

# Proposed Selwyn District Plan



## Section 42A Report

### Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan

Report on submissions and further submissions

Residential

Jocelyn Lewes

27 March 2023

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

| Submitter ID | Submitter Name                                     | Abbreviation       |
|--------------|--|--------------------|
| V1-0001      | Erith Boyd   |                    |
| V1-0002      | Craig Chalmers                                     |                    |
| V1-0003      | Amanda Parkin                                      |                    |
| V1-0008      | Jeff Elias   |                    |
| V1-0009      | Lincoln University                                 |                    |
| V1-0011      | Helen and Tom Fraser                               |                    |
| V1-0013      | Jig Dhakal   |                    |
| V1-0014      | Craig Byers  |                    |
| V1-0015      | Darren Wilson                                      |                    |
| V1-0017      | Phil Hughes  |                    |
| V1-0018      | Aaron McGlinchy                                    |                    |
| V1-0019      | Kathryn Pooke                                      |                    |
| V1-0020      | Tina Prince  |                    |
| V1-0021      | Lincoln Voice Incorporated                         | Lincoln Voice      |
| V1-0022      | Eldho George                                       |                    |
| V1-0024      | Robert Claman                                      |                    |
| V1-0025      | Yoursection Ltd                                    | Yoursection        |
| V1-0026      | Daryl Streat                                       |                    |
| V1-0027      | Richard Christie                                   |                    |
| V1-0029      | Gary and Lynda Burgess                             | G and L Burgess    |
| V1-0030      | Tracey MacLeod                                     |                    |
| V1-0032      | Eliot Sinclair Limited                             | Eliot Sinclair     |
| V1-0034      | Mohammad Rabani                                    |                    |
| V1-0035      | Safeya Rabani                                      |                    |
| V1-0036      | Lois Sherriff                                      |                    |
| V1-0037      | Ron de Vries                                       |                    |
| V1-0038      | Jeff Heyl  |                    |
| V1-0039      | Sandy Vries  |                    |
| V1-0040      | Geoffrey Cooke                                     |                    |
| V1-0041      | Mark Howard  |                    |
| V1-0042      | Jason Horne  |                    |
| V1-0043      | Rebecca Tunnicliffe                                |                    |
| V1-0044      | Nicki Turner                                       |                    |
| V1-0045      | Summerset Group Holdings Limited                   | Summerset          |
| V1-0046      | Denise Carrick                                     |                    |
| V1-0047      | Michael and Karen Green                            |                    |
| V1-0048      | Urban Estates Limited                              | Urban Estates      |
| V1-0049      | Transpower New Zealand Limited                     | Transpower         |
| V1-0050      | Kathleen Liberty                                   |                    |
| V1-0053      | Four Stars Development and Gould Developments Ltd  | Four Stars & Gould |
| V1-0054      | MON Group Ltd                                      |                    |
| V1-0055      | AgResearch Limited                                 | AgResearch         |
| V1-0056      | Ara Poutama Aotearoa the Department of Corrections | Ara Poutama        |
| V1-0057      | Ellis Darusette                                    |                    |
| V1-0058      | Jocelyn Humphreys                                  |                    |
| V1-0059      | Dunweavin 2020 Ltd                                 | Dunweavin          |
| V1-0061      | Trices Road Residents Group                        | TRRG               |
| V1-0062      | Lincoln & Districts Historical Society (Inc)       | LDHS               |
| V1-0063      | Sam & Denise Carrick                               |                    |
| V1-0065      | Christchurch International Airport Limited         | CIAL               |
| V1-0067      | Kevler Development Ltd                             | Kevler             |

| Submitter ID | Submitter Name   | Abbreviation        |
|--------------|--|---------------------|
| V1-0068      | Manmeet Singh  |                     |
| V1-0070      | Ballantrae Residents Group   | BRG                 |
| V1-0071      | Anthony Douglas Gemmill  | Tony Gemmill        |
| V1-0072      | Hill Street Limited  | HSL                 |
| V1-0074      | Jeremy Alsop   |                     |
| V1-0075      | Graham Searle  |                     |
| V1-0077      | Ryman Healthcare Limited   | Ryman               |
| V1-0078      | KiwiRail Holdings Limited  | KiwiRail            |
| V1-0079      | Retirement Villages Association of New Zealand Incorporated                      | RVA                 |
| V1-0080      | Christchurch City Council  | CCC                 |
| V1-0083      | The New Zealand Transport Agency (Waka Kotahi)                                   | Waka Kotahi         |
| V1-0084      | Applefields Limited  | Applefields         |
| V1-0086      | Jo Brady   |                     |
| V1-0087      | Margaret Springer  |                     |
| V1-0090      | Nola Smart on behalf of Fire and Emergency New Zealand                           | FENZ                |
| V1-0092      | Selwyn District Council  | SDC                 |
| V1-0095      | Fletcher Residential Limited   | Fletcher            |
| V1-0096      | Metlifecare Limited  | Metlifecare         |
| V1-0097      | Chris Barrett  |                     |
| V1-0099      | Barton Fields Villas Limited   | BFVL                |
| V1-0102      | CSI Property Limited   | CSI                 |
| V1-0103      | Carter Group Property Limited  | CGPL                |
| V1-0104      | Sonya Strahan  |                     |
| V1-0105      | Christine Thirring   |                     |
| V1-0107      | Canterbury Regional Council (Environment Canterbury)                             | CRC                 |
| V1-0108      | Andrew Mazey   |                     |
| V1-0109      | Fiona Thirring   |                     |
| V1-0110      | Nancy Borrie   |                     |
| V1-0111      | Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited | Foodstuffs          |
| V1-0112      | Hughes Developments Limited  | Hughes              |
| V1-0113      | Kāinga Ora Homes and Communities   | Kāinga Ora          |
| V1-0114      | CSI Property Limited and Rolleston West Residential Limited                      | CSI and RWRL        |
| V1-0115      | Rolleston Industrial Developments Limited  | RIDL                |
| V1-0117      | Graham Murphy  |                     |
| V1-0118      | Alan Ye  |                     |
| V1-0119      | Stephanie Broomhall  |                     |
| V1-0126      | Emma Robertson   |                     |
| V1-0127      | Lilley Family Trust  |                     |
| V1-0130      | Dally Family Trust & Robbie and Julia McIlraith                                  | Dally and McIlraith |
| V1-0131      | Terri Winder and Chris Lea   |                     |

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  |
|--------------------|--|
| COVID-19           | COVID-19 Recovery (Fast-track Consenting)                                |
| CPTED              | Crime Prevention Through Environmental Design                            |
| CRPS               | Canterbury Regional Policy Statement 2013                                |
| CMUZ               | Commercial and Mixed Use Zones   |
| FDA                | Future Development Area  |
| GRUZ               | General Rural Zone   |
| GRZ                | General Residential Zone   |
| HASHA              | Housing Accords and Special Housing Area                                 |
| HRTB               | Height in Relation to Boundary   |
| IMP                | Mahaanui Iwi Management Plan 2013  |
| IPI                | Intensification Planning Instrument                                      |
| ISPP               | Intensification Streamlined Planning Process                             |
| LLRZ               | Large Lot Residential Zone   |
| LCZ                | Local Centre Zone  |
| LRZ                | Low Density Residential Zone   |
| LUC                | Land Use Classification  |
| MDRS               | Medium Density Residential Standards                                     |
| MRZ                | Medium Density Residential Zone  |
| ODP                | Outline Development Plan   |
| Planning Standards | National Planning Standards  |
| NCZ                | Neighbourhood Centre Zone  |
| NPS-HPL            | National Policy Statement on Highly Productive Land                      |
| NPS-UD             | National Policy Statement on Urban Development                           |
| NPS-UDC            | National Policy Statement on Urban Development Capacity                  |
| PC                 | Private Plan Change  |
| PDP                | Proposed Selwyn District Plan  |
| RMA or Act         | Resource Management Act 1991   |
| RMA-EHS            | Resource Management (Enabling Housing Supply and Other Matters) Act 2021 |
| SDP                | Operative Selwyn District Plan   |
| SETZ               | Settlement Zone  |
| UGO                | Urban Growth Overlay   |

## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to Part A of the Intensification Planning Instrument (IPI) – Variation 1 to the PDP and submissions lodged with respect to the Residential chapters of the PDP. 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 in Variation 1 without amendment or making amendments to the PDP in response to those submissions.
- 1.2 The recommendations are informed by the technical information provided by Mr. Mat Collins of Flow Transportation Specialists (see **Appendix 3**) and the evaluation undertaken by myself as the planning author. In preparing this report I have had regard to the [Section 32 Report](#) prepared in support of the IPI and the various s42A reports prepared in relation to the PDP to date, including Officer Right of Reply reports, which can be found [here](#).

| S42A Report                 | Response to Hearing Panel Questions   | Right Of Reply                 | Current Recommended Amendments                    |
|-----------------------------|---|--------------------------------|---|
| <a href="#">Residential</a> | <a href="#">Response to Panel Questions</a>   | <a href="#">Right of Reply</a> | <a href="#">Recommended Amendments 2 Dec 2022</a> |
| <a href="#">Subdivision</a> | <a href="#">Response to Panel Questions<br/>Joint Response to Panel Questions - Subdivision and Residential</a> | <a href="#">Right of Reply</a> | <a href="#">Recommended Amendments 2 Dec 2022</a> |

- 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 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, Hazardous Substances and Contaminated Land and Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones* chapters of the PDP.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report.

- 2.4 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 on Variation 1 in relation to the Residential Chapter.
- 3.2 Recommendations are made to either retain provisions in Variation 1 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 within Variation 1, 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; and give effect to any national policy statement, the New Zealand Coastal Policy Statement, Planning Standards; the CRPS; and any regulations<sup>1</sup>. Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2 Variation 1 to the PDP is "Part A" of the Council's IPI, which has been prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the ISPP, alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district.
- 4.3 This is to be achieved through the introduction of mandatory MDRS within a new MRZ in Rolleston, Lincoln and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres), on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.
- 4.4 Variation 1 to the PDP introduces a new MRZ on the following land:

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<sup>1</sup> Section 74 RMA

- All the residential areas in Rolleston, Lincoln and Prebbleton proposed to be GRZ in the PDP;
- Land covered by the following Council-approved private plan changes to the Operative District Plan: PC68 and PC72 in Prebbleton, PC69 in Lincoln and PC71, PC75, PC76 and PC78 in Rolleston. It is noted that the land covered by PC73 in Rolleston is not included in Variation 1, but is subject to a variation to the private plan change (Part B of the Council's IPI);
- The HASHA and COVID-19 areas in Rolleston; and
- 47 ha of rural land (on six different sites) within the FUDA that are in-between existing residential and private plan change areas in Rolleston.

4.5 The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing relevant residential zones within the three townships. Where new MRZ land is proposed to be rezoned through Variation 1, the proposed MRZ does not have legal effect.

4.6 The table below indicates where the required elements of Schedule 3A of the RMA-EHS have been incorporated into the PDP via Variation 1.

| MDRS                                 | Location in PDP   |
|--------------------------------------|-------------------|
| <b>Objectives</b>                    |                   |
| Objective 1                          | SD-UFD-O1         |
| Objective 2                          | MRZ-O1            |
| <b>Policies</b>                      |                   |
| Policy 1                             | MRZ-P1            |
| Policy 2                             | RESZ-PC           |
| Policy 3                             | RESZ-PA           |
| Policy 4                             | RESZ-PB           |
| Policy 5                             | MRZ-P2            |
| <b>Density Standards</b>             |                   |
| Number of residential units per site | MRZ-REQ2          |
| Building height                      | MRZ-REQ4          |
| Height in relation to boundary       | MRZ-REQ5 and APP3 |
| Setbacks                             | MRZ-REQ6          |
| Building coverage                    | MRZ-REQ3          |
| Outdoor living space (per unit)      | MRZ-REQ8          |
| Outlook space (per unit)             | MRZ-REQ9          |
| Windows to street                    | MRZ-REQ7          |
| Landscaping                          | MRZ-REQ10         |

4.7 There are also a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, as set out in the original [‘Overview’ Section 32 Report](#) and [‘Overview’ s42a Report](#). These documents are discussed in more detail within this report where relevant to the assessment of submission points. It is further noted that the assessment of submission points is made in the context of other reports already undertaken with respect to relevant PDP topics, which can be viewed [here](#).

4.8 All recommended amendments to provisions since the initial Variation 1 s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation, where they are of a scale that alters the original s32 conclusions, and this has been undertaken for each sub-topic addressed in



this report, where required. 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**

- 4.9 The NPS-UD recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While the Council is identified as a Tier 1 local authority, the Tier 1 urban environment referred to in Table 1 of the NPS-UD is Christchurch. 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.
- 4.10 In this context, it is recognised that the RMA-EHS applies to geo-spatial areas of Rolleston and Lincoln as they have been defined as having relevant residential zones by way of having a population greater than 5,000 people at the 2018 census. Prebbleton has been included as part of the geo-spatial scope of Variation 1 as the RMA-EHS also states that an area predominately urban in character, which the local authority intends to be part of the urban environment, should also be included. When taking into consideration the definition of ‘urban environment’, and assessing Prebbleton’s estimated current population exceeding 5,000 people, its proximity to the housing and labour market of Christchurch City, and its location along key transport routes, it was determined that Prebbleton meets this definition and should be included as part of Variation 1.
- 4.11 West Melton did not qualify for inclusion in Variation 1 because the township has a current resident population below 5,000. It was also determined that applying the MRZ to the township would “constitute poor planning practice” due to existing low density built and zoned environment, its distance to Christchurch City, and its lack of employment, amenities, and access to public transport<sup>2</sup>.

### **National Policy Statement on Highly Productive Land**

- 4.12 The NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is protected from inappropriate subdivision and development. It has immediate legal effect and applies to land identified as LUC Class 1, 2 or 3, as mapped by the New Zealand Land Resource Inventory (or any more detailed mapping that uses the LUC classification). This applies until maps are prepared by the regional council under Clause 3.5(1). The NPS-HPL is specifically relevant to ‘urban rezoning’, which it defines as a change from a GRUZ to an ‘urban zone’ that is inclusive of the GRZ and LLRZ<sup>3</sup>. Clause 3.5(7) identifies that the NPS-HPL applies to all GRUZ land that has a LUC Class 1, 2 and 3 and is not subject to an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from GRUZ to urban or rural lifestyle.
- 4.13 The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production. This outcome is supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning

<sup>2</sup> Refer to the discussion on Page 7 and 8 - [Variation 1 Section 32 Report](#) (selwyn.govt.nz).

<sup>3</sup> NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - ‘Urban rezoning’

of highly productive land (Policy 5), its use for rural lifestyle living<sup>4</sup> (Policy 6) and subdivision (Policy 7) are required to be avoided except as provided in the NPS-HPL.

- 4.14 NPS-HPL Part 3 Clause 3.6 requires that Tier 1 and 2 territorial authorities only allow the urban rezoning<sup>5</sup> of highly productive land where it is required to meet housing demand (under the NPS-UD), and there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment, and the benefits outweigh the costs associated with the loss of highly productive land. Clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Clause 3.10 are satisfied.

### **National Planning Standards**

- 4.15 As set out in the [PDP 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, and as a consequence Variation 1, has been prepared in accordance with the Planning Standards.

## **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 conference in relation to submissions on this topic.

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

- 5.2 Clause 16(2) of Schedule 1 to the RMA allows a local authority to make an amendment to a change to proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors.
- 5.3 No clause 16(2) amendments have been made to the PDP in relation to Variation 1, although a number have been identified, either at the instigation of submitters or through the process of preparing this report. These are identified by way of a footnote in **Appendix 2**.

### **Clause 99(2)(b)**

- 5.4 Clause 99(2)(b) of Schedule 1 to the RMA allows an IPI independent hearings panel to make recommendations that are outside the scope of the submissions made on the IPI, provided that they are related to a matter identified by the panel or any other person during the hearing. Where amendments recommended pursuant to Cl99(2)(b), they are identified as such in this s42A report. They are also identified by way of a footnote in **Appendix 2**.

