
OFFICER'S RESPONSE TO QUESTIONS FROM THE HEARINGS PANEL

DATE: 2 March 2022

HEARING: CMUZ

HEARING DATE: 7 March 2022

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Introduction

The purpose of this report is to provide a written response to the questions posed by the Hearings Panel on the respective section 42A report for the CMUZ, TCZ, LCZ, NCZ and LFRZ Chapters.

Questions and Answers

Paragraph or Plan reference	Question from the Hearings Panel
Planning Responses:	
7.8b Definition of Supermarket	There appears to be an 'of' missing from the definition of Supermarket, i.e. “... or offering a broad range of food, ...”
<i>Officer response:</i>	<i>Yes, this existing error will be corrected as a clause 16(2) amendment.</i>
7.12 Definitions of several activities	The submissions you refer to as in support are summarised as being for “support in part”. Please clarify whether they requested any amendments.
<i>Officer response:</i>	<i>Where an original submission has ‘support in part’ the amendment has been discussed in the body of the text where applicable. The further submissions which ‘support in part’ for these definitions do not seek amendments to any of the specific definitions. The generic further submissions relates to the further submitters being generally concerned that the notified Proposed District Plan is not consistent with the National Policy Statement – Urban Development.</i>
9.20 LCZ Objectives	No reasons are given for your recommendation to accept the original submission, even though there are several further submissions in opposition. Can you please summarise the reasons given by further submitters.
<i>Officer response:</i>	<i>As with the definitions, the further submissions on LCZ-O1 do not seek specific amendments or have specific opposition. The generic further submissions relate to the further submitters being generally concerned that the amendments sought are not supported by any contextual evidence but are based on broad planning principles that need to be applied within a local or sub regional context. In this case the original submitter is not seeking any amendments be made to LCZ-O1.</i>

Paragraph or Plan reference	Question from the Hearings Panel
11.54 Industrial activities not otherwise listed	<p>This is all a bit confusing. Please explain how this all works, (i.e. a 'PREC layer'). Would allowing other industrial uses in this LFRZ (when it is the only LFRZ in the District, according to your statement in 11.54) not then reduce its ability to be used for the intended LFR activities. In the s32AA comments, you state: <i>Providing for industrial activities in the LFRZ increases flexibility in terms of the activities provided for in the zone and provides for a more efficient use of land. Industrial activities could cause potential adverse amenity and reverse sensitivity effects if not appropriately managed.</i></p> <p>But is the LFR zone not intended to limit industrial activities and to provide a safeguard for larger format activities to establish, and that is why these are non-complying as things stand. How will changing that to Permitted Activity assist?</p>
Officer response:	<p><i>The LFRZ was not explicitly created to satisfy the demand for large format retail space on the District, as the business capacity assessment did not demonstrate a shortage of Commercial land at the time the PDP was notified, but instead to reflect the existing environment in terms of consents granted on the subject site and the provisions in the ODP which allowed for large format retail in an Industrial Zone (B2A). On review the Non complying status was adopted following a best practice review of other District Plans was undertaken (as part of the s32 report). This review determined that most plans reviewed did not permit industrial activities within commercial areas and therefore the approach was to apply the NC status to Industrial activities across all CMUZ's. The existing environment was perhaps not considered as closely as it should have been. Whilst changing the status of Industrial Activities to Permitted would not safeguard the area to ensure that larger format activities are able to establish, it would ensure the efficiency of the use of the land is optimised.</i></p>
11.71 Office Activities	<p>Is there an error in your recommendation for RIHL and RIDL (who support LFRZ-R5 as notified) to be accepted. Should it not be 'rejected'?</p>
Officer response:	<p><i>No. My recommendation in 11.71 is that the submission points should be 'accepted' as the submitters support LFRZ-R5 as notified and I am not proposing any changes.</i></p>
12.114 Height	<p>Can you please provide a copy of (or reference to) the recent amendment to the RMA to allow 11m height for medium density development in a relevant Res Zone, and does this also apply to Commercial zones?</p>
Officer response:	<p><i>Document is available here:</i> <i>Schedule 3A MDRS to be incorporated by specified territorial authorities</i></p> <p>https://www.legislation.govt.nz/act/public/2021/0059/latest/LMS566213.html?search=sw_096be8ed81ba17f7_11+metres_25_se&p=1&sr=3</p> <p><i>The CMUZ chapters will need to be reviewed to ensure compliance where necessary and changes, if applicable, will be sought through a Variation to the PDP later this year.</i></p>
12.115 Height	<p>What empirical evidence is there to support your recommendation for increasing height in the TCZ to 15 metres, and 12m to 18m in PREC4 and PREC5 and from 15m to 18m in PREC1? Can you please comment on whether, if we accept your recommendation, a s32AA evaluation should be undertaken for what are quite large changes to the height limits?</p>

