notified

***Analysis***

12.129 Kāinga Ora<sup>445</sup> requests that SETZ-R22 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

12.130 I recommend that the Hearing Panel retain SETZ-R228 as notified.

12.131 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R23 Research Activity*****Submissions***

12.132 One submission point was received in relation to SETZ-R23.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	363	Support	Retain as notified

***Analysis***

12.133 Kāinga Ora<sup>446</sup> requests that SETZ-R23 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

12.134 I recommend that the Hearing Panel retain SETZ-R23 as notified.

12.135 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R24 Rural Activity, Rural Industry, Rural Production and/or Rural Service*****Submissions***

12.136 One submission point was received in relation to SETZ-R24.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	364	Support	Retain as notified

***Analysis***

12.137 Kāinga Ora<sup>447</sup> requests that SETZ-R24 be retained as notified. I recommend that this submission point be accepted.

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<sup>445</sup> DPR-0414.362 Kāinga Ora

<sup>446</sup> DPR-0414.363 Kāinga Ora

<sup>447</sup> DPR-0414.364 Kāinga Ora

**Recommendation**

12.138 I recommend that the Hearing Panel retain SETZ-R24 as notified.

12.139 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R25 Mineral Extraction and/or Mineral Prospecting****Submissions**

12.140 One submission point was received in relation to SETZ-R25.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	365	Support	Retain as notified

**Analysis**

12.141 Kāinga Ora<sup>448</sup> requests that SETZ-R25 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

12.142 I recommend that the Hearing Panel retain SETZ-R25 as notified.

12.143 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R26 Firearm Range****Submissions**

12.144 One submission point was received in relation to SETZ-R26.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	366	Support	Retain as notified

**Analysis**

12.145 Kāinga Ora<sup>449</sup> requests that SETZ-R26 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

12.146 I recommend that the Hearing Panel retain SETZ-R26 as notified.

12.147 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R27 Motor Sport****Submissions**

12.148 One submission point was received in relation to SETZ-R27.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	367	Support	Retain as notified

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<sup>448</sup> DPR-0414.365 Kāinga Ora

<sup>449</sup> DPR-0414.366 Kāinga Ora

**Analysis**

- 12.149 Kāinga Ora<sup>450</sup> requests that SETZ-R27 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.150 I recommend that the Hearing Panel retain SETZ-R27 as notified.
- 12.151 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R28 Waste and Diverted Material Facility****Submissions**

- 12.152 One submission point was received in relation to SETZ-R28.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	368	Support	Retain as notified

**Analysis**

- 12.153 Kāinga Ora<sup>451</sup> requests that SETZ-R28 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.154 I recommend that the Hearing Panel retain SETZ-R28 as notified.
- 12.155 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-R29 Landfill****Submissions**

- 12.156 Two submission points were received in relation to SETZ-R29.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0122	Frews Quarries Ltd	037	Oppose	Amend plan objectives, policies and methods, including rules, to recognise the landfill classification system in WasteMINZ Guidelines, and establish appropriate policy and rules that reflect the classification of the landfill.
DPR-0414	Kāinga Ora	369	Support	Retain as notified

**Analysis**

- 12.157 Frews Quarries Ltd<sup>452</sup> considers that there are a range of landfill classes which have varying degrees of adverse effects on the environment and therefore it is not appropriate to classify all landfill activities as non-complying within the PDP. The submission point was made specifically in relation to GRUZ-R37 yet, as the relief sought referred to the PDP in its totality, this submission

<sup>450</sup> DPR-0414.367 Kāinga Ora

<sup>451</sup> DPR-0414.368 Kāinga Ora

<sup>452</sup> DPR-0122.037 Frews Quarries Limited

point was replicated in all zones. For the reasons given in relation to [LLRZ-R23](#), I recommend that the submission point from Frews Quarries Ltd be rejected.

- 12.158 Kāinga Ora<sup>453</sup> requests that SETZ-R29 be retained as notified. I recommend that this submission point be accepted.

#### **Recommendation**

- 12.159 I recommend that, for the reasons given above, the Hearing Panel retain SETZ-R29 as notified.
- 12.160 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **SETZ-R30 Any activity not otherwise listed in SETZ-Rule List**

#### **Submissions**

- 12.161 Two submission points and one further submission point were received in relation to SETZ-R30.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trollove	010	Oppose	Delete SETZ-R30 as notified.
DPR-0407	Forest & Bird	FS416	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	370	Support	Retain as notified

#### **Analysis**

- 12.162 William Trollove<sup>454</sup> seeks that the rule be deleted on the basis that it is a blunt instrument that captures all activities that the PDP has failed to consider. The submitter considers that removal of this rule would require people to consider the objectives and policies in the plan and then determine if a resource consent was needed in terms of the effects in terms of community, amenity, aesthetic and environmental on the community. If the effects are less than minor, then the activity should be allowed as of right.
- 12.163 I consider that this submission point should be rejected. I consider that if this rule was to be deleted then, under s9 of the RMA, the activity would be permitted. In this regard, I consider that while the PDP provides a clear expectation to the community as to what type of activities are and are not anticipated within the SETZ, it cannot account for every possibility. As such, this rule ensures that a precautionary approach can be taken to unanticipated activities.
- 12.164 Kāinga Ora<sup>455</sup> requests that SETZ-R30 be retained as notified. I recommend that this submission point be accepted.

#### **Recommendation**

- 12.165 I recommend that the Hearing Panel retain SETZ-R30 as notified.

<sup>453</sup> DPR-0414.369 Kāinga Ora

<sup>454</sup> DPR-0211.010 William Trollove

<sup>455</sup> DPR-0414.370 Kāinga Ora



- 12.166 I recommend that the original submission points and the further submission point are accepted or rejected as shown in **Appendix 1**.

#### Rule Requirements

#### **SETZ-REQ1 Servicing**

##### ***Submissions***

- 12.167 Two submission points and one further submission point were received in relation to SETZ-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0211	William Trolove	011	Oppose In Part	Amend SETZ-REQ1 to acknowledge that reticulated sewer connections are not available at the north sector of Arthur's Pass Village.
DPR-0407	Forest & Bird	FS417	Oppose In Part	Accept the submission so long as the values of ONLF are protected.
DPR-0414	Kāinga Ora	371	Support	Retain as notified

##### ***Analysis***

- 12.168 William Trolove<sup>456</sup> requests that the provision specifically acknowledge that reticulated sewer connections are not available at the north sector of Arthur's Pass Village. I recommend that this submission point be rejected as I consider that SETZ-REQ1.3 does acknowledge there are some townships that are not provided with a reticulated sewer network and provides for this situation by requiring that an on-site wastewater treatment and disposal system is provided, as a permitted activity.
- 12.169 Kāinga Ora<sup>457</sup> requests that SETZ-REQ1 be retained as notified. I recommend that this submission point be accepted.

##### ***Recommendation***

- 12.170 I recommend that the Hearing Panel retain SETZ-REQ1 as notified.
- 12.171 I recommend that the original submission points and further submission point are accepted or rejected as shown in **Appendix 1**.

#### **SETZ-REQ2 Building Coverage**

##### ***Submissions***

- 12.172 One submission point was received in relation to SETZ-REQ2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	372	Support	Retain as notified

<sup>456</sup> DPR-0211.011 William Trolove

<sup>457</sup> DPR-0414.371 Kāinga Ora

**Analysis**

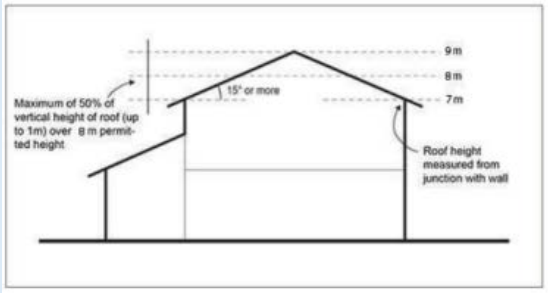
- 12.173 Kāinga Ora<sup>458</sup> requests that SETZ-REQ2 be retained as notified. I recommend that this submission point be accepted.

**Recommendation**

- 12.174 I recommend that the Hearing Panel retain REQ2 as notified.
- 12.175 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-REQ3 Height****Submissions**

- 12.176 One submission point was received in relation to SETZ-REQ3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	373	Support In Part	<p>Amend as follows:</p> <p>The maximum height of any building or structure, when measured from ground level, shall not exceed 8m, <u>except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in the Figure below.</u></p> 

**Analysis**

- 12.177 Kāinga Ora<sup>459</sup> seeks that the requirement be amended to allow for a roof form exceedance, to enable differing roof forms within the zone. For the reasons given in relation to [LLRZ-REQ3](#), I recommend that this submission point be accepted.

**Recommendation and amendments**

- 12.178 I recommend that, for the reasons given above, the Hearing Panel:
- amend SETZ-REQ3, as shown in **Appendix 2**, to allow for a building's roof to exceed the maximum height limit, to provide for different roof forms within the zone.
- 12.179 I recommend that the original submission point is accepted or rejected as shown in **Appendix 1**.
- 12.180 The scale of change does not require a s32AA evaluation.

<sup>458</sup> DPR-0414.372 Kāinga Ora

<sup>459</sup> DPR-0414.373 Kāinga Ora

**SETZ-REQ4 Height in Relation To Boundary*****Submissions***

12.181 One submission point was received in relation to SETZ-REQ2.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	374	Oppose	Delete as notified and undertake a full review of the provision and introduce a new series of rules in relation to: - a general height in relation to boundary control; - an 'alternate' control for the front 20 metres of the site; - a height in relation to boundary adjoining lower intensity zones control; - height in relation to boundary control adjoining Open Space zones and no height in relation to boundary control where the adjacent park exceeds 2,000m <sup>2</sup> . - exclusion relating to solar panels; and - how the vertical measurement is defined.

***Analysis***

12.182 Kāinga Ora<sup>460</sup> are opposed to SETZ-REQ4 and seeks a comprehensive review to better provide for flexibility in built form/residential typologies while still managing the potential for adverse effects to adjoining properties. I note that relief sought by the submitter in relation to SETZ-REQ4 is consistent with that sought in relation to GRZ-REQ4, and similar to that sought in relation to LRZ-REQ4.

12.183 For the reasons given in relation to [LRZ-REQ4](#) and [GRZ-REQ4](#), I recommend that this submission point be accepted in part.

***Recommendation and amendments***

12.184 I recommend that, for the reasons given above, the Hearing Panel:

a) amend APP3, as shown in **Appendix 2**, to allow for solar panels or heating devices.

12.185 I recommend that the original submission point is accepted in part as shown in **Appendix 1**.

12.186 The scale of change does not require a s32AA evaluation.

**SETZ-REQ5 Setback of buildings*****Submissions***

12.187 Five submission points and two further submission points were received in relation to SETZ-REQ5.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0268	E J Smith	009	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect

<sup>460</sup> DPR-0414.374 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				people who have brought sections, understanding they could not be built on by the fence line.
DPR-0353	HortNZ	237	Oppose In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, shared accessway, or reserve or <u>zone boundary</u> ; and ....
<i>DPR-0381</i>	<i>CDL</i>	<i>FS067</i>	<i>Support</i>	<i>Allow</i>
<i>DPR-0486</i>	<i>CDL</i>	<i>FS067</i>	<i>Support</i>	<i>Allow</i>
DPR-0414	Kāinga Ora	375	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, <del>shared accessway, or reserve</del> ; and b. <del>21</del> m from any internal boundary, unless the residential unit or other principal building has been designed to share a common wall along an internal boundary. ...
DPR-0449	BDL	006	Oppose In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: a. 4m from any road boundary, <del>shared accessway, or reserve</del> ; and
DPR-0458	KiwiRail	052	Support In Part	Amend as follows: 1. Any residential unit or principal building shall be setback a minimum of: ... <u>c. 5m from any operational railway corridor boundary.</u>

### Analysis

- 12.188 E J Smith<sup>461</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules in have legal effect.
- 12.189 HortNZ<sup>462</sup> consider that the provision does not include a setback from a zone boundary, so a residential unit could be established 2m from a GRUZ boundary, however the relief sought is that a setback provision is required from any zone boundary. For the reasons given in relation to [LRZ-REQ5](#), I recommend that this submission point be rejected.

<sup>461</sup> DPR-0268.009 E J Smith

<sup>462</sup> DPR-0353.237 HortNZ

- 12.190 Kāinga Ora<sup>463</sup> considers that the setback requirement from shared accessways or reserves is overly restrictive. The submitter also seeks a reduction in the internal boundary setback; from 2m to 1m.
- 12.191 BDL<sup>464</sup> similarly considers that the requirement to have a 4m setback from the boundary with a shared accessway or reserve to be too onerous and could result in sites not being of able to be utilised properly by future owners.
- 12.192 For the reasons given in relation to [LRZ-REQ5](#), I recommend that these submission points be accepted in part.
- 12.193 KiwiRail<sup>465</sup> requests that a 5m setback apply to all building operational railway corridor boundaries. They consider that this setback is required for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. Having regard to the path of the rail corridor within the district, I consider that there are no locations in the SETZ where the rail corridor is not further separated from residential properties by either roads or natural features. Therefore, I recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 12.194 I recommend that, for the reasons given above, the Hearing Panel:
- amend SETZ-REQ5, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves.
- 12.195 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 12.196 The scale of change does not require a s32AA evaluation.