### **Submissions**

- 5.5 A submission point from Metlifecare (V1-0096.024) was incorrectly summarised, in that it did not correctly identify the relief requested. While I consider that the content of this submission point is out of scope of this hearing, I do not consider that that any person would have been unduly disadvantaged by the error as the full submission was available to view via the web. Any party interested in the above submission point, including the original submitter, would have had

<sup>4</sup> Refer to the Rural Lifestyle Zone (RLZ) in the National Planning Standards 2019, 8. Zone Framework Standard, Table 13 Pg.37

<sup>5</sup> NPS-HPL – 1.3 Interpretation, Urban rezoning means changing from the general rural or rural production zone to an urban zone.

sufficient opportunity to identify the submission point, view the correct decision sought in the original submission, and comment on it.

- 5.6 The submission of Janine Manuntag (V1-0005) has been withdrawn and has not been considered in this report.

## 6. Consideration of submissions

### Overview of submissions

- 6.1 A total of 787 submission points and 1,363 further submission points were received on Variation 1 to the *Residential* and *Development Areas* chapters of the PDP. Most submission points relate to the Medium Density Residential Zone.

### Structure of this report

- 6.2 This report relies on the recommendations in the s42A report (and subsequent Right of Reply Report) for the *Residential* chapter in relation to definitions, and the higher order framework that affects the whole chapter.
- 6.3 This report has been structured following the chapter format of the PDP.
- 6.4 **Section 7** considers the submission points received in relation to the RESZ chapter, which is the overarching chapter for all the residential zones. This section addresses submission points on the Residential Overview, the overarching Residential Zone Objectives and Policies, the Matters for control or discretion that apply to all residential zones, and finally on the schedule to the Residential chapter.
- 6.5 **Section 8** addresses submission points received on the General Residential Zone. **Section 9** addresses the submission points on the Medium Density Residential Zone. The analysis in both sections follows the format of the PDP, addressing submission points on the zone overview, then the objectives and policies specific to the zone, followed by those submission points on the rules and rule requirements within the relevant zone. Submission points made generally on the MRZ, rather than on a specific provision of the zone, are addressed at the end of Section 9.
- 6.6 **Section 10** responds to the various provisions seeking that retirement villages be identified as a specific activity within the MRZ.
- 6.7 **Section 11** addresses those submission points that have been made both generally and specifically to the extent of the proposed MRZ, as notified. Any submissions seeking new areas will be subject to separate, township specific, s42A reports and hearings.
- 6.8 **Section 12** addresses submission points made in relation to development areas, by township. The analysis of these submission points is provided either by submitter, where the content of the submitters' submission point is consistent across all development area, or by specific development area, as may be appropriate.
- 6.9 **Section 13** contains assessments in terms of s32AA of the RMA, as appropriate.

## 7. RESZ Chapter

### **Introduction**

- 7.1 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.

### RESZ Overview

### **Submissions**

- 7.2 Seven submission points and five further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 007              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 022              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS179            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS179            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | FS179            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS179            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama     | 013              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 011              | Oppose                     | Delete as notified   |
| V1-0107      | CRC             | 007              | Support                    | Retain as notified.  |
| V1-0114      | CSI and RWRL    | 036              | Support                    | Retain as notified.  |
| V1-0115      | RIDL            | 027              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice   | FS029            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 7.3 G and L Burgess and Eliot Sinclair<sup>6</sup> are neutral on the amendment proposed to the RESZ-Overview. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.4 Ara Poutama<sup>7</sup> also hold a neutral view on this provision, subject to the matters raised in their submission on the PDP being addressed. As Ara Poutama has not requested any specific changes to this provision, I recommend that this submission point be accepted.
- 7.5 Jeremy Alsop<sup>8</sup> opposes any changes to the district plan based on the Government's medium density housing policy. The amendment to the RESZ-Overview is a consequential amendment to the mandatory requirement to incorporate MDRS within the PDP. As such, I recommend that this submission point be rejected.
- 7.6 CRC, CSI and RWRL and RIDL<sup>9</sup> request that the RESZ-Overview be retained as notified. I recommend that these submission points be accepted.

### ***Recommendation***

- 7.7 I recommend that, for the reasons given above, the Hearing Panel retains the variation to the RESZ-Overview as notified.
- 7.8 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ Objectives**

#### **RESZ-O1, RESZ-O2, RESZ-O3, RESZ-O4, RESZ-O6 and RESZ-O7**

### ***Submissions***

- 7.9 14 submission points and 35 further submission points were received in relation to the RESZ objectives.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
| V1-0077      | Ryman          | 009              | RESZ-O1        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0079      | RVA            | 009              | RESZ-O1        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement  |

<sup>6</sup> V1-0029.007 G and L Burgess and V1-0032.022 Eliot Sinclair

<sup>7</sup> V1-0056.013 Ara Poutama

<sup>8</sup> V1-0074.011 Jeremy Alsop

<sup>9</sup> V1-0107.007 CRC, V1-0114.036 CSI and RWRL and V1-0115.026 RIDL

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0102      | CSI            | FS057            | RESZ-O1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS057            | RESZ-O1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS043            | RESZ-O1        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS057            | RESZ-O1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS057            | RESZ-O1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 010              | RESZ-O2        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0079      | RVA            | 010              | RESZ-O2        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0102      | CSI            | FS058            | RESZ-O2        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS058            | RESZ-O2        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS044            | RESZ-O2        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS058            | RESZ-O2        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS058            | RESZ-O2        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 011              | RESZ-O3        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0079      | RVA            | 011              | RESZ-O3        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0102      | CSI            | FS059            | RESZ-O3        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS059            | RESZ-O3        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS045            | RESZ-O3        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS059            | RESZ-O3        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS059            | RESZ-O3        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 012              | RESZ-O4        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0079      | RVA            | 012              | RESZ-O4        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0102      | CSI            | FS060            | RESZ-O4        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS060            | RESZ-O4        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS046            | RESZ-O4        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS060            | RESZ-O4        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS060            | RESZ-O4        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 013              | RESZ-O5        | Oppose   | Delete as notified and replace as follows:<br><u>Well-functioning urban environments that:</u><br><u>(a) 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><br><u>(b) develop and change over time in response to the diverse and changing</u> |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | <u>needs of people, communities and future generations.</u>  |
| V1-0079      | RVA            | 013              | RESZ-O5        | Oppose   | Deleted as notified and replace as follows:<br><u>Well-functioning urban environments that:</u><br><u>(a) 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><br><u>(b) develop and change over time in response to the diverse and changing needs of people, communities and future generations.</u> |
| V1-0102      | CSI            | FS061            | RESZ-O5        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS061            | RESZ-O5        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS047            | RESZ-O5        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS061            | RESZ-O5        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS061            | RESZ-O5        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 014              | RESZ-O6        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0079      | RVA            | 014              | RESZ-O6        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict.   |
| V1-0102      | CSI            | FS062            | RESZ-O6        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS062            | RESZ-O6        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS048            | RESZ-O6        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS062            | RESZ-O6        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
| V1-0115      | RIDL           | FS062            | RESZ-O6        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 015              | RESZ-O7        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0079      | RVA            | 015              | RESZ-O7        | Oppose   | Amend to remove conflict between the RESZ objectives and policies and the zone-specific objectives and policies and provide a clear statement that the zone-specific objectives and policies prevail in the event of conflict. |
| V1-0102      | CSI            | FS063            | RESZ-O7        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS063            | RESZ-O7        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS049            | RESZ-O7        | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL   | FS063            | RESZ-O7        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS063            | RESZ-O7        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

### Analysis

- 7.10 With respect to RESZ-O1, RESZ-O2, RESZ-O3, RESZ-O4, RESZ-O6 and RESZ-O7, Ryman and RVA<sup>10</sup> consider that, as these objectives apply to all residential zones including the proposed MRZ, this creates conflict between these provisions and the zone-specific objectives, particularly the MRZ objectives and policies that must implement the MDRS. I disagree and consider that the objectives are appropriate to encompass all residential zones, regardless of density, and will not create conflict with the objectives of the proposed MRZ, which is the zone that will be the vehicle to implement the MDRS. I therefore recommend that these submission points be rejected.
- 7.11 With respect to RESZ-O5, the relief requested by Ryman and RVA<sup>11</sup> is the same as that requested by the submitters through the PDP process. This provision was addressed in Section 8 of the s42A report for the *Residential* chapter and I do not consider that further amendment is required in response to Variation 1. I therefore recommend that these submission points be rejected.