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<p><i>Officer response:</i></p>	<p>Council's Urban Designer has advised verbally that the difference between a 12m height limit and a 18 metre limit is likely to be two storeies as commercial buildings tend to have higher ceilings. 12m generally provides for a 3-storey building, 15m buildings are generally 4 stories, an increase to 18m would enable a gable, or potentially up to 5 storey building depending on its design and use. An increased height limit would also allow for additional levels of residential on top of a ground floor commercial area.</p> <p>The height limit in PREC1 of Rolleston would see the height limit increase to 18m. This would allow for higher buildings in the 'core' (PREC1) of the TCZ, with the 'fringe' (PREC2) seeing lower rise buildings, of potentially up to 15m.</p> <p>My recommendation to increases the height limit in PREC2 of Rolleston 10m to 15m, which aligns with Rolleston TCZ (PREC1) 15m heigh limit as notified. This recommendation is proposed as areas of Rolleston TCZ were already subject to a 15m height limit (in the PDP as notified) and there are also Height in Relation to Boundary (HRTB) requirements that would assist with reducing shading effects of taller buildings. I also note that the MDRS (Medium Density Residential Standards) provisions will apply in Rolleston, which will increase the height limit in the residential zone/s adjoining PREC1 and PREC2 from 8m to 11m (plus the option of an additional 1m if a gable is used).</p> <p>It is recommended the height limit of 12m in PREC4 and PREC5 of Lincoln TCZ would be retained as notified. A typographical error was made in the s42a report indicating this would be increase to 15m as notified, however, it should have stated it was being retained at 12m. I have prepared an addendum to my s42a report which futher clarifies this matter.</p> <p>It is recommended the height limits in Darfield and Leeston be retained at 10m as notified. Given the MDRS provisions will not apply in these townships and thus the residential height limit will be retained at 8m. I consider there is no need to adjust the height limit in these townships, unless it could be justified for other reasons aside from the MDRS..</p> <p>To clarify, I recommended in my s42a that the height in any TCZ should be as follows:</p> <ul style="list-style-type: none"> • PREC1 TCZ (Rolleston) increase from 15m to 18m • PREC2 TCZ (Rolleston) increase from 10m to 15m • PREC4 TCZ (Lincoln) 12m (retain as notified) • PREC5 TCZ (Lincoln) 12m (retain as notified) • TCZ (Darfield) 10m (retain as notified) • TCZ (Leeston) 10m (retain as notified) • Any TCZ except as otherwise specified 10m (retain as notified) <p>However, since the s42a Report was publish Council's position on how to proceed with applying the MDRS provisions has has progressed and as a result the implications of the MDRS in Rolleston, Lincoln and Prebbleton need to be reconsideres, which is turn requires that the height provisions be reassessed in these townships as part of the Variation. A s32AA will be completed as part of the variation, as appropriate, depending on the extent of any proposed change.</p>