#### **SETZ-REQ6 Setback of Garages**

##### ***Submissions***

- 12.197 Two submission points were received in relation to SETZ-REQ6.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0268	E J Smith	010	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	376	Support In Part	Amend as follows: 1. Any garage that has a vehicle door that <del>faces a road boundary or shared accessway</del> <u>is located within a front yard of front and corner sites</u> <del>shall be setback:</del> a. <u>Must not project forward by more than 0.5m from the front façade of the residential unit</u> <del>5.5m from the road boundary or shared accessway;</del> and

<sup>463</sup> DPR-0414.375 Kāinga Ora

<sup>464</sup> DPR-0449.006 BDL

<sup>465</sup> DPR-0458.052 KiwiRail

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>b. 2m from the internal boundary if the wall length adjacent the internal boundary is greater than 7m; or</p> <p>c. 1m from the internal boundary if the wall length adjacent the internal boundary is less than or equal to 7m.</p> <p>2. Any garage that has a vehicle door that faces an internal boundary and:</p> <p>a. the wall length adjacent any road boundary or shared accessway</p> <p>i. is greater than 7m, shall be setback 4m from the road boundary or shared accessway;</p> <p>ii. is less than or equal to 7m, shall be setback 2m from the road boundary or shared accessway;</p> <p>b. the wall length adjacent any internal boundary</p> <p>i. is greater than 7m, shall be setback 2m from the internal boundary;</p> <p>ii. is less than or equal to 7m, shall be setback 1m from the internal boundary.</p> <p>...</p> <p>Matters for discretion:</p> <p>4. The exercise of discretion in relation to SETZ - REQ6.3. is restricted to the following matters:</p> <p>...</p> <p>RESZ-MAT6 Internal Boundary Setback</p>

### ***Analysis***

- 12.198 E J Smith<sup>466</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules have legal effect.
- 12.199 Kāinga Ora<sup>467</sup> supports setting back garages to ensure the primacy of residential units from a streetscape amenity perspective but considers that the additional elements of the provisions will unnecessarily constrain development. For the reasons given in relation to [LRZ-REQ6](#), I recommend that these submission points be accepted in part.

### ***Recommendation***

- 12.200 I recommend that the Hearing Panel retain SETZ-REQ6 as notified.
- 12.201 I recommend that the original submission point is accepted as shown in **Appendix 1**.

### **SETZ-REQ7    Setback of Accessory Buildings and/or Structures**

#### ***Submissions***

- 12.202 Four submission points were received in relation to SETZ-REQ7.

<sup>466</sup> DPR-0268.010 E J Smith

<sup>467</sup> DPR-0414.376 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	053	Oppose In Part	Amend as follows: 1. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is greater than 7m, be setback: ... 2. Any accessory building, <u>excluding any ancillary structure or fence</u> , shall, where the wall length is less than or equal to 7m, be setback:
DPR-0268	E J Smith	011	Oppose	Requests that all new boundary setback changes are not made retrospectively as this will affect people who have brought sections, understanding they could not be built on by the fence line.
DPR-0414	Kāinga Ora	377	Support In Part	Amend as follows: 1. Any accessory building shall, where the wall length is greater than 7m, be setback: a. 4m from any road boundary, <del>shared accessway or reserve</del> ; and b. 2m from any internal boundary. 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: a. 2m from any road boundary, <del>shared accessway or reserve</del> ; and b. 1m from any internal boundary. 3. Any structure shall be setback 2m from any road boundary <del>or reserve</del> . ...
DPR-0458	KiwiRail	066	Support In Part	Amend as follows: 2. Any accessory building shall, where the wall length is less than or equal to 7m, be setback: ... b. <del>12</del> 2m from any internal boundary.

### Analysis

- 12.203 SDC<sup>468</sup> considers that as currently drafted, ancillary structures and fences would be included within the required setback. For the reasons given in relation to [LRZ-REQ7](#), I recommend that this submission point be rejected.
- 12.204 E J Smith<sup>469</sup> requests that the proposed rules are not applied retrospectively. I recommend that this submission point be rejected as the provisions in the PDP will not be applied to existing development; they will only be relevant to new development that is proposed once the rules have legal effect.
- 12.205 Kāinga Ora<sup>470</sup> consider that the setbacks from shared accessways and reserves are overly restrictive. The effect of the relief sought is that accessory buildings and/or structures would not

<sup>468</sup> DPR-027.053 SDC

<sup>469</sup> DPR-0268.011 E J Smith

<sup>470</sup> DPR-0414.377 Kāinga Ora

be subject to any setback from shared accessways or reserves. For the reasons given in relation to [LRZ-REQ7](#), I recommend that these submission points be accepted in part.

- 12.206 KiwiRail<sup>471</sup> requests that a setback is necessary from operational railway corridor boundaries, for operations reasons, allowing access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor, potentially compromising their own safety. Having regard to the path of the rail corridor within the district, I consider that there are no locations in the SETZ where the rail corridor is not further separated from residential properties by either roads or natural features. Therefore, I recommend that this submission point be rejected.

#### ***Recommendation and amendments***

- 12.207 I recommend that, for the reasons given above, the Hearing Panel:
- amend SETZ-REQ7, as shown in **Appendix 2**, to reduce the setback required from shared accessways and reserves in respect of accessory buildings.
- 12.208 I recommend that the original submission points and the further submission points are accepted or rejected in part or in full as shown in **Appendix 1**.
- 12.209 The scale of change does not require a s32AA evaluation.

#### **SETZ-REQ8 Presentation to the Street**

##### ***Submissions***

- 12.210 One submission point was received in relation to SETZ-REQ8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	378	Oppose	Delete as notified

##### ***Analysis***

- 12.211 Kāinga Ora<sup>472</sup> are opposed to SETZ-REQ8 as it considers that this rule requirement addresses design matters where allowing some flexibility is appropriate and this is more appropriately dealt with as an assessment matter. For the reasons given in relation to [LLRZ-REQ6](#), I recommend that this submission point be rejected.

##### ***Recommendation***

- 12.212 I recommend that the Hearing Panel retain SETZ-REQ8 as notified.
- 12.213 However, I note that, as the PDP was prepared following an activities based planning framework, this same requirement is incorporated into the other three residential zones. As I have recommended an amendment to [GRZ-REQ8](#), based on submissions received in relation to that provision, I also recommend that the Hearing Panel include the same note regarding the calculation of glazing in SETZ-REQ8.
- 12.214 I recommend that the original submission point is rejected as shown in **Appendix 1**.

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<sup>471</sup> DPR-0458.066 KiwiRail

<sup>472</sup> DPR-0414.378 Kāinga Ora



**SETZ-REQ9 Outdoor Living Space****Submissions**

12.215 Two submission points were received in relation to SETZ-REQ9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	379	Support In Part	<p>Amend as follows:</p> <p>1. Every residential unit shall be provided with an area of outdoor living space that:</p> <p>a. is directly accessible from a habitable room;</p> <p>b. has a minimum area of <del>50</del> <u>20</u>m<sup>2</sup>;</p> <p>...</p> <p><del>d. is not located between the road boundary and the residential unit; and</del></p> <p>...</p> <p><u>f. Where part of the required outdoor living space requires a deck, balcony or roof terrace located above ground floor level, the area shall be:</u></p> <p><u>i. directly accessible from any habitable room or kitchen;</u></p> <p><u>ii. have a minimum area of 10m<sup>2</sup>; and</u></p> <p><u>iii. have a minimum depth of 1.5m.</u></p> <p>...</p>
DPR-0449	BDL	007	Oppose In Part	<p>1. Every residential unit shall be provided with an area of outdoor living space that:</p> <p>a. ....</p> <p><del>d. is not located between the road boundary and the residential unit; and</del></p> <p>e. ....</p>

**Analysis**

- 12.216 Kāinga Ora<sup>473</sup> seeks that the provision be amended to reduce the minimum area required, enable more flexibility in location and provide guidance where outdoor living space is located above the ground floor level.
- 12.217 BDL<sup>474</sup> considers that location of outdoor living space in compliance with this provision can be challenging for some sites, particularly corner sites and those that may be of an irregular shape and that this requirement also appears to be contrary to other requirements which try to encourage passive surveillance over public realm.
- 12.218 For the reasons given in relation to [LRZ-REQ9](#), I recommend that the submission point of Kāinga Ora be accepted in part and the submission point of BDL be rejected.

**Recommendation and amendments**

- 12.219 I recommend that, for the reasons given above, the Hearing Panel:

<sup>473</sup> DPR-0414.379 Kāinga Ora

<sup>474</sup> DPR-0449.007 BDL

- a) amend SETZ-REQ9, as shown in **Appendix 2**, to provide guidance where outdoor living space is located above the ground floor level.

12.220 I recommend that the original submission points are accepted in part or rejected as shown in **Appendix 1**.

12.221 The scale of change does not require a s32AA evaluation.

#### **SETZ-REQ10 Landscaping**

##### ***Submissions***

12.222 One submission point was received in relation to SETZ-REQ10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	380	Support In Part	Amend as follows: 1. 50% of the area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be: a. landscaped with a mix of lawn, garden beds, or shrubs; and <del>b. provided with one specimen tree for every 10m of frontage that is:</del> <del>i. a minimum of 1.8m high at time of planting; and</del> <del>ii. capable of achieving a height at maturity of 8m.</del> ...

##### ***Analysis***

12.223 Kāinga Ora<sup>475</sup> seek that LRZ-REQ10 be amended as they consider that this requirement is overly onerous and that an 8m high specimen may not be appropriate in a higher density development. For the reasons given in relation to [LRZ-REQ10](#), I recommend that this submission point be rejected.

##### ***Recommendation***

12.224 I recommend that the Hearing Panel retain SETZ-REQ10 as notified.

12.225 I recommend that the original submission point is rejected as shown in **Appendix 1**.

#### **SETZ-REQ11 Small Site Development**

##### ***Submissions***

12.226 Two submission points were received in relation to SETZ-REQ11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	057	Oppose In Part	Amend as follows: 1. Any small site development shall: ... be setback a minimum of: i. 3m from any road boundary or shared

<sup>475</sup> DPR-0414.380 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>accessway; and</p> <p>ii. 2m from any internal boundary; except that</p> <p>iii. no internal boundary setback is required for any where a building shares a common wall with another building; where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5.5m from that boundary;</p> <p>iv. no internal boundary setback is required for any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;</p>
DPR-0414	Kāinga Ora	381	Oppose	Delete as notified

### ***Analysis***

12.227 SDC<sup>476</sup> seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes such as garages being sited 15cm from internal boundaries. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [SETZ-R11](#). This submission point is the same as that for LRZ-REQ11, therefore the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted.

12.228 Kāinga Ora<sup>477</sup> requests that, as a consequential relief to their submission point in relation to SETZ-R11, SETZ-REQ11 be deleted. As I have recommended that [SETZ-R11](#) be retained, I recommend that this submission point be rejected.

### ***Recommendation and amendments***

12.229 I recommend that, for the reasons given above, the Hearing Panel:

a) amend SETZ-REQ11, as shown in **Appendix 2**, to improve clarity to plan users.

12.230 However, I note that, as the PDP was prepared following an activities based planning framework, this same requirement was also included in the LRZ where, on the basis of submission points in relation to LRZ-REQ11, I have made recommendations to vary the requirements in relation to first floor windows. As such, I also recommend that the Hearing Panel consider providing the same relief in this provision.

12.231 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.

12.232 The scale of change does not require a s32AA evaluation.

### **SETZ-REQ12 Comprehensive Development**

#### ***Submissions***

12.233 Two submission points were received in relation to SETZ-REQ12.

<sup>476</sup> DPR-0207.057 SDC

<sup>477</sup> DPR-0414.381 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	063	Oppose In Part	Amend as follows: 1. Any comprehensive development shall: ... b. be setback a minimum of: ... iv. no internal <u>boundary</u> setback is required where a building shares a common wall with another building within the comprehensive development; <del>v. where a garage door faces a road or shared accessway, the garage shall be setback a minimum of 5m from that boundary;</del> vi. no internal boundary setback is required for any garage, provided that the total length of the garage adjacent to the internal boundary is less than or equal to 7m;
DPR-0414	Kāinga Ora	382	Oppose	Delete as notified

### Analysis

12.234 SDC<sup>478</sup> seeks that this provision be amended, to clarify the intention of this component of the rule requirement and to avoid unintended and undesirable outcomes such as garages being sited 15cm from internal boundaries. The submitter also requests that the provision be amended to delete the specific reference to the setback of garages, consistent with their submission on [SETZ-R12](#). This submission point is the same as that for LRZ-REQ11, therefore the reasons set out in relation to [LRZ-REQ11](#), I recommend that this submission point be accepted.

12.235 Kāinga Ora<sup>479</sup> requests that, as a consequential relief to their submission point in relation to SETZ-R12, SETZ-REQ12 be deleted. As I have recommended that [SETZ-R12](#) be retained, I recommend that this submission point be rejected.

### Recommendation and amendments

12.236 I recommend that, for the reasons given above, the Hearing Panel:

a) amend SETZ-REQ12, as shown in **Appendix 2**, to improve clarity to plan users.

12.237 I recommend that the original submission points and further submission points are accepted or rejected, as shown in **Appendix 1**.