<sup>10</sup> V1-0077.009, 010, 011, 012, 014 and 015 Ryman and V1-0079.009, 010, 011, 012, 014 and 015 RVA

<sup>11</sup> V1-0077.013 Ryman and V1-0079.013 RVA

### ***Recommendation***

- 7.12 I recommend, for the reasons given above, that the Hearings Panel retains the RESZ objectives as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 7.13 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **New Objectives**

#### ***Submissions***

- 7.14 Two submission points and five further submission points were received seeking that a new objective be included in the RESZ Chapter.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0077      | Ryman          | 016              | Support  | Insert as follows:<br><u>RESZ-OX Ageing population</u><br><u>Recognise and enable the housing and care needs of the ageing population.</u> |
| V1-0079      | RVA            | 016              | Support  | Insert as follows:<br><u>RESZ-OX Ageing population</u><br><u>Recognise and enable the housing and care needs of the ageing population.</u> |
| V1-0102      | CSI            | FS064            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS064            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS050            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL   | FS064            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS064            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

### ***Analysis***

- 7.15 RVA and Ryman<sup>12</sup> request that a specific objective be included in the PDP that recognises and enables the housing and care needs of the ageing population.
- 7.16 I consider that these submission points are out of scope of this process, the purpose of which is to give effect to the requirements of the RMA-EHS to include the objectives and policies set out in clause 6 to Schedule 3A of the RMA-EHS and incorporate the MDRS into the PDP. I further consider that the intent of the requested objective is similar to that requested through the PDP process and I refer to the Panel to the discussion in Section 8 of the s42A report for the *Residential* chapter in this regard. I consider that RESZ-O3 is sufficient to recognise that a range of accommodation needs are required, to provide for all elements of the community, including older people, and I do not consider that further amendment is required in response to Variation 1. I therefore recommend that these submission points be rejected.

<sup>12</sup> V1-0077.016 Ryman and V1-0079.016 RVA

### Recommendation

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

### RESZ Policies

#### RESZ-P1, RESZ-P2, RESZ-P3 and RESZ-P12

### Submissions

- 7.18 Ten submission points and 20 further submission points were received in relation to RESZ-P1, RESZ-P2, RESZ-P3 and RESZ-P12.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
| V1-0077      | Ryman          | 017              | RESZ-P1        | Oppose   | Delete as notified and replace as follows:<br><u>Enable a variety of housing types with a mix of densities within [include all relevant zones], including 3-storey attached and detached dwellings, and low-rise apartments.</u>   |
| V1-0079      | RVA            | 017              | RESZ-P1        | Oppose   | Delete as notified and replace as follows:<br><u>Enable a variety of housing types with a mix of densities within [include all relevant zones], including 3-storey attached and detached dwellings, and low-rise apartments.</u>   |
| V1-0102      | CSI            | FS065            | RESZ-P1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS065            | RESZ-P1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS051            | RESZ-P1        | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS065            | RESZ-P1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS065            | RESZ-P1        | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0077      | Ryman          | 018              | RESZ-P2        | Oppose   | Amend as follows:<br>Vacant or under-utilised 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 <del>amenity and character</del> <u>planned urban built form</u> of the locality. |
| V1-0079      | RVA            | 018              | RESZ-P2        | Oppose   | Amend as follows:<br>Vacant or under-utilised land is developed in an efficient and co-ordinated manner to increase housing  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position       | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------|--|
|              |                |                  |                |                | choice by providing opportunities for residential units at densities higher than but compatible with the <del>amenity and character</del> planned urban built form of the locality.  |
| V1-0102      | CSI            | FS066            | RESZ-P2        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS066            | RESZ-P2        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS052            | RESZ-P2        | Oppose         | Disallow   |
| V1-0114      | CSI and RWRL   | FS066            | RESZ-P2        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS066            | RESZ-P2        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0077      | Ryman          | 019              | RESZ-P3        | Oppose In Part | Delete as notified and replace as follows:<br><u>Ensure that all new buildings are consistent with the planned urban built form by:</u><br><u>1. Describing the planned urban built form for each zone;</u><br><u>2. 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><br><u>3. Ensuring designs enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site.</u> |
| V1-0079      | RVA            | 019              | RESZ-P3        | Oppose In Part | Delete as notified and replace as follows:<br><u>Ensure that all new buildings are consistent with the planned urban built form by:</u><br><u>1. Describing the planned urban built form for each zone;</u><br><u>2. 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><br><u>3. Ensuring designs enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site.</u> |
| V1-0102      | CSI            | FS067            | RESZ-P3        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|----------------|---|
| V1-0103      | CGPL           | FS067            | RESZ-P3        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS053            | RESZ-P3        | Oppose         | Disallow  |
| V1-0114      | CSI and RWRL   | FS067            | RESZ-P3        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS067            | RESZ-P3        | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 001              | RESZ-P3        | Oppose         | Amend as follows:<br>Maintain and <u>enhancement the built environment to provide for the diverse and changing residential needs of communities. In doing so, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities, character and amenity values of residential zones by ensuring that all new buildings are:</u><br>1. of a scale appropriate to the locality;<br>2. sited in a location to enable privacy and retain open space and access to sunlight and daylight;<br>3. designed to enable ancillary activities such as accessory buildings, manoeuvring, and landscaping to be accommodated on the site. |
| V1-0077      | Ryman          | 023              | RESZ-P12       | Oppose In Part | Amend as follows:<br>Enable supported residential accommodation and retirement villages that are:<br>...  |
| V1-0079      | RVA            | 023              | RESZ-P12       | Oppose In Part | Amend as follows:<br>Enable supported residential accommodation and retirement villages that are:<br>...  |
| V1-0102      | CSI            | FS071            | RESZ-P12       | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS071            | RESZ-P12       | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS057            | RESZ-P12       | Oppose         | Disallow  |
| V1-0114      | CSI and RWRL   | FS071            | RESZ-P12       | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS071            | RESZ-P12       | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 003              | RESZ-P12       | Oppose         | Amend as follows:<br>Enable supported residential   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested                                     |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | accommodation and retirement villages that are:<br>... |

### ***Analysis***

- 7.19 Ryman and RVA<sup>13</sup> submit that RESZ-P1, RESZ-P2, RESZ-P3 and RESZ-P12 conflict with the MDRS and so are inappropriate.
- 7.20 With respect to RESZ-P1, the amended wording proposed by these submitters has, more appropriately, been included as MRZ-P1 in Variation 1. I consider that RESZ-P1 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. I therefore recommend that these submission points be rejected.
- 7.21 With respect to RESZ-P2, RESZ-P3 and RESZ-P12, the relief requested by these submitters is the same as that they requested through the PDP. These provisions were addressed in Section 8 of the s42A report for the *Residential* chapter and I do not consider that further amendment is required in response to Variation 1. I therefore recommend that these submission points be rejected.
- 7.22 Metlifecare<sup>14</sup> considers that RESZ-P3 conflict with the MDRS and does not recognise the changing nature of residential environments. I consider that the relief sought by the submitter is provided by RESZ-P1 and RESZ-P2. They also consider that RESZ-P12 does not recognise that retirement villages are an important type of housing and that they should be removed from this policy, in favour of a new policy proposed by the submitter. I consider that the intent of the policy is to acknowledge that retirement villages differ from that of traditional residential activity and provides policy direction of the consideration of this. For the reasons set out in Section 8 of the s42A report for the *Residential* chapter, I do not consider that it is necessary to include a separate policy and therefore recommend that this submission point be rejected.