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12.115 Height	Leading on from the previous question has there been any urban design or townscape evaluation done on the effect of increasing height limits in the TCZ zone.
<i>Officer response:</i>	No.
12.127 Height in relation to boundary	You state that <i>"The District Plan Review undertook an in-depth review of these provisions, determining they were necessary to assist in the enhancement of the character and amenity of commercial areas."</i> This is in relation to TCZ-REQ3, LCZ-REQ3 and NCZ-REQ3 Can you please provide references to the s32 Evaluation Report where this is relevant.
<i>Officer response:</i>	References in the s32 report refer to 'recession planes' which is what HRTB was referred to in the ODP, prior to the change in terminology as a response to the Planning Standards. Section 3.4 references best practice in relation to recession planes. Section 6.3 considers the status quo of the ODP rules, including the approach to recession planes versus alternative options. Supporting information relating to recession planes, is referenced in the s32 CMUZ report including the Preferred Option Report for Interfaces with Non-Business Zones and Achievement of Urban Design Best Practice in Town Centres prepared by Stantec: https://www.selwyn.govt.nz/_data/assets/pdf_file/0004/281965/Preferred-Option-Report-BS203-FINAL.pdf ; and the Business Interface report prepared by Planz: https://www.selwyn.govt.nz/_data/assets/pdf_file/0008/279296/BS002.pdf ; and the Urban Design Best Practice report also prepared by Planz: https://www.selwyn.govt.nz/_data/assets/pdf_file/0010/279370/BS003-Urban-design.pdf
	Again leading on from the previous question have the changes to residential HRTB in the 2021 RMA Amendment Act for residential properties in Tier 1 Council areas been considered in relation to boundaries with sites in the CMUZ in terms of a updating the work done on the District Plan Review?
<i>Officer response:</i>	<i>The CMUZ chapters will need to be reviewed to ensure compliance where necessary and changes, if applicable, will be sought through a Variation to the PDP later this year.</i>
12.131 Setbacks	Can you please comment on why the 40% glazing is important/relevant? Can you please provide comment on whether a s32AA evaluation be required if we accept for your recommendation to halve the required boundary setbacks?
<i>Officer response:</i>	<i>The 40% glazing was proposed by the submitter. The PDP as notified did not propose minimum glazing in the LFRZ, however, after a verbal discussion with Council's Urban Designer in relation to Active Frontage, she supported the reduced setback and proposed glazing requirements as it would assist with creating the active frontage and promoting the location of car parking behind buildings that is sought in other CMUZ.</i>
12.144 Landscaping	How would an RDIS rule be described? You have recommended that mitigation measures and the impacts on amenity values and streetscape would be the matters for which discretion is reserved. As a restriction on discretion how would mitigation measures be defined?
<i>Officer response:</i>	<i>Mitigation measures would be measured at the discretion of the the processing planner considering if the reduction in landscaping, based on the context of the</i>

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	<p><i>application. The Planner would need to make a judgement call on if the proposal still align with the Policies to ensure LFRZ, LCZ and NCZ are pleasant places to be etc.</i></p> <p><i>As per the proposed new CMUZ-MATx outline in APP2 the text of the Matter for Discretion in relation to landscaping a recommended to be:</i></p> <ol style="list-style-type: none"> <i>1. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values.</i> <i>2. The extent to which the reduced landscaping is opposite any residential or open space and recreation zones and the effects of any reduction in landscaping on the amenity values and outlook of those zones.</i> <i>3. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yardbased goods for sale, along the site frontage</i>
12.161 Car parking	<p>Are you aware of many modern supermarkets (including in Canterbury) where all customer parking is provided at the rear behind the building?</p> <p>If these provisions are retained, can you think of any circumstances where an application by a supermarket to provide parking in front of the building could be approved?</p>
<i>Officer response:</i>	<p><i>No, I am not aware of any.</i></p> <p><i>If the context of the site required car parking to be located at the front of the building then this could result in an application being approved. For example if the site was bound on all sides by 'road boundaries'.</i></p>
13.134 CMUZ – MAT6	<p>You state that:</p> <p><i>Kāinga Ora seek an amendment to align the language used with the NPS-UD. I consider that the wording proposed by the submitter removes the necessary discretion for Council to consider the impact of reduced setbacks on the amenity of the area.</i></p> <p>Does the NPS-UD in fact impact on what language can/should be used here?</p>
<i>Officer response:</i>	<p><i>It does in that there is a requirement to achieve a well-functioning urban environment, so the language needs to align with that outcome.</i></p>
Orion Evidence Para 12	<p>The witness takes issue with the statement in the s42A Report that the 'trees corridor protection provisions' are included in, or were considered as part of, the SD and EI Hearings.</p> <p>Can you please confirm the correct position on that?</p> <p>Please comment on the merits of the submitter's request for such provisions in the CMUZ chapters?</p>
<i>Officer response:</i>	<p><i>In para 48.4 of the EI s42a report the officer discusses Orion's submission point DPR-0367.187 in which Orion sought to delete the reference to clause 14 of the Electricity Regulations 2003 as referenced in EI-REQ3.1.b. The Electricity (Hazards from Trees) Regulations 2003 protect the security of the supply of electricity and the safety of the public by prescribing distances from electrical conductors that trees must not encroach, and setting rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors etc. Clause 14 is specific to the obligation to remove danger to persons or property from trees damaging conductors and allows the works to proceed to address serious hazard or damage. It appears that Clause 14 is the most relevant clause to works within 5m of trees and in the absence of any</i></p>