12.238 The scale of change does not require a s32AA evaluation.

### SETZ-REQ13 Retirement Village

#### Submissions

12.239 Six submission points were received in relation to SETZ-REQ13.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	383	Support	Retain as notified

<sup>478</sup> DPR-0207.063 SDC

<sup>479</sup> DPR-0414.382 Kāinga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0424	RVA	029	Oppose	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>1. Any retirement village shall: <ol style="list-style-type: none"> <li>a. not exceed a maximum building coverage of 45% of net site area;</li> <li>b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height;</li> <li>c. be setback a minimum of: <ol style="list-style-type: none"> <li>i. 3m from a road frontage or shared accessway; and</li> <li>ii. 2m from any other boundary,</li> </ol> </li> <li><del>d. provide each residential unit with an outdoor living space that:</del> <ol style="list-style-type: none"> <li><del>i. is directly accessible from the main living space;</del></li> <li><del>ii. has a minimum horizontal dimension of 2.5m; and</del></li> <li><del>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></li> <li><del>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></li> <li><del>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></li> <li><del>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</del> <ol style="list-style-type: none"> <li><del>i. is located behind the front façade of the residential unit;</del></li> <li><del>ii. has a minimum horizontal dimension of 1.5m; and</del></li> <li><del>iii. has a minimum area of 12.5m<sup>2</sup>.</del></li> </ol> </li> </ol> </li> </ol> <p>...</p> <ol style="list-style-type: none"> <li>2. When compliance with any of SETZ-REQ13.1. is not achieved: <del>DISRDIS</del> <u>Matters for discretion:</u></li> <li>3. The exercise of discretion in relation to SETZ-REQ13.1. is restricted to the following matters: <u>RESZ-MATXX Retirement Village</u></li> </ol> </li></ol>
DPR-0424	RVA	030	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0425	Ryman	029	Oppose	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>1. Any retirement village shall: <ol style="list-style-type: none"> <li>a. not exceed a maximum building coverage of 45% of net site area;</li> <li>b. not exceed a height of 8m, except for 15% of the maximum building coverage, where buildings may be up to 11.5m in height;</li> <li>c. be setback a minimum of: <ol style="list-style-type: none"> <li>i. 3m from a road frontage or shared accessway; and</li> <li>ii. 2m from any other boundary,</li> </ol> </li> <li><del>d. provide each residential unit with an outdoor</del></li> </ol> </li> </ol>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>living space that:</p> <ul style="list-style-type: none"> <li>i. is directly accessible from the main living space;</li> <li>ii. has a minimum horizontal dimension of 2.5m;</li> <li>and</li> <li>iii. has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</li> <li>iv. has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</li> <li>v. has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</li> </ul> <p>e. provide each residential unit with one or more bedrooms at ground floor level with an additional service, storage, and waste management area that:</p> <ul style="list-style-type: none"> <li>i. is located behind the front façade of the residential unit;</li> <li>ii. has a minimum horizontal dimension of 1.5m;</li> <li>and</li> <li>iii. has a minimum area of 12.5m<sup>2</sup>.</li> </ul> <p>...</p> <p>2. When compliance with any of SETZ-REQ13.1. is not achieved: <del>DISRDIS</del></p> <p><u>Matters for discretion:</u></p> <p><u>3. The exercise of discretion in relation to SETZ-REQ13.1. is restricted to the following matters:</u></p> <p><u>RESZ-MATXX Retirement Village</u></p>
DPR-0425	Ryman	030	Neither Support Nor Oppose	Amend to include a reference to non-notification where all rule requirements are met and no more than limited notification for a rule requirement breach.
DPR-0447	Barton Fields	007	Support In Part	<p>Amend SETZ-REQ13 Retirement Village to read:</p> <ul style="list-style-type: none"> <li>1. Any retirement village shall: <ul style="list-style-type: none"> <li>a. not exceed a maximum building coverage of <del>45%</del> <u>50%</u> of net site area;</li> <li>b. ....</li> <li>c. be setback a minimum of: <ul style="list-style-type: none"> <li>i. 3m from a road frontage or shared accessway <u>except where sites have two road boundaries</u>; and</li> <li>ii. 2m from any other boundary <u>where the site adjoins another site</u>,</li> </ul> </li> <li>d. <del>provide each residential unit with an outdoor living space that:</del></li> <li>i. <del>is directly accessible from the main living space;</del></li> <li>ii. <del>has a minimum horizontal dimension of 2.5m;</del></li> <li>and</li> <li>iii. <del>has a minimum area of 10m<sup>2</sup> for residential units with no separate bedrooms; or</del></li> <li>iv. <del>has a minimum area of 25m<sup>2</sup> for one bedroom residential units; or</del></li> <li>v. <del>has a minimum area of 30m<sup>2</sup> for two or more bedroom residential units;</del></li> <li>e. provide each residential unit with one or more bedrooms at ground floor level with <del>an additional</del> service, storage, and waste management area</li> </ul> </li> </ul>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				that: i. ....

- 12.240 RVA and Ryman<sup>480</sup> consider that internal built form controls should not be applied to retirement villages, as these are designed for typical residential units and are not an appropriate or necessary tool for retirement villages. As such, they seek the deletion of the elements of the provision that relation to outdoor living space and service, storage, and waste management areas. The submitters also request that the activity status for a breach of these provisions be amended from DIS to RDIS, and that the assessment should on the effect of that breach. The submitters also seek amendments to the matters applicable to this activity, as a consequential relief related to their submission points in that respect.
- 12.241 The submitters<sup>481</sup> also consider that there should be a presumption of non-notification for a retirement village that meets all relevant built form rule requirements and a presumption of no more than limited notification to affected neighbours in cases of breach of any development control that directly affects the relevant neighbours.
- 12.242 Barton Fields<sup>482</sup> considers that the provision as notified is not appropriate for retirement villages which are developed either as unit title developments or through a licensed to occupy. The submitter also considered that the proposed building coverage is inappropriate; that the outdoor living space requirements should be removed; and that there should be minor modification to the setback and additional storage area requirements.
- 12.243 I consider that the submission points made in relation to this provision are the same as those made in relation to LRZ-REQ13. For the set out in relation to [LRZ-REQ13](#), I recommend that these submission points be accepted in part.
- 12.244 Kāinga Ora<sup>483</sup> requests that SETZ-R13 be retained as notified. I recommend that this submission point be accepted in part as I have recommended changes to this provision.

#### ***Recommendation and amendments***

- 12.245 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend SETZ-REQ13, as shown in **Appendix 2**, to enable outdoor living space areas to be provided communally and to recognise that the effects of a breach of a bulk and location standard are well understood.
- 12.246 I recommend that the original submission points and further submission points are accepted or rejected, in part or in full, as shown in **Appendix 1**.
- 12.247 The scale of change does not require a s32AA evaluation.

<sup>480</sup> DPR-0424.029 RVA and DPR-0425.029 Ryman

<sup>481</sup> DPR-0424.030 RVA and DPR-0425.030 Ryman

<sup>482</sup> DPR-0447.007 Barton Fields

<sup>483</sup> DPR-0414.383 Kāinga Ora

**SETZ-REQ14 Variety in Appearance*****Submissions***

12.248 One submission point was received in relation to SETZ-REQ14.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	384	Oppose	Delete as notified

***Analysis***

12.249 Kāinga Ora<sup>484</sup> considers that this provision addresses design matters and are more appropriate as matters for control or discretion. For the reasons given in relation to [LRZ-REQ14](#), I recommend that this submission point be rejected.

***Recommendation***

12.250 I recommend that the Hearing Panel retain SETZ-REQ14 as notified.

12.251 I recommend that the original submission point is rejected as shown in **Appendix 1**.

**SETZ-REQ15 Outdoor Storage*****Submissions***

12.252 One submission point was received in relation to SETZ-REQ15.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	385	Support	Retain as notified

***Analysis***

12.253 Kāinga Ora<sup>485</sup> requests that SETZ-REQ15 be retained as notified. I recommend that this submission point be accepted.

***Recommendation***

12.254 I recommend that the Hearing Panel retain SETZ-REQ15 as notified.

12.255 I recommend that the original submission point is accepted as shown in **Appendix 1**.

**SETZ-REQ16 Arthur's Pass Specific Control Area – Alpine Design*****Submissions***

12.256 No submissions were received in relation to SETZ-REQ16.

***Recommendation***

12.257 I recommend that the Hearing Panel retain SETZ-REQ16 as notified.

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<sup>484</sup> DPR-0414.384 Kāinga Ora

<sup>485</sup> DPR-0414.385 Kāinga Ora



## Manawa

**Submissions**

- 12.258 Manawa seek the inclusion of a suite of provisions to address concerns relating to reverse sensitivity and sensitive activities around the Lake Coleridge township, which was established to support the Coleridge Hydro Electric Power Scheme operated by Manawa.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0441	Manawa	155	Neither Support Nor Oppose	Insert as follows: <u>Avoid reverse sensitivity effects on lawfully established regionally significant infrastructure that the SETZ supports.</u>
DPR-0414	Kāinga Ora	FS078	Oppose	Not specified
DPR-0441	Manawa	157	Neither Support Nor Oppose	Add a new rule requirement as follows: <u>1. Any new sensitive activity shall be constructed to include acoustic treatment to achieve an internal noise level of 45dBA Activity status when compliance not achieved;</u> <u>2. When compliance with any of SETZ-REQx is not achieved: RDIS Matters for discretion;</u> <u>3. The exercise of discretion in relation to SETZ-REQx is restricted to the following matters: SETZ-MATx</u>
DPR-0381	CDL	FS088	Oppose	Disallow
DPR-0414	Kāinga Ora	FS079	Oppose	Not specified
DPR-0486	CDL	FS088	Oppose	Disallow
DPR-0441	Manawa	158	Neither Support Nor Oppose	Add a new matter as follows: <u>SETZ- MATX</u> <u>The minimisation of any reverse sensitivity effects on Regionally Significant Infrastructure.</u>
DPR-0381	CDL	FS090	Support	Allow
DPR-0414	Kāinga Ora	FS080	Oppose	Not specified
DPR-0486	CDL	FS090	Support	Allow

**Analysis**

- 12.259 Manawa <sup>486</sup> request the inclusion of a new policy, rule requirement and matters of discretion, to address their concerns regarding reverse sensitivity effects. I note that Manawa sought a similar relief in relation to their submission point on EI-R3<sup>487</sup> and this matter was addressed in the EI Hearing S42A report<sup>488</sup> in the following way:

*[Manawa] considers it necessary that sensitive activities comply with EI-P6 in order to avoid reverse sensitivity effects on regionally significant infrastructure and renewable electricity*

<sup>486</sup> DPR-0441.155 Manawa

<sup>487</sup> DPR-0441.040 Manawa

<sup>488</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0004/490135/EI-S42a-report-FINAL-23-August-2021.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0004/490135/EI-S42a-report-FINAL-23-August-2021.pdf) paragraphs 26.4-26.6

generation activities. In order to achieve this, and for clarity, [Manawa] proposes a separation of EI-R3.1.a.iv. into two clauses.

*Clause iv. requires sensitive activities to not be within 250m of any lawfully established noise generating renewable electricity generation infrastructure, except that this does not apply to small and community scale electricity generation or distribution, or sensitive activities in the Settlement Zone - Lake Coleridge Township.*

*By separating the clauses what [Manawa] are in effect proposing is that any sensitive activity that seeks to establish within 250m of the Coleridge HEPS within the Settlement Zone - Lake Coleridge Township would require a non-complying activity resource consent. This is considered overly restrictive with respect to the Settlement Zone and it is considered unreasonable and unnecessary to require all new residential units within this residential zoned area to obtain consent. It also appears there is not a significant amount of developable residential land within 250m of the Coleridge HEPS in any instance. Furthermore, the s32 report addresses reverse sensitivity concerns from [Manawa] in relation to forestry near the Coleridge HEPS, but not residential development. It is therefore recommended that the submission point be rejected.*

12.260 Having regard to the requirements of the National Planning Standards I do not consider that these submission points can be accepted in full, as the Standards require that any provisions related to relating to energy and infrastructure be located in the chapters under the Energy, Infrastructure and Transport heading.

12.261 I agree with the conclusions of the EI S42A Report writer, and I recommend these submission points be rejected.

#### **Recommendation**

12.262 I recommend that, for the reasons given above, the original submission point and the further submission points are rejected by the Hearing Panel, as shown in **Appendix 1**.

### Settlement Zone Chapter Generally

#### **Submissions**

12.263 Two submission points were received in relation to the Settlement Zone chapter generally.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	364	Support	Retain as notified
DPR-0384	RIDL	371	Support	Retain as notified.

#### **Analysis**

12.264 RWRL and RIDL<sup>489</sup> request that the provisions of the SETZ chapter be retained as notified. While the support is noted, as I have recommended a number of amendments to various provisions arising from the consideration of other submission points, I recommend that these submission

<sup>489</sup> DPR-0358.364 RWRL and DPR-0384.371 RIDL

points be accepted in part. I do not consider that any of the amendments proposed significantly alter the intent of the chapter as notified.

### ***Recommendation***

- 12.265 I recommend that, for the reason given above, the submission points are accepted in part by the Hearing Panel, as shown in **Appendix 1**.

## **13. Subdivision**

- 13.1 This section responds to those submission points and associated further submissions made in respect of provisions that affect urban form but are included in the Subdivision chapter.

### **SUB-O3**

#### ***Submissions***

- 13.2 One submission point and four further submission points were received in relation to SUB-O3.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0353	HortNZ	188	Oppose In Part	Amend zone objectives to clearly identify the anticipated development outcomes of the zones.
DPR-0358	RWRL	FS106	Oppose	Reject
DPR-0363	IRHL	FS106	Oppose	Reject
DPR-0374	RIHL	FS106	Oppose	Reject
DPR-0384	RIDL	FS106	Oppose	Reject

#### ***Analysis***

- 13.3 The broad relief sought by HortNZ<sup>490</sup> applies across all zones in the PDP but needs to be considered for each one in turn. As such the submission point has been allocated to the four residential zones that are the subject of this report. I consider that the objectives in the LLRZ, LRZ, GRZ and SETZ are sufficiently clear in identifying anticipated development outcomes for these zones. I therefore recommend that this submission point be rejected.

### ***Recommendation***

- 13.4 I recommend that the Hearing Panel retain SUB-O3 as notified, insofar as it relates to residential zones.
- 13.5 I recommend that the original submission point and further submission points be accepted or rejected as shown in **Appendix 1**.

### **SUB-R9 Subdivision to Facilitate Small Site Development**

#### ***Submissions***

- 13.6 One submission point and nine further submission points were received in relation to SUB-R9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0409	Hughes	005	Support In Part	Amend as follows: 1. Subdivision to facilitate small site development.

<sup>490</sup> DPR-0353.188 HortNZ

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				Where: ... a. The net site area of each small site development site created shall be a minimum of <del>400</del> <u>351</u> m <sup>2</sup> ; and b. ...  Matters for discretion: 2. The exercise of discretion ... c. Whether the small site development sites are located within walkable distance of any of: ... <u>or</u> <u>vi. publicly-owned reserves and parks.</u>
DPR-0209	Manmeet Singh	FS060	Support	Accept submission in part
DPR-0298	Trices Road Group	FS865	Support	Accept submission
DPR-0358	RWRL	FS113	Support	Adopt
DPR-0363	IRHL	FS113	Support	Adopt
DPR-0374	RIHL	FS113	Support	Adopt
DPR-0384	RIDL	FS113	Support	Adopt
DPR-0461	Dunweavin	FS053	Support	Accept submission
DPR-0492	Kevler	FS004	Support	Accept the Submission
DPR-0493	Gallina & Heinz-Wattie	FS764	Support	Accept the submission.