### ***Recommendation***

- 7.23 I recommend, for the reasons given above, that the Hearings Panel retains RESZ-P1, RESZ-P2, RESZ-P3 and RESZ-P12 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 7.24 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-PA, RESZ-PB and RESZ-PC**

#### ***Submissions***

- 7.25 34 submission points and 44 further submission points were received in relation to RESZ-PA, RESZ-PB and RESZ-PC.

<sup>13</sup> V1-0077.017, 018, 019 and 023 Ryman and V1-0079.017, 018, 019 and 023 RVA

<sup>14</sup> V1-0096.001 and 003 Metlifecare

| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
| V1-0029      | G and L Burgess | 008              | RESZ-PA        | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 032              | RESZ-PA        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS189            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS189            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL    | FS189            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS189            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056      | Ara Poutama     | 014              | RESZ-PA        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 012              | RESZ-PA        | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 020              | RESZ-PA        | Support                    | Retain as notified.  |
| V1-0079      | RVA             | 020              | RESZ-PA        | Support                    | Retain as notified.  |
| V1-0102      | CSI             | FS068            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS068            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0113      | Kāinga Ora      | FS054            | RESZ-PA        | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL    | FS068            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS068            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0083      | Waka Kotahi     | 011              | RESZ-PA        | Support                    | Not specified.   |
| V1-0107      | CRC             | 008              | RESZ-PA        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora      | 031              | RESZ-PA        | Support                    | Retain as notified.  |
| V1-0102      | CSI             | FS296            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS296            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
| V1-0114      | CSI and RWRL    | FS296            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS296            | RESZ-PA        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | 027              | RESZ-PA        | Support                    | Retain as notified.  |
| V1-0115      | RIDL            | 036              | RESZ-PA        | Support                    | Retain as notified   |
| V1-0021      | Lincoln Voice   | FS038            | RESZ-PA        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0029      | G and L Burgess | 009              | RESZ-PB        | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 033              | RESZ-PB        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS190            | RESZ-PB        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS190            | RESZ-PB        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | FS190            | RESZ-PB        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS190            | RESZ-PB        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama     | 015              | RESZ-PB        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 013              | RESZ-PB        | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 021              | RESZ-PB        | Support                    | Retain as notified.  |
| V1-0079      | RVA             | 021              | RESZ-PB        | Support                    | Retain as notified.  |
| V1-0102      | CSI             | FS069            | RESZ-PB        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |



| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
| V1-0103      | CGPL            | FS069            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora      | FS055            | RESZ-PB        | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL    | FS069            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS069            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0083      | Waka Kotahi     | 007              | RESZ-PB        | Support                    | Not specified.   |
| V1-0107      | CRC             | 009              | RESZ-PB        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora      | 033              | RESZ-PB        | Support                    | Retain as notified.  |
| V1-0102      | CSI             | FS298            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL            | FS298            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | FS298            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS298            | RESZ-PB        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | 028              | RESZ-PB        | Support                    | Retain as notified.  |
| V1-0115      | RIDL            | 037              | RESZ-PB        | Support                    | Retain as notified   |
| V1-0021      | Lincoln Voice   | FS039            | RESZ_PB        | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |
| V1-0029      | G and L Burgess | 010              | RESZ-PC        | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 034              | RESZ-PC        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS191            | RESZ-PC        | Support                    | Adopt to the extent the relief sought is consistent with the   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
|              |                |                  |                |                            | <i>relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS191            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS191            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS191            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056      | Ara Poutama    | 016              | RESZ-PC        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop   | 014              | RESZ-PC        | Oppose                     | Delete as notified   |
| V1-0077      | Ryman          | 022              | RESZ-PC        | Support                    | Retain as notified.  |
| V1-0079      | RVA            | 022              | RESZ-PC        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS070            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS070            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0113      | Kāinga Ora     | FS056            | RESZ-PC        | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL   | FS070            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS070            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0083      | Waka Kotahi    | 023              | RESZ-PC        | Support                    | Not specified.   |
| V1-0096      | Metlifecare    | 002              | RESZ-PC        | Support                    | Retain RESZ-PC as notified.  |
| V1-0107      | CRC            | 011              | RESZ-PC        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 028              | RESZ-PC        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS293            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS293            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS293            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS293            | RESZ-PC        | Support                    | <i>Adopt to the extent the relief sought is consistent with the</i>                                  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position        | Decision Requested  |
|--------------|----------------|------------------|----------------|-----------------|---|
|              |                |                  |                |                 | <i>relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 016              | RESZ-PC        | Support In Part | Amend RESZ-PC as follows:<br>Apply the Medium Density Residential Standards across all relevant residential zones in the district plan <del>except in circumstances where</del> <u>to the extent necessary to accommodate a relevant</u> qualifying matter <del>is relevant</del> (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga). |
| V1-0115      | RIDL           | 024              | RESZ-PC        | Support In Part | Amend RESZ-PC as follows:<br>Apply the Medium Density Residential Standards across all relevant residential zones in the district plan <del>except in circumstances where</del> <u>to the extent necessary to accommodate a relevant</u> qualifying matter <del>is relevant</del> (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga). |
| V1-0021      | Lincoln Voice  | FS026            | RESZ-PC        | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>  |
| V1-0062      | LDHS           | FS001            | RESZ-PC        | Support In Part | <i>Continue Heritage Protection (H323) for The Springs Farmhouse/Chudleigh and its surrounds.</i>   |

| Submitter ID | Submitter Name       | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------------|------------------|----------------|----------|--|
| V1-0063      | Sam & Denise Carrick | FS007            | RESZ-PC        | Oppose   | Decline submission point 125 in Appendix 3 of submission V1-0115 |

### **Analysis**

- 7.26 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>15</sup> all hold a neutral view on RESZ-PA, RESZ-PB and RESZ-PC. On the basis that the submitters have not requested any changes to these provisions, I recommend that these submission points be accepted.
- 7.27 Jeremy Alsop<sup>16</sup> opposes any changes to the district plan based on the Government's medium density housing policy. The inclusion of RESZ-PA, RESZ-PB and RESZ-PC within the PDP is a mandatory requirement of the RMA-EHS. As such, I recommend that this submission point be rejected.
- 7.28 Waka Kotahi<sup>17</sup> seeks the full implementation of the MDRS and is generally supportive of the provisions included in Variation 1. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.29 With respect to RESZ-PA and RESZ-PB, Ryman, RVA, CRC, Kāinga Ora, CSI and RWRL, and RIDL<sup>18</sup> request that these provisions be retained as notified. I recommend that these submission points be accepted.
- 7.30 With respect to RESZ-PC:
- 7.30.1 Ryman, RVA, Metlifecare, CRC, and Kāinga Ora<sup>19</sup> request that this provision be retained as notified. I recommend that these submission points be accepted.
- 7.30.2 CSI and RWRL, and RIDL<sup>20</sup> consider that the wording should clearly state that qualifying matters only limit intensification to the extent required to provide for that specific qualifying matter, as per section 77I. I consider that the proposed wording has the effect of changing the focus of the policy – from MDRS to the qualifying matter, which could have the effect of diluting the outcome sought by the legislation. I therefore recommend that the submission points be rejected.

### **Recommendation**

- 7.31 I recommend, for the reasons given above, that the Hearings Panel retains the variation provisions RESZ-PA, RESZ-PB and RESZ-PC as notified.

<sup>15</sup> V1-0029.008, 009 and 010 G and L Burgess, V1-0032.032, 033 and 034 Eliot Sinclair and V1-0056.014, 015 and 016 Ara Poutama

<sup>16</sup> V1-0074.012, 013 and 014 Jeremy Alsop

<sup>17</sup> V1-0083.011, 007 and 023 Waka Kotahi

<sup>18</sup> V1-0077.020 and 021 Ryman, V1-0079.020 and 021 RVA, V1-0107.008 and 009 CRC, V1-0113.031 and 033 Kāinga Ora, V1-0114.027 and 028 CSI and RWRL and V1-0115.036 and 037 RIDL

<sup>19</sup> V1-0077.022 Ryman, V1-0079.022 RVA, V1-0096.002 Metlifecare, V1-0107.011 CRC, V1-0113.028 Kāinga Ora

<sup>20</sup> V1-0114.016 CSI and RWRL and V1-0115.024 RIDL

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

### New Policies

#### **Submissions**

- 7.33 Seven submission points and 15 further submission points were received seeking that new policies be included in the RESZ Chapter.