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	<p><i>explanation as to why the clause is sought to be deleted, it is was recommended by the Reporting Officer that it be retained and the Orion submission point rejected. So to correct my position, 'tree corridor protection provisions' were not explicitly discussed in the EI hearing, however, I considered the retention of the reference to the Electricity (Hazards from Trees) Regulations 2003 in EI-REQ3.1.6 as this issue – trees in proximity to power lines' being considered.</i></p> <p><i>In my opinion such provisions would span townships, not just zones and I consider would be better suited to being located in a district wide chapter, if deemed appropriate, such as EI, which is where buildings and structures located within other corridors are managed as opposed to a Zone chapter. I note this matter was addressed in the EI Hearing S42a report 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 (EI s42A report) 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 was recommended that the Orion submission points relating to the Chapter structure be rejected.</i></p>
<p>Woolworths Evidence</p> <p>Para 74</p>	<p>The witness states:</p> <p><i>The Section 42A report does not acknowledge Woolworths' submission regarding the standard on active frontages and seeking a corresponding restricted discretionary activity status to infringe. In paragraph 12.151 of the Section 42A report, the author responds to submissions by Investore and Foodstuffs seeking that supermarkets be exempt from the provision.</i></p> <p>Can you please respond to Woolworth's submission point on this matter, and provide a recommendation.</p>
<p>Officer response:</p>	<p><i>Paragraph 12.151 discusses changes sought to TCZ-REQ8. On review of their original submission, Woolworths do not appear to have an original submission on this provision. The Woolworths submission point I assume this relates to is DPR-0396.FS002 in which the submitter supports the request of Investore to exempt supermarkets from the active frontage provisions. In Paragraph 12.151 I have recommended that the Investore submission point (DPR-0323.008) be rejected and I have also recommended that the associated further submission from Woolworths is also rejected.</i></p> <p><i>The response to Woolworths submission points DPR-0396.009 and DPR-0396.016 seeking the activity status is amended from DIS to RDIS in NCZ-REQ6 and LCZ-REQ7 are addressed in paragraph 12.150. I recommended that these submission points be rejected.</i></p>
<p>Woolworths Evidence</p>	<p>The witness states:</p>

Paragraph or Plan reference	Question from the Hearings Panel
Para 51/52	<p>51. In response, the section 42A report cites <i>“Smaller scale supermarkets, which would include dairies and other specialty stores, of less than 450m2 in area, were deemed to be at a scale that would support the convenience needs if the local area without created (sic) wider distribution effects. Anything larger would require a resource consent and the economic impacts could be assessed”</i> (Paragraph 11.100).</p> <p>52. My Foy has not provided evidence as regards whether supermarkets larger than 450m2 in either the LCZ or NCZ would result in wider distribution effects. Therefore, it is assumed the section 42A report is relying on earlier section 32 analysis, including the Property Economics advice dates 2017.</p> <p>Can you please advise what evidence you have drawn upon to make your recommendation on this point at para 11.100?</p>
Officer response:	<p>The evidence I used to draw my recommendation was the 2017 Selwyn Business Zone Policy Assessment report.</p> <p>https://www.selwyn.govt.nz/_data/assets/pdf_file/0011/279371/BS004-Selwyn-Centre-Policy-Assessment.pdf</p>