### Analysis

- 13.7 Hughes<sup>491</sup> request that the minimum net site area associated with small site development be decreased to 351m<sup>2</sup> as, in conjunction with their submission on SUB-R10, they consider that the two provisions do not provide for a site of between the minimum area for small site development and maximum area for comprehensive development. I recommend that this submission point be rejected as I consider that it would be challenging to achieve the anticipated typology on a site less than 400m<sup>2</sup>, having regard to the various provisions related to small site development set out in [LRZ-R12](#), [GRZ-R12](#) and [SETZ-R12](#). I note that this recommendation should be considered in context with the recommendation on [SUB-R10](#).
- 13.8 The submitter also requests that the matters of discretion include a walkable distance to publicly owned reserves and parks. I consider that this is already addressed by the inclusion of *community facility* in the matters, which is defined as meaning, amongst other things, land used by members of the community for recreational, sporting, purposes.
- 13.9 I therefore recommend that this submission point be rejected.

### Recommendation

- 13.10 I recommend that the Hearing Panel retain SETZ-R9 as notified.
- 13.11 I recommend that the original submission point and the further submission points are rejected as shown in **Appendix 1**.

<sup>491</sup> DPR-0409.005 Hughes

**SUB-R10 Subdivision to Facilitate Comprehensive Development****Submissions**

13.12 One submission point and nine further submission points were received in relation to SUB-R10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0409	Hughes	007	Support In Part	Amend as follows: 1. Subdivision of comprehensive development. Where: a. The net site area of each site created shall not exceed <del>300</del> 350m <sup>2</sup> ; and ...
DPR-0209	Manmeet Singh	FS066	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS867	Support In Part	Accept submission in part
DPR-0358	RWRL	FS116	Support	Adopt
DPR-0363	IRHL	FS116	Support	Adopt
DPR-0374	RIHL	FS116	Support	Adopt
DPR-0384	RIDL	FS116	Support	Adopt
DPR-0461	Dunweavin	FS063	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)
DPR-0492	Kevler	FS010	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS766	Support In Part	Accept submission in part.

**Analysis**

13.13 Hughes<sup>492</sup> request that the minimum net site area associated with small site development be increased to 350m<sup>2</sup>, consistent with the operative district plan. They also consider that this would address their concerns that a gap exists between the maximum area for comprehensive development (SUB-R10) and the minimum area for small site development (SUB-R9).

13.14 On review, as this form of development is linked to a land use consent which considers the appropriateness of development in terms of bulk and location matters, I do not consider it necessary that this provision refer to a net site area. I therefore recommend that this submission point be accepted in part.

**Recommendation and amendments**

13.15 I recommend that, for the reasons given above, the Hearing Panel:

a) amend SUB-R10, as shown in **Appendix 2**, to remove reference net site area.

13.16 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

13.17 The scale of change does not require a s32AA evaluation.

<sup>492</sup> DPR-0409.007 Hughes

**SUB-REQ1 Site Area****Submissions**

13.18 12 submission points and 37 further submission points were received in relation to SUB-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0094	John James	001	Oppose	Amend SUB-REQ1 by replacing the minimum standard of 3000sqm for LLRZ with the existing standard in the operative district plan set under the Living 2A zone for the Trices Road area, Prebbleton which is a minimum of 5000sqm.
DPR-0298	Trices Road Group	FS347	Oppose	Reject submission
DPR-0358	RWRL	FS119	Oppose	Reject
DPR-0363	IRHL	FS119	Oppose	Reject
DPR-0374	RIHL	FS119	Oppose	Reject
DPR-0384	RIDL	FS119	Oppose	Reject
DPR-0095	John Jones	001	Oppose	Amend the proposed plan to prevent any subdivision of land in Manor Drive and Sheralea subdivision below the present minimum site area (that exists in the operative district plan).
DPR-0170	Allison & Paul Rosanowski	001	Oppose	Amend the provisions for LLRZ to enable lots to be divided into 1ha lots where services, like water and roading, are already available.
DPR-0172	Stephen Bensberg, Sharon Bensberg & Ryan Bensberg	002	Oppose	Amend Sub REQ1.7 Table 2. by adding a classification to an average lot size of 2000sqm and a minimum lot size of 1000sqm. Consider possible zone name suggestion of Low Residential Zone -Waterbridge.
DPR-0187	Graeme Stott	001	Oppose	Amend the minimum site size for LLRZ from 3000sqm to 1400sqm.
DPR-0136	Stewart, Townsend & Fraser	FS003	Support	Accept the submission (minimum LLR lot size 1400m <sup>2</sup> ) in the event that the submission 136 request for minimum LLR size of 1000m <sup>2</sup> is not accepted.
DPR-0358	RWRL	FS120	Support	Adopt
DPR-0363	IRHL	FS120	Support	Adopt
DPR-0374	RIHL	FS120	Support	Adopt
DPR-0384	RIDL	FS120	Support	Adopt
DPR-0453	LPC	FS008	Oppose	Reject
DPR-0488	Dally & McIlraith	FS004	Support	Accept the submission (minimum LLR lot size 1400m <sup>2</sup> ) in the event that the submission 488 request for minimum LLR size of 1000m <sup>2</sup> is not accepted.
DPR-0491	Paul and Sue Robinson	FS003	Neither Support Nor Oppose	Accept the submission, but specify minimum lot size or minimum average lot size as minimums only, to retain the ability to subdivide at lower densities within the LLR Zone.
DPR-0561	The Small Billing Home Trust	FS001	Support	Support the relief sought
DPR-0568	Neil Milmine	FS002	Support	Amend the LLRZ minimum net site area to 1400m <sup>2</sup> , or 1,000 m <sup>2</sup> if within scope.
DPR-0189	Holly Johnstone & Luke Feast	001	Support In Part	Amend the minimum average site area for subdivision within LLRZ to between 4000-4500sqm as opposed to 5000sqm.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0136	Stewart, Townsend & Fraser	FS001	Support In Part	Accept in Part
DPR-0298	Trices Road Group	FS348	Support In Part	Accept submission in part
DPR-0358	RWRL	FS121	Support	Adopt
DPR-0363	IRHL	FS121	Support	Adopt
DPR-0374	RIHL	FS121	Support	Adopt
DPR-0384	RIDL	FS121	Support	Adopt
DPR-0453	LPC	FS009	Oppose	Reject
DPR-0488	Dally & McIlraith	FS001	Support In Part	Accept submission in part: The minimum and average lot sizes in the LLR should be reduced but to greater extent than sought by submitter 189 ie to 1000m <sup>2</sup> and 2000m <sup>2</sup> respectively as sought in our submission (488)
DPR-0491	Paul and Sue Robinson	FS002	Neither Support Nor Oppose	Accept the submission, but specify minimum lot size or minimum average lot size as minimums only, to retain the ability to subdivide at lower densities within the LLR Zone.
DPR-0266	Richard Graham	005	Oppose In Part	Amend the LLRZ minimum lot size to 1500sqm, particularly if Council is not willing to amend the zone extents for West Melton as requested in separate relief. Amend LLRZ average lot size to 3000sqm.
DPR-0136	Stewart, Townsend & Fraser	FS002	Support In Part	Accept the submission (minimum LLR lot size 1500m <sup>2</sup> ) in the event that the submission 136 request for minimum LLR size of 1000m <sup>2</sup> is not accepted.
DPR-0298	Trices Road Group	FS346	Support In Part	Accept the submission (minimum LLR lot size 1500m <sup>2</sup> ) in the event that the TRRG request for minimum LLR size of 1000m <sup>2</sup> is not accepted.
DPR-0358	RWRL	FS122	Support	Adopt
DPR-0363	IRHL	FS122	Support	Adopt
DPR-0374	RIHL	FS122	Support	Adopt
DPR-0384	RIDL	FS122	Support	Adopt
DPR-0488	Dally & McIlraith	FS003	Support In Part	Accept the submission (minimum LLR lot size of 1500m <sup>2</sup> ) in the event that the submission 488 request for minimum LLR size of 1000m <sup>2</sup> is not accepted
DPR-0491	Paul and Sue Robinson	FS001	Neither Support Nor Oppose	Accept the submission, but specify minimum lot size or minimum average lot size as minimums only, to retain the ability to subdivide at lower densities within the LLR Zone.
DPR-0561	The Small Billing Home Trust	FS002	Support	Support the relief sought
DPR-0362	John Ferguson	006	Oppose	Amend TABLE-SUB2 - Minimum net site area, Residential Zone as follows: Large Lot Residential Zones <del>3,000 m<sup>2</sup></del> 2,000 m <sup>2</sup> where it can be fully serviced by reticulated water and sewage connections.
DPR-0358	RWRL	FS124	Support	Adopt
DPR-0363	IRHL	FS124	Support	Adopt
DPR-0374	RIHL	FS124	Support	Adopt
DPR-0384	RIDL	FS124	Support	Adopt

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0449	BDL	003	Support	Retain the 1000m <sup>2</sup> minimum average net site area for allotments within the Settlement Zone as set out in Table SUB-1
DPR-0449	BDL	004	Support	Retain the 800m <sup>2</sup> minimum net area requirements for allotments within the Settlement Zone set out in Table SUB-2
DPR-0451	KCPL	003	Oppose	That densities 800m <sup>2</sup> or similar be included for Settlement Zone.
DPR-0485	Rod Stuart	001	Support In Part	Amend average subdividable land within the LLRZ to 4000m <sup>2</sup>

### Analysis

13.19 For efficiencies, I have grouped the consideration of the submission points below by zone.

#### LLRZ

- 13.20 John James<sup>493</sup> opposes the introduction of a minimum net site area of 3,000m<sup>2</sup> in the LLRZ, which the submitter views as *“opening the door to developers pushing for the urban creep to continue”* and requests that the minimum site size of 5,000m<sup>2</sup> is maintained. I consider that the PDP does retain the minimum average site size of the operative district plan, but recognising that, as this is an average, it can lead to perverse outcomes if a minimum net site area is not also required. For example, a 10,000m<sup>2</sup> site divided into 1,000m<sup>2</sup> and 9,000m<sup>2</sup> would meet the minimum average of 5,000m<sup>2</sup> but the subsequent development of the smaller site would likely to have a significant impact on the open and spacious character intended in the zone. Therefore, the inclusion of a minimum net site area seeks to ensure that subdivision of sites within the zone is more balanced in terms of site size, such that it aligns with the intent of the zone. I therefore recommend that this submission point be rejected.
- 13.21 Alison and Paul Rosanowski<sup>494</sup> request that the LLRZ provisions be amended to allow for sites of 1ha, where services are available. I consider that the basis of this request stems from consideration of the operative district plan provisions, which currently provides for a minimum site size of 2ha in the residential zone in which the submitters reside, as opposed to consideration of the provisions in the PDP. As SUB-REQ1 only seeks to establish minimums, I consider that the relief sought be the submitter can be achieved by the notified provisions. I therefore recommended that this submission point be rejected as I am not recommending any changes to the provision.
- 13.22 Holly Johnstone & Luke Feast and Rod Stuart<sup>495</sup> both request that the minimum average net site area be reduced to between 4,000m<sup>2</sup> – 4,500m<sup>2</sup>. Having considered their full submissions, I consider that the submitters are seeking an amendment to the zone provisions so as to enable the subdivision of their own properties, both of which would not be able to be divided in a manner that would meet the minimum average site size of 5,000m<sup>2</sup>. I recommend that these

<sup>493</sup> DPR-0094.001 John James

<sup>494</sup> DPR-0170.001 Alison and Paul Rosanowski

<sup>495</sup> DPR-0189.001 Holly Johnstone & Luke Feast and DPR-0485.001 Rod Stuart



submission points be rejected as the PDP as notified provides a pathway for consideration of a subdivision that does not comply with the site area requirements, albeit through a non-complying resource consent application. As such, I do not consider it necessary to amend the broader site area provisions related to the LLRZ in its entirety, as this is likely to have negative impacts on the objective of the zone.

- 13.23 Graeme Stott<sup>496</sup> request that the minimum net site area and minimum average net site area be amended to enable the creation of sites of between 1,400m<sup>2</sup> and 3,000m<sup>2</sup>, as this would provide a greater variety of sites sizes as proposed by SUB-P4.
- 13.24 Richard Graham<sup>497</sup>, as a consequential relief to his submission points seeking rezoning, requests that the minimum net site area and minimum average net site area for the LLRZ in West Melton be reduced to 1,500m<sup>2</sup> and 3,000m<sup>2</sup> respectively.
- 13.25 John Ferguson<sup>498</sup> considers that all sites within the LLRZ should have a site size of 2,000 m<sup>2</sup> or similar, in areas where they can be fully serviced by reticulated water and sewage connections, as anything greater is an inefficient use of a finite resource and has a disproportional impact on the cost of infrastructure.
- 13.26 I recommend that these submission points be rejected as I consider that the creation of sites at the sizes proposed would be contrary to the LLRZ-O1 and LLRZ-P1, which seek to provide open and spacious character within the zone.

#### GRZ

- 13.27 John Jones<sup>499</sup> requests that no further subdivision be allowed below the minimum area in the operative district plan in the locality of their property in Rolleston.
- 13.28 Stephen Bensberg, Sharon Bensberg & Ryan Bensberg<sup>500</sup> request that the operative district plan provisions related to site size for the Living 1C zone in Rolleston, which allows for an average site size of 2,000m<sup>2</sup> with a minimum of 1,000m<sup>2</sup>, be retained in the PDP.
- 13.29 I consider that enabling the intensification of existing larger sites within Rolleston is consistent with the strategic planning framework relevant to Rolleston generally, and the Rolleston Structure Plan<sup>501</sup> in particular, and will assist in promoting the efficient use of infrastructure, including transport. I therefore recommend that these submission points be rejected.

#### SETZ

- 13.30 BDL<sup>502</sup> requests that the minimum net site area and minimum average net site area for the SETZ be retained as notified. I recommend that these submission points be accepted.