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
| V1-0077      | Ryman          | 024              | Oppose In Part | Insert new policy as follows:<br><u>RESZ – PX Provision of housing for an ageing population</u><br><u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add relevant residential zones], such as retirement villages.</u><br><u>2. Recognise the functional and operational needs of retirement villages, including that they:</u><br><u>(a) May require greater density than the planned urban built character to enable efficient provision of services.</u><br><u>(b) Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u> |
| V1-0077      | Ryman          | 025              | Support        | Insert as follows:<br><u>RESZ-PX – Changing communities</u><br><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u>  |
| V1-0077      | Ryman          | 026              | Support        | Insert as follows:<br><u>RESZ-PX – Larger sites</u><br><u>Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites.</u>  |
| V1-0079      | RVA            | 024              | Oppose In Part | Insert new policy as follows:<br><u>RESZ – PX Provision of housing for an ageing population</u><br><u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add relevant residential zones], such as retirement villages.</u><br><u>2. Recognise the functional and operational needs of retirement villages, including that they:</u><br><u>(a) May require greater density than the planned urban built character to enable efficient provision of services.</u><br><u>(b) Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u> |
| V1-0102      | CSI            | FS072            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS072            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS058            | Oppose         | <i>Disallow</i>   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0114      | CSI and RWRL   | FS072            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS072            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0079      | RVA            | 025              | Support  | Insert as follows:<br><u>RESZ-PX – Changing communities</u><br><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u>  |
| V1-0102      | CSI            | FS073            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS073            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS059            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL   | FS073            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS073            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0079      | RVA            | 026              | Support  | Insert as follows:<br><u>RESZ-PX – Larger sites</u><br><u>Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites.</u>  |
| V1-0102      | CSI            | FS074            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS074            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS060            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL   | FS074            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS074            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 004              | Oppose   | Insert as follows:<br><u>Support the establishment and operation of retirement villages by:</u><br><u>1. Recognising the diverse range of housing and care needs that they provide;</u><br><u>2. Recognising the functional and operational needs of retirement villages, including that they:</u><br><u>a) may require greater density than the planned built character to enable efficient provision of services.</u><br><u>b) have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u><br><u>3. Enabling more intensive use of larger sites where the effects of intensification on surrounding sites can be appropriately mitigated.</u> |

### Analysis

- 7.34 Ryman and RVA<sup>21</sup> request that three new policies be included in the PDP – to recognise the housing needs of an ageing population; to recognise the changing residential needs of communities and that residential zones will change over time due to development; and that intensification opportunities are provided by larger sites.
- 7.35 Metlifecare<sup>22</sup> seek to ensure the policy framework promotes retirement village development in residential zones.
- 7.36 As with the request for new objectives above, I consider that these submission points are out of scope of this process. I further consider that the intent of the requested policies is similar to that requested by various submitters through the PDP process and I refer the Panel to the discussion in Section 8 of the s42A report for the *Residential* chapter in this regard. I do not consider that further amendment is required in response to Variation 1 and therefore recommend that these submission points be rejected.

### Recommendation

- 7.37 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**.

### Residential Matters for Control or Discretion

#### **RESZ-MAT1, RESZ-MAT2, RESZ-MAT13 and RESZ-MAT14**

#### ***Submissions***

- 7.38 11 submission points and 20 further submission points were received in relation to RESZ-MAT1, RESZ-MAT2, RESZ-MAT13 and RESZ-MAT14.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position        | Decision Requested   |
|--------------|----------------|------------------|----------------|-----------------|--|
| V1-0077      | Ryman          | 028              | RESZ-MAT1      | Oppose          | Not specified.   |
| V1-0079      | RVA            | 028              | RESZ-MAT1      | Oppose          | Not specified.   |
| V1-0102      | CSI            | FS076            | RESZ-MAT1      | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS076            | RESZ-MAT1      | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0113      | Kāinga Ora     | FS062            | RESZ-MAT1      | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS076            | RESZ-MAT1      | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS076            | RESZ-MAT1      | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0090      | FENZ           | 017              | RESZ-MAT1      | Support In Part | Amend as follows:<br><u>6. Whether there is appropriate emergency access on/to the site:</u>         |

<sup>21</sup> V1-0077.024, 025 and 026 Ryman and V1-0079.024, 025 and 026 RVA

<sup>22</sup> V1-0096.004 Metlifecare

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position          | Decision Requested  |
|--------------|----------------|------------------|----------------|-------------------|---|
|              |                |                  |                |                   | <p>i. <u>any access to on-site alternative firefighting water supply complies with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.</u></p> <p>ii. <u>developments give effect to the guidance provided in the Firefighting Operations Emergency Vehicle Access Guide,</u></p> <p>iii. <u>pedestrian accessways are clear, unobstructed and well-lit,</u></p> <p>iv. <u>wayfinding for different properties on a development are clear in day and night,</u></p> <p>v. <u>pedestrian accessways have a minimum width of:</u></p> <p>a. <u>3m on a straight accessway.</u></p> <p>b. <u>6.2m on a curved or cornered accessway</u></p> <p>c. <u>4.5m space to position the ladder and perform operational tasks.</u></p> <p>6 7. ...</p> |
| V1-0077      | Ryman          | FS035            | RESZ-MAT1      | Oppose            | Disallow the submission   |
| V1-0079      | RVA            | FS035            | RESZ-MAT1      | Oppose            | Disallow the submission   |
| V1-0096      | Metlifecare    | 005              | RESZ-MAT1      | Oppose<br>In Part | Not specified   |
| V1-0113      | Kāinga Ora     | 029              | RESZ-MAT1      | Oppose            | <p>Delete as notified and replace as follows:</p> <p>1. <u>The scale and form of the development is compatible with the planned urban built form of the neighbourhood;</u></p> <p>2. <u>The development contributes to a safe and attractive public realm and streetscape;</u></p> <p>3. <u>The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</u></p>  |
| V1-0102      | CSI            | FS294            | RESZ-MAT1      | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS294            | RESZ-MAT1      | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS294            | RESZ-MAT1      | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS294            | RESZ-MAT1      | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0077      | Ryman          | 029              | RESZ-MAT2      | Oppose            | Not specified.  |
| V1-0079      | RVA            | 029              | RESZ-MAT2      | Oppose            | Not specified.  |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position        | Decision Requested  |
|--------------|----------------|------------------|----------------|-----------------|---|
| V1-0102      | CSI            | FS077            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS077            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS063            | RESZ-MAT2      | Oppose          | Disallow  |
| V1-0114      | CSI and RWRL   | FS077            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS077            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 006              | RESZ-MAT2      | Oppose In Part  | Not specified   |
| V1-0113      | Kāinga Ora     | 032              | RESZ-MAT2      | Support In Part | Amend as follows:<br>1. Effects on visual amenity values, including dominance, <del>and the compatibility with the receiving environment</del> <u>having regard to the planned built form of the zone.</u><br><del>2. Provision of adequate outdoor living space on site.</del> |
| V1-0102      | CSI            | FS297            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS297            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS297            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS297            | RESZ-MAT2      | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 017              | RESZ-MAT13     | Oppose          | Amend as follows:<br>Location of Comprehensive Development <del>and Retirement Village</del>  |
| V1-0096      | Metlifecare    | 018              | RESZ-MAT14     | Oppose          | Amend as follows:<br>Design of Small Site Development, <u>and Comprehensive Development,</u> <del>and Retirement Village</del>  |

### Analysis

- 7.39 Ryman and RVA<sup>23</sup> oppose RESZ-MAT1 and RESZ-MAT2, as they consider that they are unclear with regards to 'the affected property'; that the density standards should be used as a baseline for the assessment of assessing the effects of development; that the matters should focus on the effects of the infringement of the standard; and that a specific matter of discretion should apply to retirement village. However, as no specific changes have been requested, the specific relief

<sup>23</sup> V1-0077.028 and 029 Ryman and V1-0079.028 and 029 RVA

requested by the submitters is unclear. These provisions were addressed in Section 8 of the s42A report for the *Residential* chapter and I do not consider that further amendment is required in response to Variation 1. I therefore recommend that these submission points be rejected.