Economist Responses:

6.7 & 8.4	Is the PDP sufficiently robust to allow consideration of private plan requests for new supermarket zones (i.e. spot zones just for supermarkets) or would you prefer new growth is solely accommodated in new LFR zones?
Economist response:	<i>In my opinion the PDP is sufficiently robust to allow consideration of private plan change requests, and the effects of supermarkets establishing as standalone activities (in spot zones) would be able to be considered and managed using the PDP. It would not be necessary for new supermarkets to establish only in LFR zones along with other LFR activity. Supermarkets are also enabled in TCZ and at a smaller scale in the LCZ and NCZ.</i>
7.9	Is there really such a big difference between using the terms “comprehensive” and “broad”?
Economist response:	<i>In my opinion the difference is not large, but it is important. It is probably less important in the PDP than it would have been in the ODP, because the PDP includes a catch-all provision for all other activities not otherwise listed, making these non-complying, so seeking to avoid classification as a supermarket may lead to non-complying status anyway. The intent of the definition should be to include activities such as speciality supermarkets such as Asian-focussed supermarkets, rather than allowing those stores to proceed as specialty retail stores and avoid rules that apply to supermarkets by presenting an argument that their product range is “not comprehensive”.</i>
7.12	<p>You state:</p> <p><i>The notified definition of supermarkets could be expanded to include hypermarkets, which might otherwise try to establish in Selwyn as non-retail activities (e.g. wholesalers) so as to avoid consideration of their retail distribution effects.</i></p> <p>But would such a situation (i.e. change from a wholesaler to a retailer) not then trigger a resource consent application due to the activity changing?</p>
Economist response:	<i>From discussions with Ms Tuilaepa my understanding now is that the PDP includes a catch-all provision for all other activities not otherwise listed, making these non-</i>

	<i>complying. That inclusion avoids some of the classification difficulties that exist in the ODP, and so specific treatment of hypermarkets is unnecessary.</i>
3.1	<p>Mr Foy's evidence notes 'Rolleston town centre was a much smaller entity and much more vulnerable' which he used as a reason for recommending to the LURP Action 27, the activity status for supermarkets in the business 2A zone's LFR precinct, to be non-complying?</p> <p>What is meant by 'vulnerable' in this context?</p>
<i>Economist response:</i>	<i>Vulnerable refers to the possibility that the Rolleston town centre's growth and development would not proceed as was then envisaged by District Plan objectives and policies. At the time of LURP Action 27, much of the Rolleston town centre was undeveloped, and there would have been real potential for Rolleston's main retail and commercial node to develop in a different location, had the policy framework so allowed. One potential place for that node to develop would have been the Business 2A zone, and the non-complying status was a core part of seeking to avoid the establishment of a major retail and commercial node (other than LFR) in that location. Vulnerable therefore refers to the possibility that the town centre would not become the primary centre for the town, or at least would face significant competition as to that primacy, from an alternative retail destination. The effects of those outcomes could have included a significant adverse effect on the (then) existing town centre, and an opportunity cost of lost future growth opportunities that would be more likely to be directed to the alternate retail destination.</i>
6.3	<p>In Mr Foy's evidence he refers to his 2015 assessment to inform the District Plan rules where he 'cautioned against permitting supermarkets to establish outside the Town Centre zone'. Since that time he further says '... Selwyn has changed significantly ... and projected growth is now much greater than was previously anticipated'.</p> <p>Can Mr Foy please explain more, why significant growth was unanticipated in 2015, when in 2011 Christchurch experienced a major earthquake as well as numerous aftershocks and to avoid the effects of liquefaction, moving out of the city may have been a natural reaction by people and could be a reason why Selwyn has experienced significant increased growth.</p> <p>Given that projected growth was underestimated in 2015, can the community be assured predicting future population growth from hereon in, will be robust?</p>
<i>Economist response:</i>	<p><i>It is not that significant growth was not anticipated – it was, and rapid growth in Rolleston and other parts of Selwyn was anticipated as a result of earthquakes. The official SNZ projection have always suggested that Selwyn would grow significantly. However, by 2015 the eventual magnitude of growth had not yet eventuated, and even though four years had passed since the earthquakes growth rates were not close to their current levels. The fact is that the level of growth that has been achieved over the last five years has been higher than what was expected in the official Statistics New Zealand projections. The issue is that growth has been much more rapid than the significant growth that was projected.</i></p> <p><i>In 2018, Selwyn District Council (SDC) and Greater Christchurch Partnership (GCP) conducted research into the quantum of urban land demanded and supplied, across the District and the wider Greater Christchurch Urban area. As a result of this research the GCP proposed a target at least 8,600 new dwellings in Selwyn District over the medium term, which is equivalent to 860 new dwellings per annum over a ten year period. That target was recently adopted in the CRPS. The research also suggested that at that growth rate there could be a shortage of residential urban land in Selwyn District in the later part of the 2020s. As a result, the GCP released a Future Development Strategy (FDS) that suggested an updated settlement pattern and defined Future Development Areas in Selwyn District, with most of the additional residential capacity being proposed for the area around Rolleston.</i></p>