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<sup>496</sup> DPR-0187.001 Graeme Stott

<sup>497</sup> DPR-0266.005 Richard Graham

<sup>498</sup> DPR-0362.006 John Ferguson

<sup>499</sup> DPR-0095.001 John Jones

<sup>500</sup> DPR-0172.002 Stephen Bensberg, Sharon Bensberg & Ryan Bensberg

<sup>501</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0015/14361/Final-Rolleston-Structure-Plan-230909.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0015/14361/Final-Rolleston-Structure-Plan-230909.pdf)

<sup>502</sup> DPR-0449.003 and 004 BDL

- 13.31 At the time that the PDP was notified, KCPL<sup>503</sup> was progressing a private plan change request (PC60<sup>504</sup>) to the operative district plan, seeking rezoning from Living 2A to Living 1, which allows for an average site size of not less than 800 m<sup>2</sup>. As such, they request that, in respect of the area of their plan change, this minimum average net size area be carried through into the PDP. I record that this plan change was made operative on 20 January 2021 and that the area within the ambit of the plan change has been developed to in accordance with RC205711 with sites ranging from 560m<sup>2</sup> to 2,021m<sup>2</sup>; an average of 1,131m<sup>2</sup>. As such, I recommend that this submission be rejected.

#### **Recommendation**

- 13.32 I recommend that the Hearing Panel retain SETZ-REQ1 as notified.
- 13.33 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.

#### **SUB-REQ4 Road Frontage Widths**

#### **Submissions**

- 13.34 Four submission points and 28 further submission points were received in relation to SUB-REQ4.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0069	Paul McStay Ltd	002	Oppose In Part	Amend 15m to 16m minimum road frontage in Table SUB-5 in respect to the General Residential Zone.
DPR-0358	RWRL	FS129	Oppose	Reject
DPR-0363	IRHL	FS129	Oppose	Reject
DPR-0374	RIHL	FS129	Oppose	Reject
DPR-0384	RIDL	FS129	Oppose	Reject
DPR-0177	Andrew O'Donoghue	002	Oppose In Part	Amend Table SUB-5 as follows: General Residential Zone <del>15m</del> <u>16m</u>
DPR-0358	RWRL	FS130	Oppose	Reject
DPR-0363	IRHL	FS130	Oppose	Reject
DPR-0374	RIHL	FS130	Oppose	Reject
DPR-0384	RIDL	FS130	Oppose	Reject
DPR-0409	Hughes	010	Support In Part	Amend Table SUB-5 as follows: Low Density Residential Zone <del>20m</del> <u>18m</u>
DPR-0209	Manmeet Singh	FS158	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS870	Support In Part	Accept submission in part
DPR-0358	RWRL	FS131	Support	Adopt
DPR-0363	IRHL	FS131	Support	Adopt
DPR-0374	RIHL	FS131	Support	Adopt
DPR-0384	RIDL	FS131	Support	Adopt
DPR-0461	Dunweavin	FS062	Support In Part	Accept submission to the extent that they are consistent with the relief sought and interests of Dunweavin (461)

<sup>503</sup> DPR-0451.003 KCPL

<sup>504</sup> <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/selwyn-district-plan/district-plan-updates/operative-plan-changes/plan-change-60-rezone-17.9-hectares-of-living-zone-2a-to-living-zone-1-kirwee>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0492	Kevler	FS013	Support In Part	Accept Submission in Part
DPR-0493	Gallina & Heinz-Wattie	FS769	Support In Part	Accept submission in part.
DPR-0414	Kāinga Ora	125	Oppose	Delete as notified
DPR-0157	The Williams	FS191	Oppose In Part	Reject the submission in part
DPR-0209	Manmeet Singh	FS381	Oppose In Part	Reject the submission in part
DPR-0298	Trices Road Group	FS151	Oppose In Part	Reject submission
DPR-0358	RWRL	FS132	Support	Adopt
DPR-0363	IRHL	FS132	Support	Adopt
DPR-0374	RIHL	FS132	Support	Adopt
DPR-0384	RIDL	FS132	Support	Adopt
DPR-0461	Dunweavin	FS177	Oppose In Part	Reject submission
DPR-0492	Kevler	FS547	Oppose In Part	Reject submission points in part
DPR-0493	Gallina & Heinz-Wattie	FS171	Oppose In Part	Reject the submission points in part.
DPR-0565	SSHL	FS062	Support In Part	Support the submission subject to amendments to the MDRZ boundary at Rolleston to include properties on the east side of George Street including no. 30 George Street & any other amendments/changes to the relevant provisions as are consistent with enabling our MDH proposal.

### Analysis

- 13.35 Paul McStay Ltd and Andrew O'Donoghue<sup>505</sup> request that the minimum frontage within the GRZ be increased to 16m as they consider that the 15m as notified is impractical to design houses with adequate amenity. I recommend that these submission points be rejected as I consider that the 15m frontage width notified is sufficient to meet the minimum building square required in SUB-REQ2 and the relevant internal boundary setbacks set out in the GRZ chapter, thereby allowing flexibility in design.
- 13.36 Hughes<sup>506</sup> requests that the frontage width in the LRZ be reduced as they consider that the 20m width notified is too generous and, in combination with the minimum site area, will impact on design and layout efficiency. I consider that the frontage width is sufficient to accommodate the minimum building square and relevant internal boundary setbacks set out in the LRZ chapter. I note that the submitter did not make a submission on either the quantum of sites areas included in SUB-REQ1 or on the building square dimensions set out in SUB-REQ2. I therefore recommend that this submission point be rejected, however this position may change with the introduction

<sup>505</sup> DPR-0069.002 Paul McStay Ltd and DPR-0177.002 Andrew O'Donoghue

<sup>506</sup> DPR-0409.010 Hughes

of any further evidence by the submitter demonstrating the design challenges referred to in their submission.

- 13.37 Kāinga Ora<sup>507</sup> requests that the provision be deleted as they consider that rule requirement will unnecessarily restrict development and that the width of sites is more appropriately assessed through SUB-MAT1. Referring to the baseline reports<sup>508</sup> to support the PDP, it was identified that the frontage width of sites impacts on the character and amenity of residential zones, as such I consider it appropriate that the provision be retained, to provide guidance to plan users on the minimum frontage width appropriate for the zone. I therefore recommend that the submission point be rejected.

### **Recommendation**

- 13.38 I recommend that the Hearing Panel retain SETZ-REQ4 as notified.
- 13.39 I recommend that the original submission point and further submission points be rejected as shown in **Appendix 1**.

### **SUB-REQ7 Walkable Blocks**

#### ***Submissions***

- 13.40 One submission point and nine further submission points were received in relation to SUB-REQ7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0409	Hughes	011	Support In Part	Amend as follows: 1. Blocks shall achieve all the following maximum perimeter lengths, unless precluded by an existing pattern of development: <del>a. Average perimeter not more than 800m;</del> b. Maximum perimeter not more than 1000m; and c. Maximum length of any one side of a block not more than <del>250m</del> <u>350m</u> .
DPR-0209	Manmeet Singh	FS159	Support In Part	Accept submission
DPR-0298	Trices Road Group	FS871	Support	Accept submission
DPR-0358	RWRL	FS133	Support	Adopt
DPR-0363	IRHL	FS133	Support	Adopt
DPR-0374	RIHL	FS133	Support	Adopt
DPR-0384	RIDL	FS133	Support	Adopt
DPR-0461	Dunweavin	FS055	Support	Accept submission
DPR-0492	Kevler	FS003	Support	Accept the Submission
DPR-0493	Gallina & Heinz-Wattie	FS770	Support	Accept submission

<sup>507</sup> DPR-0414.125 Kāinga Ora

<sup>508</sup> [Residential Character and Amenity Baseline Report June 2018](#) and [Transport Baseline Report May 2018](#) – Section 9.4

### **Analysis**

- 13.41 Hughes<sup>509</sup> request that SUB-REQ7 be amended as they consider that an average perimeter, when there is a maximum perimeter distance and a maximum length, is unnecessary.
- 13.42 Appropriately sized development blocks are important to ensure permeability is achieved and pedestrian connectivity and walkable neighbourhoods are realised. Referring to the baseline analysis<sup>510</sup> to support the PDP, 800m was identified as the preferred maximum perimeter length, or as expressed in the Transport s32 as *“the tipping point for when the scale of a residential block is so large that it begins to influence travel choices to the detriment of active modes”*<sup>511</sup>.
- 13.43 Having reviewed both the Transport and Subdivision s32 reports, it is not clear why the preferred option identified in the baseline reports was not carried through into the PDP. However, as it has been clearly identified in these reports as the preferred option, I recommend that this element of the submission point be rejected.
- 13.44 The submitter also considers that the 250m maximum length, when considered in combination with minimum site areas and frontage widths, has the potential to create design and layout inefficiencies.
- 13.45 The [Transport Baseline Report May 2018](#) states that *“Longer lengths to blocks result in a loss in permeability and lack of choice especially when considering higher density neighbourhoods with greater demand on the pedestrian network. To encourage walkable neighbourhoods block lengths that are between 100 and 200m tend to be more successful, and it is as much about perception”*. While no preferred option was advanced regarding the maximum length of any one side of a block, and I am unable to determine a source of the figure notified in the PDP, based on the above comment, I recommend that that request of the submitter to increase this length further be rejected.

### **Recommendation**

- 13.46 I recommend that the Hearing Panel retain SUB-REQ7 as notified.
- 13.47 I recommend that the original submission point and further submission points be rejected as shown in **Appendix 1**.

## **14. Other Matters**

- 14.1 This section responds to those submission points that do not correspond directly to a provision within the PDP as notified.

### **Non-notification clauses**

#### ***Submissions***

- 14.2 16 submission points and 122 further submission points were received seeking the inclusion of non-notification clauses into each of the four zone chapters that are the subject of this report.

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<sup>509</sup> DPR-0409.011 Hughes

<sup>510</sup> [Transport Baseline Report May 2018](#) – Section 10.4; [Transport Preferred Options Report August 2018](#) – Sections 6.11 and 6.12; [Post-engagement Preferred Options Update Report November 2018](#)

<sup>511</sup> [Transport s32 - Walkable blocks pg. 39](#)

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	361	Support In Part	Amend to insert non-notification clauses as far as practicable.
DPR-0209	Manmeet Singh	FS566	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS526	Support In Part	Accept submission in part
DPR-0461	Dunweavin	FS567	Support In Part	Accept submission in part
DPR-0492	Kevler	FS455	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS548	Support In Part	Accept the submission in part.
DPR-0358	RWRL	421	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS207	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0136	Stewart, Townsend and Fraser	FS169	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS938	Support	Accept submission
DPR-0302	Smith, Boyd and Blanchard	FS186	Support In Part	Accept submissions in part.
DPR-0371	CIAL	FS059	Support In Part	Accept in part
DPR-0414	Kāinga Ora	FS132	Support	Not Specified
DPR-0453	LPC	FS059	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS028	Support	Accept submission
DPR-0461	Dunweavin	FS582	Support In Part	Accept submission in part
DPR-0488	Dally & McIlraith	FS167	Support In Part	Accept in part
DPR-0358	RWRL	422	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS208	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS939	Support	Accept submission
DPR-0371	CIAL	FS060	Support In Part	Accept in part

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0375	Waka Kotahi	FS363	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS133	Support	Not Specified
DPR-0453	LPC	FS060	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS029	Support	Accept submission
DPR-0358	RWRL	423	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS209	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0209	Manmeet Singh	FS581	Support In Part	Accept the submission in part
DPR-0298	Trices Road Group	FS940	Support	Accept submission
DPR-0371	CIAL	FS061	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS367	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS134	Support	Not Specified
DPR-0453	LPC	FS061	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS030	Support	Accept submission
DPR-0461	Dunweavin	FS407	Support In Part	Accept submission in part
DPR-0492	Kevler	FS458	Support	Accept submission in part
DPR-0493	Gallina & Heinz-Wattie	FS563	Support In Part	Accept the submission in part.
DPR-0358	RWRL	424	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS210	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS941	Support	Accept submission
DPR-0371	CIAL	FS062	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS371	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0381	CDL	FS107	Support In Part	Allow
DPR-0414	Kāinga Ora	FS135	Support	Not Specified
DPR-0453	LPC	FS062	Support In Part	Accept in part



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0456	Four Stars and Gould	FS031	Support	Accept submission
DPR-0486	CDL	FS107	Support In Part	Allow
DPR-0363	IRHL	441	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS236	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0136	Stewart, Townsend and Fraser	FS196	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS967	Support	Accept submission
DPR-0302	Smith, Boyd and Blanchard	FS212	Support In Part	Accept submissions in part.
DPR-0371	CIAL	FS157	Support In Part	Accept in part
DPR-0414	Kāinga Ora	FS161	Support	Not Specified
DPR-0422	NCCF	FS214	Support In Part	Allow the submission on controlled activity. Disallow the submission point that notification is not required for all restricted discretionary applications.
DPR-0453	LPC	FS155	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS057	Support	Accept submission
DPR-0461	Dunweavin	FS725	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO
DPR-0488	Dally & McIlraith	FS194	Support In Part	Accept in part
DPR-0363	IRHL	442	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS237	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS968	Support	Accept submission
DPR-0371	CIAL	FS158	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS364	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS162	Support	Not Specified



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0422	NCFF	FS215	Support In Part	Allow the submission on controlled activity. Disallow the submission point that notification is not required for all restricted discretionary applications.
DPR-0453	LPC	FS156	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS058	Support	Accept submission
DPR-0363	IRHL	443	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS238	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS969	Support	Accept submission
DPR-0371	CIAL	FS159	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS368	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS163	Support	Not Specified
DPR-0422	NCFF	FS216	Support In Part	Allow the submission on controlled activity. Disallow the submission point that notification is not required for all restricted discretionary applications.
DPR-0453	LPC	FS157	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS059	Support	Accept submission
DPR-0363	IRHL	444	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS239	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS970	Support	Accept submission
DPR-0371	CIAL	FS160	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS372	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0381	CDL	FS101	Support In Part	Allow
DPR-0414	Kāinga Ora	FS164	Support	Not Specified