- 7.40 In relation to RESZ-MAT1, FENZ<sup>24</sup> seek that the provision be amended to refer to the Firefighting Operations Emergency Vehicle Access Guide and the New Zealand Fire Service Water Supplies Code of Practice. I consider that this submission point should be rejected for the following reasons:

7.40.1 Making the requested amendment would result in documents being incorporated into the PDP by reference, thereby fixing that version of the standard as the version to be used, even if the standard is updated at a later date. I consider that these documents are more appropriately referenced in Council's Engineering Code of Practice (ECOP) which sets out Council's current technical design requirements and standards for subdivision and project works in the district. The ECOP can be updated more regularly and with less formality than a change to a district plan, meaning that, in the event of the Fire Service Code of Practice being updated, it is faster to update the ECOP to reflect the amendments than to update the district plan through a Schedule 1 process.

7.40.2 The extent of the requested amendment would apply to all residential zones, not just the MRZ.

7.40.3 The minimum accessway widths requested are inconsistent with the minimum setbacks required by the MDRS.

7.40.4 As this matters would only be triggered when a resource consent is required, it would not resolve any access issues for complying development.

- 7.41 Referring to Metlifecare's<sup>25</sup> full submission, I record their support for RESZ-MAT1 and RESZ-MAT2 as notified. I recommend these submission points be accepted.

- 7.42 In relation to RESZ-MAT1, Kāinga Ora<sup>26</sup> request that the provision be deleted and replaced with one that aligns with intent of the MDRS and the NPS-UD, to ensure national consistency, and to ensure that the matters specifically relate to the effects of a higher intensity of development than that provided as a permitted activity. I consider that this provision was addressed in Section 8 of the s42A report for the *Residential* chapter and I do not consider that further amendment is required in response to Variation 1. I therefore recommend that this submission point be rejected.

- 7.43 In relation to RESZ-MAT2.1, the relief requested by Kāinga Ora<sup>27</sup> is the same as that requested by the submitter through the PDP process. The submitter also seeks that RESZ-MAT2.2 be deleted. I consider that this component of their submission should be rejected for the following reasons:

7.43.1 I consider the inclusion of the text 'planned built form' to be superfluous. The purpose of assessment matters is to provide guidance in relation to the effects that should be

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<sup>24</sup> V1-0090.017 FENZ

<sup>25</sup> V1-0096.005 and 006 Metlifecare

<sup>26</sup> V1-0113.029 Kāinga Ora

<sup>27</sup> V1-0113.032 Kāinga Ora

considered where the standard of the zone has been breached. As such, the relevant standard establishes what is the planned built form, and the matter guides assessment when development goes beyond this.

7.43.2 As RESZ-MAT2.2 is applicable to development across all residential zones I consider that it is appropriate that it be retained, to ensure that all developments are provided adequate outdoor living space on the site, commensurate with the standards set out in the relevant zone.

7.44 In relation to RESZ-MAT13 and RESZ-MAT14, Metlifecare<sup>28</sup> request that reference to retirement village be removed from these provisions. As these provisions are not subject to Variation 1, I recommend that these submission points be rejected.

### ***Recommendation***

7.45 I recommend, for the reasons given above, that the Hearings Panel retains RESZ-MAT1, RESZ-MAT2, RESZ-MAT13 and RESZ-MAT14 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.

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

### **RESZ-MAT3**

#### ***Submissions***

7.47 12 submission points and 16 further submission points were received in relation to RESZ-MAT3.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 011              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 035              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS192            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS192            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL    | FS192            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS192            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056      | Ara Poutama     | 017              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 015              | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 030              | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 030              | Oppose                     | Not specified.   |

<sup>28</sup> V1-0096.017 and 018 Metlifecare

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0102      | CSI            | FS078            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS078            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS064            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS078            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS078            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0090      | FENZ           | 018              | Support In Part | Amend as follows:<br><u>5. Provision of suitable firefighting water supply and pressure.</u>   |
| V1-0077      | Ryman          | FS036            | Oppose          | Disallow the submission  |
| V1-0079      | RVA            | FS036            | Oppose          | Disallow the submission  |
| V1-0096      | Metlifecare    | 007              | Oppose In Part  | Not specified  |
| V1-0107      | CRC            | 012              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 034              | Support In Part | Amend as follows:<br>1. Effects on privacy, outlook, or shading on <u>the affected neighbouring sites property.</u><br>2. Effects on visual amenity values, including dominance, <del>and the compatibility with the receiving environment</del> <u>having regard to the planned built form of the zone.</u><br>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><br>4. <u>The extent to which the increase in height 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.<br>5. <u>The extent to which the increase in height provides for the M</u> mitigation of the effects of natural hazards. |
| V1-0102      | CSI            | FS299            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS299            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS299            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS299            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 029              | Support         | Retain as notified.  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0115      | RIDL           | 038              | Support  | Retain as notified   |
| V1-0021      | Lincoln Voice  | FS040            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 7.48 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>29</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.49 Jeremy Alsop<sup>30</sup> opposes any changes to the district plan based on the Government's medium density housing policy. The amendment to RESZ-MAT3 is of a minor, grammatical nature rather than a response to the mandatory requirement to incorporate MDRS within the PDP. As such, I recommend that this submission point be rejected.
- 7.50 Ryman and RVA<sup>31</sup> opposes this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.51 FENZ<sup>32</sup> seek that the provision be amended to recognise the importance of maintaining firefighting water supply pressure throughout high rise buildings. I consider that this matter is more appropriately addressed through the provisions of the Building Act which specifically address the adequacy of buildings for their intended purpose. I also consider that this provision would only be triggered when a resource consent is required, it would not resolve the submitters concerns in relation to complying development. I therefore recommend that this submission point be rejected.
- 7.52 Referring to Metlifecare's<sup>33</sup> full submission, I record their support for this provision. I recommend that this submission point be accepted.
- 7.53 I consider that the relief requested by Kāinga Ora<sup>34</sup> is the same as that they requested through the PDP process and I refer to the Panel to the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing in this regard. I do not consider that further amendment is required in response to Variation 1 and therefore recommend that this submission point be rejected.

<sup>29</sup> V1-0029.011 G and L Burgess, V1-0032.035 Eliot Sinclair and V1-0056.017 Ara Poutama

<sup>30</sup> V1-0074.015 Jeremy Alsop

<sup>31</sup> V1-0077.030 Ryman and V1-0079.030 RVA

<sup>32</sup> V1-0090.018 FENZ

<sup>33</sup> V1-0096.007 Metlifecare

<sup>34</sup> V1-0113.034 Kāinga Ora

- 7.54 CRC, CSI and RWRL and RIDL<sup>35</sup> request that RESZ-MAT3 be retained as notified. I recommend that these submission points be accepted.

### ***Recommendation***

- 7.55 I recommend, for the reasons given above, that the Hearings Panel retains RESZ-MAT3 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 7.56 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-MAT4**

#### ***Submissions***

- 7.57 Six submission points and 13 further submission points were received in relation to RESZ-MAT4.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 040              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 036              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS193            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0103      | CGPL            | FS193            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0114      | CSI and RWRL    | FS193            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0115      | RIDL            | FS193            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0077      | Ryman           | 031              | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 031              | Oppose                     | Not specified.   |
| V1-0102      | CSI             | FS079            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0103      | CGPL            | FS079            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0113      | Kāinga Ora      | FS065            | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL    | FS079            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0115      | RIDL            | FS079            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>         |
| V1-0096      | Metlifecare     | 008              | Oppose In Part             | Not specified  |
| V1-0113      | Kāinga Ora      | 035              | Support In Part            | Amend as follows:<br>1. Effects on privacy, outlook, or shading on the affected property neighbouring sites. |

<sup>35</sup> V1-0107.012 CRC, V1-0114.029 CSI and RWRL and V1-0115.038 RIDL

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | <p>2. <u>The extent to which the increase in height provides for the Pprotection 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.</u></p> <p>3. <u>Whether contextual site factors mean increased building height may be appropriate.</u></p> |
| V1-0102      | CSI            | FS300            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS300            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL   | FS300            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS300            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |

### Analysis

7.58 Kāinga Ora<sup>36</sup> seeks amendments for clarity, and to better recognise the potential positive effects from non-compliance with the standard. I recommend that the submission point be accepted in part for the following reasons:

7.58.1 In relation to clause 2, I consider that the provision should be amended to align with the language in similar provisions, such as RESZ-MAT3, when considering the effects of a breach on notable trees, heritage items, or sites and areas of significance to Māori. However, as this matter relates to a breach of the height in relation to boundary provision, I consider that an increase in height is only one way in which this matter may be triggered. Another way would be a reduction in setback. As such, I do not consider that it is appropriate to limit the consideration to height and have therefore proposed amended wording in **Appendix 2**.