	<p>Since the FDS was completed, the growth in residential demand in Selwyn has increased beyond what was anticipated. Annual new dwelling building consents issued in the district increased from 1,000 in 2018 to 1,600 in 2020. Importantly data on new dwelling building consents shows that growth since 2018 has increased to almost twice the level that was set in CRPS the targets.</p> <p>Recently, the GCP released an updated housing capacity assessment, which again shows that there could be shortages in the medium term, in the coming decade. The GCP 2021 assessment assumed a growth less than 1,000 new dwellings per annum for Selwyn, which is above the CRPS targets but still well below the number of dwelling building consents that are being issued.</p> <p>In 2021 Selwyn population was the fastest growing in the country, both in terms of quantum (+3,400) and percentage (4.8%), for the first time having more growth than the much larger urban areas of Auckland and Christchurch (which were, admittedly, significantly affected by Covid-related reductions in immigration). In total 10% of 2021's national population growth was located in Selwyn District. In the last 12 months 1,940 consents were issued, which is more than double the expected level of growth.</p> <p>Growth projections are subject to inherent uncertainty, and sustained rates of growth such as have been experienced in Selwyn since the earthquakes, and recently during Covid19 pandemic, are relatively unprecedented in NZ, at least for many generations. Current growth estimates have now had an opportunity to take account of the recent increased attractiveness of Rolleston (and Selwyn District more generally) as a place to live, although even current projections cannot take into account all future uncertainties and may not be accurate estimates of ongoing future growth.</p> <p>For example, there are currently 17 private plan changes have been initiated in recent years, which if accepted will deliver a large amount of additional residential development for the Selwyn District. If all changes are granted, they could enable a further 11,700 dwellings throughout the district which can be expected to further impact growth outcomes. The extent to which some or all of these private plan changes are accepted can be expected to impact ongoing future growth.</p> <p>Notwithstanding that there are a range of uncertainties associated with the projections, the most recent projections are developed using a standard method which is developed and applied by Statistics New Zealand. These official projections are used by government and councils for planning.</p>
8.3	<p>You recommend a new policy that seeks "to have new LFR zones complement town centres, rather than just avoid compromising the function, role and vitality of the Town Centre Zone". The recommendation has not been brought forward in the s42A report. Can you in conjunction with the s42A author explain why this is so and if a policy was to be formulated what would it look like?</p>
<i>Economist response:</i>	<p><i>I have discussed this issue with the Ms Tuilaepa and agree with her that a "complement" policy is not required, given the policy support in LFRZ-P1, as she explains in her response to this question.</i></p>
<i>Officers Response</i>	<p>In my opinion an additional policy is not required. The idea with regards to the 'complement' policy it was initially thought that if a future LFRZ area was to be rezoned through a private plan change process that such zoning should be in or adjoining a township that has a TCZ, however, in some situations, if the LFRZ is for example, only going to include a supermarket, then such zoning could also be appropriate in a township that has a LCZ. If the LFRZ can be justified in such a location, it should not be limited. I also consider that CMUZ-P2 which seeks to enable '...commercial and retail activities in commercial zones that contribute to the function, amenity and vitality of the zone' also acts as somewhat of a complementary policy, not just for LFRZ, but for the other CMUZ too. Whilst CMUZ-P1 is seeking to avoid activities that could compromise the TCZ, CMUZ-P2 is seeking to ensure that the other</p>