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0422	NCFF	FS217	Support In Part	Allow the submission on controlled activity. Disallow the submission point that notification is not required for all restricted discretionary applications.
DPR-0453	LPC	FS158	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS060	Support	Accept submission
DPR-0486	CDL	FS101	Support In Part	Allow
DPR-0374	RIHL	487	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS274	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0136	Stewart, Townsend and Fraser	FS243	Support In Part	Accept submission in part
DPR-0298	Trices Road Group	FS021	Support	Accept submission
DPR-0302	Smith, Boyd and Blanchard	FS260	Support In Part	Accept submissions in part.
DPR-0371	CIAL	FS088	Support In Part	Accept in part
DPR-0414	Kāinga Ora	FS195	Support	Not Specified
DPR-0453	LPC	FS088	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS091	Support	Accept the submission
DPR-0461	Dunweavin	FS869	Support In Part	Accept the submission in part. Reject the submission seeking removal of the UGO.
DPR-0488	Dally & McIlraith	FS242	Support In Part	Accept in part
DPR-0374	RIHL	488	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS275	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS022	Support	Accept submission
DPR-0414	Kāinga Ora	FS196	Support	Not Specified
DPR-0456	Four Stars and Gould	FS092	Support	Accept the submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0374	RIHL	489	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS276	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0298	Trices Road Group	FS023	Support	Accept submission
DPR-0371	CIAL	FS089	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS365	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS197	Support	Not Specified
DPR-0453	LPC	FS089	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS093	Support	Accept the submission
DPR-0374	RIHL	490	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS277	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0298	Trices Road Group	FS024	Support	Accept submission
DPR-0371	CIAL	FS090	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS373	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS198	Support	Not Specified
DPR-0453	LPC	FS090	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS094	Support	Accept the submission
DPR-0384	RIDL	368	Support In Part	Amend to insert non-notification clauses as far as practicable.
DPR-0384	RIDL	520	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0032	CCC	FS309	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS1028	Support	Accept submission
DPR-0371	CIAL	FS121	Support In Part	Accept in part
DPR-0414	Kāinga Ora	FS229	Support	Not Specified
DPR-0453	LPC	FS121	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS125	Support	Accept the submission
DPR-0384	RIDL	521	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS310	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS1029	Support	Accept submission
DPR-0371	CIAL	FS122	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS366	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS230	Support	Not Specified
DPR-0453	LPC	FS122	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS126	Support	Accept the submission
DPR-0384	RIDL	522	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS311	Oppose In Part	Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.
DPR-0298	Trices Road Group	FS1030	Support	Accept submission
DPR-0371	CIAL	FS123	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS370	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS231	Support	Not Specified
DPR-0453	LPC	FS123	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS127	Support	Accept the submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0384	RIDL	523	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS312	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0298	Trices Road Group	FS1031	Support	Accept submission
DPR-0371	CIAL	FS124	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS374	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0381	CDL	FS104	Support In Part	Allow
DPR-0414	Kāinga Ora	FS232	Support	Not Specified
DPR-0453	LPC	FS124	Support In Part	Accept in part
DPR-0456	Four Stars and Gould	FS128	Support	Accept the submission
DPR-0486	CDL	FS104	Support In Part	Allow

### Analysis

- 14.3 RWRL<sup>512</sup>, IRHL<sup>513</sup>, RIHL<sup>514</sup> and RIDL<sup>515</sup> have requested the insertion of non-notification clauses across the LLRZ, LRZ, GRZ and SETZ chapters, such that any application for a controlled or a restricted discretionary activity would not be subject to limited or publicly notified.
- 14.4 As notified, the only controlled activity within the four zones related to relocated buildings, however I have proposed that this rule be deleted. There are a number of provisions that have and RDIS status or which would trigger a restricted discretionary status if breached, however of these only the rule related to home based business includes a non-notification clause, advising that any consent shall not be subject to public notification; limited notification is still able to be considered if appropriate.
- 14.5 I recommend that the submission points be rejected because the RMA notification tests set out in s95 allow for non-notification where it is appropriate, or a level of notification appropriate to the application. I consider that it would be inappropriate to prevent those who may be adversely affected by a particular proposal from having the opportunity to participate in the process.

<sup>512</sup> DPR-0358.361,421, 422, 423 and 424 RWRL

<sup>513</sup> DPR-0363.441, 442, 443 and 444 IRHL

<sup>514</sup> DPR-0374.487, 488, 489 and 490 RIHL

<sup>515</sup> DPR-0384.368, 520, 521, 522 and 523 RIDL

### **Recommendation**

- 14.6 I recommend that, for the reasons given above, the Hearing Panel declines to insert generic non-notification clauses as requested by these submission points.
- 14.7 It is recommended that the submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### **Important Infrastructure**

#### ***Submissions***

- 14.8 24 submission points and 48 further submission points were received in relation to incorporating provisions into the overarching RESZ chapter and the four zone chapters to support the corridor protection for significant electricity distribution lines.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0367	Orion	122	Neither Support Nor Oppose	Insert as follows: <u>Important Infrastructure</u> <u>Development of sensitive activities does not adversely affect the efficient operation, use, and development of important infrastructure.</u>
DPR-0407	Forest & Bird	FS691	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS031	Oppose	<i>Not specified</i>
DPR-0439	Rayonier	FS022	Oppose	<i>Decline</i>
DPR-0367	Orion	123	Neither Support Nor Oppose	Insert as follows: <u>Avoidance of adverse effects on important infrastructure</u> <u>Avoid reverse sensitivity effects on important infrastructure including significant electricity distribution lines.</u>
DPR-0407	Forest & Bird	FS692	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS032	Oppose	<i>Not specified</i>
DPR-0439	Rayonier	FS023	Oppose	<i>Decline</i>
DPR-0367	Orion	124	Neither Support Nor Oppose	Insert Rule EI-R4 4. into GRZ and reword as follows: Structures near Significant Electricity Distribution Line Activity Status: PER 4. The establishment of a new, or expansion of an existing, structure <del>within</del> <u>greater than</u> 10m from: a. the centreline <del>and foundation of a support structure</del> of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps; or <u>b. the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps</u> 5. <del>The establishment of a new, or expansion of an existing, structure greater than 5m from:</del>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>a. the centreline of other Significant Electricity Distribution Lines as shown on the planning maps; or</u></p> <p><u>b. the foundation of a support structure of other Significant Distribution Lines as shown on the planning maps(Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</u></p> <p><u>Where:</u></p> <p><u>a.The structure is not used for:</u></p> <p><u>i.habitation;</u></p> <p><u>ii.produce packing;</u></p> <p><u>iii.a milking shed;</u></p> <p><u>iv.a wintering barn;</u></p> <p><u>v.intensive primary production; or</u></p> <p><u>vi.a commercial greenhouse.</u></p> <p><u>b.The expansion of the existing structure does not occur to a structure listed in EI-R4.4.a.</u></p> <p>Activity status when compliance not achieved:</p> <p>5. When compliance with GRZ-XX is not achieved: NC</p> <p>Notification:</p> <p>6. Any application arising from GRZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS693	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS033	Oppose	<i>Not specified</i>
DPR-0439	Rayonier	FS024	Oppose	<i>Decline</i>
DPR-0367	Orion	125	Neither Support Nor Oppose	<p>Insert the following rule into the GRZ:</p> <p><u>GRZ-RXX Trees near Significant Electricity Distribution Lines</u></p> <p><u>All zones</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. Any tree located near a Significant Electricity Distribution Line</u></p> <p><u>Where:</u></p> <p><u>a. The tree will be set back a minimum of 5m from the centreline of any Significant Electricity Distribution Line; and</u></p> <p><u>b. The species at full maturity, will be a maximum of 3m in height.</u></p> <p><u>Activity Status when Compliance not achieved with clauses a. and b. above: NC</u></p> <p><u>Notification:</u></p> <p><u>Any application arising from GRZ-XX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>Significant Electricity Distribution Line unless their written approval is provided.</u>
DPR-0407	Forest & Bird	FS694	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS034	Oppose	<i>Not specified</i>
DPR-0367	Orion	126	Support In Part	<p>Insert EI-R3 (from the Energy and Infrastructure Chapter) into GRZ and reword as follows:  <u>GRZ-RXX Sensitive Activities</u>            Activity Status: PER            1. The establishment of a new, or expansion of an existing sensitive activity.            Where:            a. The activity is not within:            i. the National Grid Yard; and            ii. 10m from the centreline <del>or foundation of a support structure</del> of the Significant Electricity Distribution Line (Islington to Springston); and            iii. <u>10m from the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston)</u>            iv. 5m from the centreline <del>or foundation of a support structure</del> of any other Significant Electricity Distribution Line; and            v. <u>5m from the foundation of a support structure of any other Significant Electricity Distribution Line; and</u>            vi. 250m of any lawfully established noise generating infrastructure used for renewable electricity generation as set from the notional boundary of the sensitive activity. Except that this shall not apply to any small and community scale distributed electricity generation and small and community scale distributed electricity generation activity or any sensitive activity within Settlement Zone - Lake Coleridge Township.            And this activity complies with the following rule requirements:            I-REQ1 Access            Activity status when compliance not achieved:            2. When compliance with any of XX-RXX.1 is not achieved: NC  <del>3. When compliance with EI R3.a.iv is not achieved: DIS</del>  <u>3.4.</u>When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.            Notification:  <del>5.4.</del>Any application arising from GRZ-RXX shall not be subject to public <u>notification</u> and shall be limited notified to the following parties:            the network utility operator with responsibility</p>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				for the <del>infrastructure</del> , <u>infrastructure</u> unless their written approval is provided.
DPR-0407	Forest & Bird	FS695	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS035	Oppose	<i>Not specified</i>
DPR-0367	Orion	127	Neither Support Nor Oppose	<p>Insert Rule EI-R4.1. (from the Energy and Infrastructure Chapter) into GRZ and reword as follows:</p> <p>GRZ-RXX Structures near Significant Electricity Distribution Line</p> <p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing fence.</p> <p>Where:</p> <p>a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of:</p> <p>i. <del>65m</del> from the foundation of a support structure for <del>both any the</del> Significant Electricity Distribution Line (Islington to Springston) Line and all other Significant Electricity Distribution Lines <del>greater than 51kV</del>; or</p> <p>ii. <del>2.2m</del> from the foundation of a support structure for <del>any other</del> Significant Electricity Distribution Line <del>between 1-50kV</del>.</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with GRZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>3. Any application arising from GRZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS696	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS036	Oppose	<i>Not specified</i>
DPR-0367	Orion	144	Neither Support Nor Oppose	<p>Insert as follows:</p> <p><u>Development of sensitive activities does not adversely affect the efficient operation, use, and development of important infrastructure.</u></p>
DPR-0407	Forest & Bird	FS713	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS038	Oppose	<i>Not specified</i>
DPR-0367	Orion	146	Neither Support Nor Oppose	<p>Insert as follows:</p> <p><u>Avoid reverse sensitivity effects on important infrastructure including significant electricity distribution lines.</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0407	Forest & Bird	FS715	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS039	Oppose	<i>Not specified</i>
DPR-0367	Orion	147	Neither Support Nor Oppose	<p>Insert Rule EI-R4.1. (from the Energy and Infrastructure Chapter) into LLRZ and reword as follows:</p> <p>LLRX-RXX Structures near Significant Electricity Distribution Line</p> <p>All Zones</p> <p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing fence.</p> <p>Where:</p> <p>a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of:</p> <p>i. <del>65m</del> from the foundation of a support structure for <del>both any</del> the Significant Electricity Distribution Line (Islington to Springston) Line and all other Significant Electricity Distribution Lines <del>greater than 51kV</del>; or</p> <p>ii. <del>2.2m</del> from the foundation of a support structure for <del>any other Significant Electricity Distribution Line between 1-50kV</del>.</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with LLRZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>3. Any application arising from LLRZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS716	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS040	Oppose	<i>Not specified</i>
DPR-0367	Orion	148	Neither Support Nor Oppose	<p>Insert Rule EI-R4 4. (from the Energy and Infrastructure Chapter) into LLRZ and reword as follows:</p> <p>LFLZ-RXX Structures near Significant Electricity Distribution Line</p> <p>Activity Status: PER</p> <p>4. The establishment of a new, or expansion of an existing, structure <del>within</del> <u>greater than</u> 10m from:</p> <p>a. the centreline and foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps; or</p> <p><u>b. the foundation of a support structure of the Significant Electricity Distribution Line (Islington</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>to Springston) as shown on the planning maps</p> <p>5. The establishment of a new, or expansion of an existing, structure greater than 5m from:</p> <p>a. the centreline of other Significant Electricity Distribution Lines as shown on the planning maps; or</p> <p>b. the foundation of a support structure of other Significant Distribution Lines as shown on the planning maps(Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</p> <p>Where:</p> <p>a. The structure is not used for:</p> <p>i. habitation;</p> <p>ii. produce packing;</p> <p>iii. a milking shed;</p> <p>iv. a wintering barn;</p> <p>v. intensive primary production; or</p> <p>vi. a commercial greenhouse.</p> <p>b. The expansion of the existing structure does not occur to a structure listed in LLRZ-R4.4.a.</p> <p>Activity status when compliance not achieved:</p> <p>5. When compliance with LLRZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>6. Any application arising from LLRZ-XX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS717	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS041	Oppose	Not specified
DPR-0367	Orion	149	Neither Support Nor Oppose	<p>Insert as follows:</p> <p><u>LLRZ-RX Trees near Significant Electricity Distribution Lines</u></p> <p><u>All zones</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. Any tree located near a Significant Electricity Distribution Line</u></p> <p><u>Where:</u></p> <p><u>a. The tree will be set back a minimum of 5m from the centreline of any Significant Electricity Distribution Line; and</u></p> <p><u>b. The species at full maturity, will be a maximum of 3m in height.</u></p> <p><u>Activity Status when compliance not achieved:</u></p> <p><u>2. When compliance with any of ZONE-RX.1 is not achieved: NC</u></p> <p><u>Notification:</u></p> <p><u>Any application arising from LLRZ-RX.2 shall not</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u>
DPR-0407	Forest & Bird	FS718	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0367	Orion	150	Neither Support Nor Oppose	<p>Insert EI-R3 (from the Energy and Infrastructure Chapter) into LLRZ and reword as follows:</p> <p>LLRZ-RXX Sensitive Activities</p> <p>All Zones</p> <p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing sensitive activity.</p> <p>Where:</p> <p>a. The activity is not within:</p> <p>i. the National Grid Yard; and</p> <p>ii. 10m from the centreline <del>or foundation of a support structure</del> of the Significant Electricity Distribution Line (Islington to Springston); and</p> <p>iii. <u>10m from the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston)</u></p> <p>iv. 5m from the centreline <del>or foundation of a support structure</del> of any other Significant Electricity Distribution Line; and</p> <p>v. <u>5m from the foundation of a support structure of any other Significant Electricity Distribution Line; and</u></p> <p>vi. 250m of any lawfully established noise generating infrastructure used for renewable electricity generation as set from the notional boundary of the sensitive activity. Except that this shall not apply to any small and community scale distributed electricity generation and small and community scale distributed electricity generation activity or any sensitive activity within Settlement Zone - Lake Coleridge Township.</p> <p>And this activity complies with the following rule requirements:</p> <p>EI-REQ1 Access</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of LLRZ-RXX.1 is not achieved: NC</p> <p><del>3. When compliance with LLRZ-R3.a.iv is not achieved: DIS</del></p> <p><u>3.4.</u>When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</p> <p>Notification:</p> <p><del>5.4.</del>Any application arising from LLRZ-RXX.2 shall not be subject to public notification and shall be</p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				limited notified to the following parties: the network utility operator with responsibility for the <del>infrastructure</del> , <u>infrastructure</u> unless their written approval is provided.
DPR-0407	Forest & Bird	FS719	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS042	Oppose	<i>Not specified</i>
DPR-0367	Orion	161	Neither Support Nor Oppose	Insert as follows: <u>Development of sensitive activities does not adversely affect the efficient operation, use, and development of important infrastructure.</u>
DPR-0407	Forest & Bird	FS730	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS052	Oppose	<i>Not specified</i>
DPR-0367	Orion	162	Neither Support Nor Oppose	Insert as follows: <u>Avoid reverse sensitivity effects on important infrastructure including significant electricity distribution lines.</u>
DPR-0407	Forest & Bird	FS731	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS053	Oppose	<i>Not specified</i>
DPR-0367	Orion	163	Neither Support Nor Oppose	Insert Rule EI-R4.1. (from the Energy and Infrastructure Chapter) into LRZ and reword as follows: All Zones Activity Status: PER 1. The establishment of a new, or expansion of an existing fence. Where: a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of: i. <del>6-5m</del> from the foundation of a support structure for <del>both any</del> the Significant Electricity Distribution Line (Islington to Springston) Line and all other Significant Electricity Distribution Lines <del>greater than 51kV</del> ; or ii. <del>2.2m</del> from the foundation of a support structure for <del>any other</del> Significant Electricity Distribution Line <del>between 1-50kV</del> . Activity status when compliance not achieved: 2. When compliance with LRZ-RXX is not achieved: NC Notification: 3. Any application arising from LRZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0407	Forest & Bird	FS732	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS054	Oppose	<i>Not specified</i>
DPR-0367	Orion	164	Neither Support Nor Oppose	<p>Insert Rule EI-R4 4. (from the Energy and Infrastructure Chapter) into LRZ and reword as follows:</p> <p>LRZ-RXX Structures near Significant Electricity Distribution Line</p> <p>Activity Status: PER</p> <p>4. The establishment of a new, or expansion of an existing, structure <del>within</del> <u>greater than</u> 10m from:</p> <p>a. the centreline and foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps; or</p> <p>b. the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps</p> <p>5. The establishment of a new, or expansion of an existing, structure greater than 5m from:</p> <p>a. the centreline of other Significant Electricity Distribution Lines as shown on the planning maps; or</p> <p><u>b. the foundation of a support structure of other Significant Distribution Lines as shown on the planning maps (Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</u></p> <p><del>Where:</del></p> <p><del>a. The structure is not used for:</del></p> <p><del>i. habitation;</del></p> <p><del>ii. produce packing;</del></p> <p><del>iii. a milking shed;</del></p> <p><del>iv. a wintering barn;</del></p> <p><del>v. intensive primary production; or</del></p> <p><del>vi. a commercial greenhouse.</del></p> <p><del>b. The expansion of the existing structure does not occur to a structure listed in EI-R4.4.a.</del></p> <p>Activity status when compliance not achieved:</p> <p>5. When compliance with LRZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>6. Any application arising from LRZ-XX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS733	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	FS055	Oppose	Not specified
DPR-0367	Orion	165	Neither Support Nor Oppose	<p>Insert as follows:</p> <p><u>LRZ-RXX Trees near Significant Electricity Distribution Lines</u></p> <p><u>All zones</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. Any tree located near a Significant Electricity Distribution Line</u></p> <p><u>Where:</u></p> <p><u>a. The tree will be set back a minimum of 5m from the centreline of any Significant Electricity Distribution Line; and</u></p> <p><u>b. The species at full maturity, will be a maximum of 3m in height.</u></p> <p><u>Activity Status when Compliance not achieved with clauses a. and b. above: NC</u></p> <p><u>Notification:</u></p> <p><u>Any application arising from LRZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u></p>
DPR-0407	Forest & Bird	FS734	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0367	Orion	166	Neither Support Nor Oppose	<p>Insert EI-R3 (from the Energy and Infrastructure Chapter) into LRZ and reword as follows:</p> <p><u>LRZ-RXX Sensitive Activities</u></p> <p><u>All Zones</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. The establishment of a new, or expansion of an existing sensitive activity.</u></p> <p><u>Where:</u></p> <p><u>a. The activity is not within:</u></p> <p><u>i. the National Grid Yard; and</u></p> <p><u>ii. 10m from the centreline <del>or foundation of a support structure</del> of the Significant Electricity Distribution Line (Islington to Springston); and</u></p> <p><u>iii. 10m from the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston)</u></p> <p><u>iv. 5m from the centreline <del>or foundation of a support structure</del> of any other Significant Electricity Distribution Line; and</u></p> <p><u>v. 5m from the foundation of a support structure of any other Significant Electricity Distribution Line; and</u></p> <p><u>vi. 250m of any lawfully established noise generating infrastructure used for renewable electricity generation as set from the notional boundary of the sensitive activity. Except that this shall not apply to any small and community scale distributed electricity generation and small</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>and community scale distributed electricity generation activity or any sensitive activity within Settlement Zone - Lake Coleridge Township.</p> <p>And this activity complies with the following rule requirements:</p> <p>EI-REQ1 Access</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of LRZ-XX.1. is not achieved: NC</p> <p><del>3. When compliance with LRZ-R3.a.iv is not achieved: DIS</del></p> <p><del>3.4.</del> When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</p> <p>Notification:</p> <p><del>5.4.</del> Any application arising from LRZ-RXX.2 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the <del>infrastructure</del>, <u>infrastructure</u> unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS735	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS056	Oppose	Not specified
DPR-0367	Orion	170	Neither Support Nor Oppose	<p>Insert Rule EI-R4.1. (from the Energy and Infrastructure Chapter) into SETZ and reword as follows:</p> <p>SETZ-RXX Structures near Significant Electricity Distribution Line</p> <p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing fence.</p> <p>Where:</p> <p>a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of:</p> <p>i. <del>6 5m</del> from the foundation of a support structure for <del>both any the</del> Significant Electricity Distribution Line (Islington to Springston) Line and all other Significant Electricity Distribution Lines <del>greater than 51kV</del>; or</p> <p>ii. <del>2.2m from the foundation of a support structure for any other Significant Electricity Distribution Line between 1-50kV.</del></p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with SETZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>3. Any application arising from SETZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility</p>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				for the Significant Electricity Distribution Line, unless their written approval is provided.
DPR-0407	Forest & Bird	FS739	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS060	Oppose	<i>Not specified</i>
DPR-0367	Orion	172	Neither Support Nor Oppose	<p>Insert Rule EI-R4 4. (from the Energy and Infrastructure Chapter) into SETZ and reword as follows:</p> <p>SETZ-RXX Structures near Significant Electricity Distribution Line</p> <p>Activity Status: PER</p> <p>4. The establishment of a new, or expansion of an existing, structure <del>within</del> <u>greater than</u> 10m from:</p> <p>a. the centreline and foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps; or</p> <p><u>b. the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps</u></p> <p>5. The establishment of a new, or expansion of <u>an existing, structure greater than 5m from:</u></p> <p><u>a. the centreline of other Significant Electricity Distribution Lines as shown on the planning maps; or</u></p> <p><u>b. the foundation of a support structure of other Significant Distribution Lines as shown on the planning maps (Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</u></p> <p><del>Where:</del></p> <p><del>a. The structure is not used for:</del></p> <p><del>i. habitation;</del></p> <p><del>ii. produce packing;</del></p> <p><del>iii. a milking shed;</del></p> <p><del>iv. a wintering barn;</del></p> <p><del>v. intensive primary production; or</del></p> <p><del>vi. a commercial greenhouse.</del></p> <p><del>b. The expansion of the existing structure does not occur to a structure listed in EI-R4.4.a</del></p> <p>Activity status when compliance not achieved:</p> <p>5. When compliance with SETZ-RXX is not achieved: NC</p> <p>Notification:</p> <p>6. Any application arising from SETZ-XX shall not be subject to public notification and shall be limited notified to the following parties:</p> <p>the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0407	Forest & Bird	FS741	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS062	Oppose	<i>Not specified</i>
DPR-0367	Orion	173	Neither Support Nor Oppose	Insert as follows: <u>Development of sensitive activities does not adversely affect the efficient operation, use, and development of important infrastructure.</u>
DPR-0407	Forest & Bird	FS742	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS063	Oppose	<i>Not specified</i>
DPR-0367	Orion	174	Neither Support Nor Oppose	Insert as follows: <u>SETZ-RXX Trees near Significant Electricity Distribution Lines</u> <u>Activity Status: PER</u> <u>1. Any tree located near a Significant Electricity Distribution Line</u> <u>Where:</u> <u>a. The tree will be set back a minimum of 5m from the centreline of any Significant Electricity Distribution Line; and</u> <u>b. The species at full maturity, will be a maximum of 3m in height.</u> <u>Activity Status when Compliance not achieved with clauses a. and b. above: NC</u> <u>Notification:</u> <u>Any application arising from SETZ-RXX shall not be subject to public notification and shall be limited notified to the following parties:</u> <u>the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u>
DPR-0407	Forest & Bird	FS743	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0367	Orion	175	Neither Support Nor Oppose	Insert EI-R3 (from the Energy and Infrastructure Chapter) into SETZ and reword as follows: SETZ-RXX Sensitive Activities Activity Status: PER 1. The establishment of a new, or expansion of an existing sensitive activity. Where: a. The activity is not within: i. the National Grid Yard; and ii. 10m from the centreline <del>or foundation of a support structure</del> of the Significant Electricity Distribution Line (Islington to Springston); and iii. <u>10m from the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston)</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p>iv. 5m from the centreline <del>or foundation of a support structure</del> of any other Significant Electricity Distribution Line; and</p> <p>v. 5m from the foundation of a support structure of any other Significant Electricity Distribution Line; and</p> <p>vi. 250m of any lawfully established noise generating infrastructure used for renewable electricity generation as set from the notional boundary of the sensitive activity. Except that this shall not apply to any small and community scale distributed electricity generation and small and community scale distributed electricity generation activity or any sensitive activity within Settlement Zone - Lake Coleridge Township.</p> <p>And this activity complies with the following rule requirements:</p> <p>EI-REQ1 Access</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of SETZ-RXX.1. is not achieved: NC</p> <p><del>3. When compliance with NCZ-R3.a.iv is not achieved: DIS</del></p> <p><del>3.4.</del> 4. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</p> <p>Notification:</p> <p><del>5.4.</del> Any application arising from SETZ-RXX.2 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the <del>infrastructure</del>, <u>infrastructure</u> unless their written approval is provided.</p>
DPR-0407	Forest & Bird	FS744	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS064	Oppose	<i>Not specified</i>
DPR-0367	Orion	176	Neither Support Nor Oppose	<p>Insert as follows:</p> <p><u>Avoid reverse sensitivity effects on important infrastructure including significant electricity distribution lines.</u></p>
DPR-0407	Forest & Bird	FS745	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS065	Oppose	<i>Not specified</i>

### **Analysis**

14.9 Orion<sup>516</sup> requests that a package of provisions be inserted into every zone to support the corridor protection for significant electricity distribution lines. As part of this package, Orion seek to insert an objective, policy and four separate rules into each zone. In addition to seeking the insertion of corridor protection rules (EI-R3, EI-R4.1 and EI-R4.4 as notified) from the EI Chapter, Orion have also requested that a new rule be included which would address trees near significant electricity distribution lines. This is part of broad relief that was sought by Orion on the grounds that it provides clarity to plan users and ensure the provisions are accessible and recognisable and reduce the likelihood they will be missed.

14.10 I note this matter was addressed in the EI Hearing S42A report<sup>517</sup> in the following way:

*The structure of the EI Chapter has been dictated by the Planning Standards which require that provisions relating to energy, infrastructure and transport that are not specific to the Special Purpose Zone chapters or sections “must be located in one or more chapters under the Energy, infrastructure and transport heading”. The Planning Standards also stipulate that the chapters under the Energy, Infrastructure and Transport heading must include cross-references to any energy, infrastructure and transport provisions in a Special Purpose Zones chapter or sections. Zone chapters must include cross-references to relevant provisions under the Energy, Infrastructure and Transport heading. The submission points made by Orion contained in Appendix 3 seeking that the provisions be inserted in other chapters are therefore not supported as they are not in accordance with the Planning Standards and there is considered to be sufficient cross-referencing already in place. Therefore, it is recommended that the Orion submission points relating to the Chapter structure contained in Appendix 3 be rejected.*

14.11 I agree with the conclusions of the EI S42A Report writer, and I recommend these submission points are rejected.

### **Recommendation**

14.12 I recommend that, for the reasons given above, the Hearing Panel declines to insert provisions into each residential zone to support the corridor protection for significant electricity distribution lines, as requested by these submission points.

14.13 It is recommended that the submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

### **Housing Density Areas**

#### **Submissions**

14.14 One submission point and two further submission points were received in relation to provisions that permit higher residential densities in Selwyn.