	CMUZ zones are still vibrant destinations in their own right, at least to the degree enabled by the provisions within that Zone.
Urban Designer's Responses:	
1.4	You mention that you have referred to the "Section 32 report – Commercial and Mixed Use, Date, 2010". Is that date correct?
<i>Urban Designers Response</i>	<i>The date is not correct, it should read 5th October, 2020</i>
3.9	<p>You state:</p> <p>In regards to submitter's Foodstuffs South Island Ltd & Foodstuffs (SI) Properties Ltd request alternatively change the compliance status to restricted discretionary I have considered this suggestion, but conclude that a restricted discretionary status is not sufficient to address context and individual circumstances adequately, given the impact on safety and amenity in Selwyn's centres, if no active frontage would be provided.</p> <p>Would an application for resource consent concerning the active frontage on a site not relate solely to that site and surrounding environment and therefore be appropriately addressed as a Restricted Discretionary Activity?</p>
<i>Urban Designers Response</i>	<i>The issue arises where assessment matters are too generic and do not allow for discretion to address individual site specific circumstances or changes to the context. Yes, the consideration of an application for resource consent on a site would relate to that site and its surroundings, however using the non-complying status reflects the importance of providing active frontage from an amenity and safety perspective adjacent to areas that have a high level of pedestrian activity.</i>
3.14	<p>You state:</p> <p>I consider that the integration of active frontage within supermarket designs in NHZ is an appropriate method to meet the expected outcome of creating an attractive environment that is compatible and complementary within, in the case of Neighbourhood Centres, its residential surroundings.</p> <p>Have you considered the practical difficulties that the supermarket industry considers work against providing active frontages on their sites, not least storage/shelving layouts, as the most efficient designs.</p>
<i>Urban Designers Response</i>	<i>I have considered the practical implications of supermarket design (see 8.7 & 8.8 in my report).</i>
3.2 & 4 Context of Review	<p>You state that:</p> <p><i>Within this review I have addressed the following questions:</i></p> <ul style="list-style-type: none"> <i>What is the location of the proposal and what is the expected character and amenity in the respective zone?</i> <p>And in 3.1 you have recommended exactly the same changes to all of the TCZ-REQ8, LCZREQ7, NCZ-REQ6 zones as regards active frontages.</p> <p>So, are you saying that those 3 zones all have the same expectations as regards character and amenity?</p>

<i>Urban Designers Response</i>	<i>All three zones are part of the CMUZ. Developments in these zones are expected to be attractive and meet the principles of good urban design. Safety and amenity principles of good urban design include the design of buildings so they present themselves to the street and allow for passive surveillance. This can be achieved via an active frontage within building facades that are placed at the public/private interface. The anticipated character and the high amenity intended in each of the above zones is the justification for requiring active frontage.</i>
Appendix 4	Is the Queenstown example not in fact showing carparking in front of the building, and adjacent to two street frontages?
<i>Urban Designers Response</i>	<i>That is correct. The picture was chosen for its positive aspects in terms of pedestrian accessibility, legibility to public space, and building design in context with its surrounds.</i>