<sup>516</sup> DPR-0367.122, 123, 124, 125, 126, 127, 144, 146, 147, 148, 149, 150, 161, 162, 163, 164, 165, 166, 170, 172, 173, 174, 175 and 176 Orion

<sup>517</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0004/490135/EI-S42a-report-FINAL-23-August-2021.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0004/490135/EI-S42a-report-FINAL-23-August-2021.pdf) paragraph 8.10

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0159	Lincoln Envirotown Trust	001	Neither Support Nor Oppose	Request that Council make changing these current trends in housing development a priority.
DPR-0358	RWRL	FS002	Support	Adopt
DPR-0384	RIDL	FS002	Support	Adopt

### Analysis

- 14.15 Lincoln Environment Trust<sup>518</sup> supports the inclusion of provisions which provide for higher density housing within the district. They consider that single houses on large areas of land have a range of detrimental effects and encouraging a new regime which allows for higher densities and a wider range of typologies will have beneficial effects on the community. While I consider that the PDP does support the development of higher densities of housing within the residential zoned within the district, I recommend that this submission point be rejected as I am not recommended any change to the PDP as notified.

### Recommendation

- 14.16 I recommend that, for the reasons given above, the original submission point and the further submission points are accepted by the Hearing Panel, as shown in **Appendix 1**.

### Minimum Density of Housing Development

#### Submissions

- 14.17 One submission point and five further submission points were received seeking that minimum density provisions be included in the PDP.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0375	Waka Kotahi	109	Neither Support Nor Oppose	Insert a rule, requirements and matters of control and discretion are including in the District Plan which require a minimum density of housing development to be achieved.
DPR-0358	RWRL	FS097	Oppose	Reject
DPR-0363	IRHL	FS097	Oppose	Reject
DPR-0374	RIHL	FS097	Oppose	Reject
DPR-0384	RIDL	FS097	Oppose	Reject
DPR-0414	Kāinga Ora	FS100	Oppose	Not specified

### Analysis

- 14.18 Waka Kotahi<sup>519</sup> requests that an appropriate set of rules, rule requirements and matters of control and discretion are included in the PDP to achieve minimum density standards. The development of density standards, especially for greenfield areas, are driven largely from the CRPS and intensification densities need to be considered on a township basis. I consider that, in

<sup>518</sup> DPR-0159.001 Lincoln Envirotown Trust

<sup>519</sup> DPR-0375.109 Waka Kotahi

conjunction with the urban growth and subdivision chapter, the PDP does set out the minimum residential densities to be achieved. Therefore, I recommend that this submission point is rejected.

### ***Recommendation***

- 14.19 I recommend that, for the reasons given above, the original submission point and the further submission points are accepted or rejected by the Hearing Panel, as shown in **Appendix 1**.

### **Supermarkets**

#### ***Submissions***

- 14.20 One submission point and three further submission points were received seeking that the PDP expressly provide for supermarkets outside of centres where there is a demonstrated need.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0373	Foodstuffs	004	Oppose	Amend PSDP to accommodate supermarkets (including associated access, carparking and retail activities) by expressly providing for supermarkets in the objectives, policies and rules of the PSDP for a range of centres, and to provide for supermarkets outside of centres where there is a demonstrated need.
DPR-0032	CCC	FS254	Oppose	Retain the existing proposed District Plan provision for supermarkets.
DPR-0375	Waka Kotahi	FS411	Opposed in Part	Waka Kotahi would want to ensure that if the provision was replaced or amended the opportunity is made for all parties to consider any proposed changes.
DPR-0392	CSI	FS034	Oppose	Reject

### ***Analysis***

- 14.21 Foodstuffs<sup>520</sup> seeks to amend the PDP to expressly provide for supermarkets outside of centres where there is a demonstrated need.
- 14.22 I consider that, in the process of preparing the PDP, an in-depth review was undertaken of the range of activities suitable within a residential zone, having regard not only to residential zones but also to the CMUZ, to ensure that the range of activities permitted within each zone was appropriate. In this respect, the approach of the PDP is to avoid non-residential activities, including supermarkets, locating in residential zones, thereby protecting both the character and amenity of residential areas and the economic viability of key activity centres. Larger scale commercial activities are more appropriately established in the CMUZ, and to this end, supermarkets are provided for within the TCZ, LCZ, NCZ and LFRZ as appropriate. While the Settlement Zone enables commercial activities to establish, as the townships do not have a specific CMUZ, I consider that supermarkets would be incompatible with the scale of commercial activities enabled. As such, I do not consider that new objectives, policies, or rules are necessary

<sup>520</sup> DPR-0373.004 Foodstuffs

within the Residential chapters of the PDP to provide for supermarkets, and I recommend that this submission point be rejected.

### ***Recommendation***

- 14.23 I recommend that, for the reasons given above, the original submission point and the further submission points are accepted or rejected by the Hearing Panel, as shown in **Appendix 1**.

### **Ancillary Structures**

#### ***Submissions***

- 14.24 One submission point and two further submission points were received seeking that a new rule addressing *ancillary structures* be included in the LRZ, GRZ and SETZ.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0207	SDC	077	Oppose In Part	Insert a new rule permitting the establishment of, or addition to, an "ancillary structure", subject to compliance with the rule requirements for the relevant zone relating to Building Coverage, Height and Height in Relation to Boundary, where these rule requirements currently exist within the zone chapter. Except that the rule shall include an exemption for fencing in the Low Density Residential Zone, General Residential Zone and Settlement Zone. When compliance with the rule is not achieved, the activity status shall be Discretionary, and where compliance with any rule requirements is not achieved, reference is to be made to the relevant rule requirement.
DPR-0142	NZ Pork	FS045	Support In Part	Allow in part
DPR-0423	PHC	FS003	Support	Allow Submission in Full

### ***Analysis***

- 14.25 SDC<sup>521</sup> considers that some 'catch-all' rules on buildings and structures appear to capture minor buildings and structures by default and that this could lead to unnecessary resource consents having to be applied for structures like fences, garden sheds, water troughs, decks etc. As such, the submitter requests that specific provisions be included in the PDP to manage ancillary structures, in terms of building coverage, height and height in relation to boundary. I do not agree.
- 14.26 While LLRZ-specifically addresses *ancillary structures*, I consider that LRZ-R5, GRZ-R5 and SETZ-R5 also address ancillary structures in that, by definition, they are a subset of structure. The above rules permit structures, subject to consideration of building coverage, height, height in relation to boundary and setbacks of structures.
- 14.27 I therefore recommend that this submission point be rejected.

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<sup>521</sup> DPR-0207.077 SDC

### Recommendation

- 14.28 I recommend that, for the reasons given above, the original submission point and the further submission points are rejected by the Hearing Panel, as shown in **Appendix 1**.

### Oranga Tamariki

#### Submissions

- 14.29 Six submission points and six further submission points were received in relation to incorporating a new definition and provisions into the four residential zones to provide for 'community based youth homes' in residential zones, to assist Oranga Tamariki to effectively fulfil its duties.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0348	Oranga Tamariki	001	Neither Support Nor Oppose	Insert a new definition: <u>Community based youth home:</u> <u>means the use of land and buildings for the accommodation of children and young persons subject to order(s) detaining them in custody under the Oranga Tamariki Act 1989 (or any successor legislation)</u>
DPR-0414	Kāinga Ora	FS015	Support In Part	Not specified
DPR-0348	Oranga Tamariki	008	Neither Support Nor Oppose	Amend as follows: Supported Residential Accommodation, <u>Community Based Youth Homes</u> , and Retirement Village Enable supported residential accommodation, <u>community based youth homes</u> , and retirement villages that are: ...
DPR-0414	Kāinga Ora	FS022	Support In Part	Not specified
DPR-0348	Oranga Tamariki	002	Neither Support Nor Oppose	Insert as follows: <u>Community Based Youth Homes: Permitted Where:</u> <u>The maximum occupancy does not exceed six residents (excluding staff)</u>
DPR-0414	Kāinga Ora	FS016	Support In Part	Not specified
DPR-0348	Oranga Tamariki	003	Neither Support Nor Oppose	Insert as follows: <u>Community Based Youth Homes: Permitted Where:</u> <u>The maximum occupancy does not exceed six residents (excluding staff)</u>
DPR-0414	Kāinga Ora	FS017	Support In Part	Not specified
DPR-0348	Oranga Tamariki	004	Neither Support Nor Oppose	Insert as follows: <u>Community Based Youth Homes: Permitted Where:</u> <u>The maximum occupancy does not exceed six residents (excluding staff)</u>
DPR-0414	Kāinga Ora	FS018	Support In Part	Not specified



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0348	Oranga Tamariki	006	Neither Support Nor Oppose	Insert New Rule providing for restricted discretionary activity status where permitted standards are not met, with matters of discretion limited to: Intensity and scale of the activity; Effects on amenity values and character of the residential area; Parking and access; safety, efficiency and impacts to on-street parking and neighbours
DPR-0414	Kāinga Ora	FS020	Support In Part	Not specified
DPR-0348	Oranga Tamariki	005	Neither Support Nor Oppose	Insert as follows: <u>Community Based Youth Homes: Permitted Where:</u> <u>The maximum occupancy does not exceed six residents (excluding staff)</u>
DPR-0414	Kāinga Ora	FS019	Support In Part	Not specified

### Analysis

- 14.30 Oranga Tamariki<sup>522</sup> considers that it is important that the activities and responsibilities held by Oranga Tamariki are appropriately defined and provided for within district plans to provide Council and the community with a clear understanding of what is anticipated by certain activities.
- 14.31 In their submission, Oranga Tamariki indicates that it, *“and its partners, provide a diverse range of services within communities for children/tamariki and young persons/rangatahi, which include the care and protection of at risk tamariki and rangatahi, provision of living accommodation of those without a safe or appropriate alternative address, and in some cases the detention of tamariki or rangatahi by order of the Youth Court while awaiting the Court’s response to a young person’s alleged offending”*.
- 14.32 The submitter considers that these activities *“are generally and intentionally of a small-scale and entirely residential in nature i.e., the provision of living accommodation for tamariki and rangatahi within a single household unit”* and that *“the majority of these activities are therefore captured by the definition of ‘residential activity’ and ‘residential unit’*. However, the submitter considers that some of their activities may be captured by the following definition of ‘corrections activity’ when instead that they are *“more akin if not identical in terms of scale and effects to detached residential units or supported residential accommodation”*.
- 14.33 As such, the submitter seeks that a new definition that aligns with the community homes that Oranga Tamariki (or its providers/partners) establish and operate, be included in the PDP and that this activity be provided for as a permitted activity in all residential zones, subject to a maximum occupancy. Where this standard is not met, the submitter proposes a RDIS status, with various matters related to intensity and scale of the activity and the effects on amenity values and character of the residential area.

<sup>522</sup> DPR-0348.001, 002, 003, 004, 005, 006 and 008 Oranga Tamariki

- 14.34 I consider that, as expressed in their submission, the nature of the activity sought would fall within the definition of *residential activity* and can take place within a *residential unit*. Further, in response to other submissions, I have recommended that the definition of *supported residential accommodation* be amended to include the use of a residential unit for, among other things, supervision. Therefore, I recommend that these submission points be rejected, as I consider that there is sufficient scope within the PDP to address the concerns of the submitter.
- 14.35 I also note that, as the submitter themselves acknowledges, the Minister responsible for Oranga Tamariki, the Minister for Children, is a Requiring Authority as defined in Section 166 of the RMA with the ability to designate land for these purposes. As such, I consider that there is a pathway through the designation processes for the submitter, should the activity be such that it would not fall within the definitions above.
- 14.36 However, should the submitter not consider that their activities could fall within the definition of ‘residential activity’ or ‘supported residential accommodation’, I would invite the submitter to provide further evidence to allow for further consideration of these submission points.

***Recommendation***

- 14.37 I recommend that, for the reasons given above, the Hearing Panel declines to include a suite of provisions into the four residential zones to provide for ‘community based youth homes’ in residential zones.
- 14.38 It is recommended that the submission points and further submission points are rejected as shown in **Appendix 1**.

## 15. S32AA Assessments

Relocated Building (RESZ-P11, RESZ-MAT10, LLRZ-R7, LRZ-R7, GRZ-R7 and SETZ-R7)

***Effectiveness and efficiency***

- 15.1 Managing all forms of relocated buildings, including residential units, in the same way as any new buildings, is more efficient and effective in achieving RESZ-O1, RESZ-O3 and RESZ-O5 than managing them specifically, in that it is the bulk and scale of the building that gives rise to effects, not the condition of the building itself, particularly where PDP does not concern itself with the condition of new builds, or whether they ‘settle’ into their environment. It is more efficient to manage the activity through the provisions of the Building Act which specifically address the adequacy of buildings for their intended purpose.

***Costs and Benefits***

- 15.2 Deleting the provisions identified above will only be of benefit to those who wish to relocate a residential unit onto a site within a residential zone and even then, due in large part to the existence of developer covenants, likely only within smaller townships. It is considered unlikely that there will be any significant cost to the amenity of these townships from treating relocated residential units in the same manner as a new built residential unit, as a building consent will usually be required in such circumstances where new permanent foundations and/or servicing connections are to be established and where any building work is to take place.

***Risk of acting or not acting***

- 15.3 A risk of deleting the provisions identified above is that a residential unit may be moved to a site and sit for a period of time while the necessary building consent is obtained, or while reinstatement works are undertaken, which may have an adverse effect on the amenity values of the residential area. This risk is considered to be low due to the expense of moving a residential unit to a new site.

***Conclusion***

- 15.4 I consider that the proposed deletion of the identified provisions will have a positive effect as it will reduce the need to apply for resource consent in relation to the relocation of residential units. Council scrutiny is still retained through the building consent process.

**16. Conclusion**

- 16.1 After considering the submissions and further submissions received in relation to the Residential chapters of the PDP, I recommend that these chapters be amended to the extent detailed in the preceding sections of this report and as set out in Appendix 2. I further recommend that those submissions and further submissions that support the provisions as notified, or that request the recommend changes, be accepted in part or in full, and that all other submissions be rejected.
- 16.2 For the reasons set out throughout this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.