7.58.2 I consider the addition of clause 3 to be unclear and too open ended, and that it is more appropriate that this matter focus primarily on the effect of a breach of this requirement on the receiving environment, as that is where the effect of a breach will be more acutely observed, rather than on allowing a dispensation based on the nature of the site.

7.58.3 I also consider that the amendment requested to clause 1 is out of scope.

7.59 G and L Burgess and Eliot Sinclair<sup>37</sup> are neutral on this provision. On the basis that I have recommended that this provision be amended, I recommend that this submission point be accepted in part.

<sup>36</sup> V1-0113.035 Kāinga Ora

<sup>37</sup> V1-0029.040 G and L Burgess and V1-0032.036 Eliot Sinclair

7.60 Ryman and RVA<sup>38</sup> oppose this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.

7.61 Referring to Metlifecare's<sup>39</sup> full submission, I record their support for this provision. On the basis that I have recommended that this provision be amended, I recommend that this submission point be accepted in part.

#### ***Recommendation and amendment***

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

a) amend RESZ-MAT4 as shown in **Appendix 2**, to improve the clarity of the provision.

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

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

#### **RESZ-MAT5**

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

7.65 11 submission points and 17 further submission points were received in relation to RESZ-MAT5.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 012              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 037              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS194            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS194            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL    | FS194            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS194            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056      | Ara Poutama     | 018              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 016              | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 032              | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 032              | Oppose                     | Not specified.   |
| V1-0102      | CSI             | FS080            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

<sup>38</sup> V1-0077.031 Ryman and V1-0079.031 RVA

<sup>39</sup> V1-0096.007 and 008 Metlifecare



| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0103      | CGPL           | FS080            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS066            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS080            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS080            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0096      | Metlifecare    | 009              | Oppose In Part  | Not specified  |
| V1-0107      | CRC            | 013              | Support         | Retain as notified.  |
| V1-0112      | Hughes         | 001              | Oppose In Part  | Amend as follows:<br>1. ...<br><u>2. Providing variation along the streetscape.</u><br><del>2.3. Balancing the effects</del> Effects on visual amenity values, including dominance, and the compatibility with the receiving environment <u>with the benefits of maximising solar orientation and outdoor living space.</u><br><del>3.4. ...</del>   |
| V1-0102      | CSI            | FS029            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS029            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS029            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS029            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | 036              | Support In Part | Amend as follows:<br><del>1. Effects on the safety and efficiency of the land transport infrastructure.</del><br>2. Effects on visual amenity values, including dominance, and the compatibility with the receiving environment <u>streetscape having regard to the planned urban form of the zone.</u><br>3. <u>The extent to which the reduction in road boundary setback provides for</u><br><u>the</u> <del>P</del> 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.<br>... |
| V1-0102      | CSI            | FS301            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0103      | CGPL           | FS301            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS301            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS301            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | 030              | Support  | Retain as notified.  |

### **Analysis**

- 7.66 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>40</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.67 Jeremy Alsop<sup>41</sup> is opposed to any change to the district plan based on the Government's medium density housing policy. The amendments to this provision are either of a minor nature to improve consistency throughout the PDP, or to ensure that the effects of a breach of the relevant rule requirement are appropriately considered. As such, I recommend that this submission point be rejected.
- 7.68 Ryman and RVA<sup>42</sup> oppose this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.69 Referring to Metlifecare's<sup>43</sup> full submission, I record their support for this provision. I recommend that this submission point be accepted.
- 7.70 The relief requested by Hughes and Kāinga Ora<sup>44</sup> to clauses 1, 2 and 3 are the same as that that they requested through the PDP process and I refer to the Panel to the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing in this regard. I record that neither submitter has requested amendments to clause 4. I therefore recommend that these submission points be rejected.
- 7.71 CRC and CSI and RWRL<sup>45</sup> request that the provisions be retained as notified. I recommend that these submission points be accepted.

<sup>40</sup> V1-0029.012 G and L Burgess, V1-0032.037 Eliot Sinclair and V1-0056.018 Ara Poutama

<sup>41</sup> V1-0074.016 Jeremy Alsop

<sup>42</sup> V1-0077.032 Ryman and V1-0079.032 RVA

<sup>43</sup> V1-0096.009 Metlifecare

<sup>44</sup> V1-0112.001 Hughes and V1-0113.036 Kāinga Ora

<sup>45</sup> V1-0107.013 CRC and V1-0114.030 CSI and RWRL

### ***Recommendation***

- 7.72 I recommend, for the reasons given above, that the Hearings Panel retains RESZ-MAT5 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 7.73 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-MAT6**

#### ***Submissions***

- 7.74 14 submission points and 24 further submission points were received in relation to RESZ-MAT6.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 013              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 038              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS195            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS195            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | FS195            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS195            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama     | 019              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 017              | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 033              | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 033              | Oppose                     | Not specified.   |
| V1-0102      | CSI             | FS081            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS081            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora      | FS067            | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL    | FS081            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS081            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0090      | FENZ            | 019              | Neither Support Nor Oppose | Amend as follows:<br>6. Effects on the accessibility of the space between buildings and the affected boundary for cleaning, <u>emergency access</u> and maintenance; storage; and to keep the area free of vermin. |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | <u>7. Fire risk mitigation incorporated to avoid horizontal spread of fire across boundaries</u>   |
| V1-0077      | Ryman          | FS037            | Oppose          | Disallow the submission  |
| V1-0079      | RVA            | FS037            | Oppose          | Disallow the submission  |
| V1-0096      | Metlifecare    | 010              | Oppose In Part  | Not specified  |
| V1-0107      | CRC            | 014              | Support         | Retain as notified.  |
| V1-0112      | Hughes         | 002              | Oppose In Part  | Amend as follows:<br>...<br>2. Balancing the effects on visual amenity values, including dominance, and the compatibility with the receiving environment <u>with efficient design outcomes.</u><br>...   |
| V1-0102      | CSI            | FS030            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS030            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS030            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS030            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0112      | Hughes         | 003              | Oppose          | Delete RESZ-MAT6.6 as notified.  |
| V1-0102      | CSI            | FS031            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS031            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS031            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS031            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | 037              | Support In Part | Amend as follows:<br><del>1. Effects on privacy, outlook, or shading on the affected property.</del><br>2. Effects on visual amenity values of <u>adjoining residential properties</u> , including <u>privacy, outlook</u> and dominance, <del>and the compatibility with the receiving environment.</del><br>3. <u>The extent to which the reduction in setback 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.<br>4. <u>The extent to which the reduction in</u> |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | setback provides for the mitigation of the effects of natural hazards.<br><del>5. Reverse sensitivity effects.</del><br><del>6. Effects on the accessibility of the space between buildings and the affected boundary for cleaning and maintenance; storage; and to keep the area free of vermin.</del>  |
| V1-0102      | CSI            | FS302            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS302            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS302            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS302            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 017              | Support In Part | Delete RESZ-MAT6.6.  |
| V1-0115      | RIDL           | 025              | Support In Part | Delete RESZ-MAT6.6.  |
| V1-0021      | Lincoln Voice  | FS027            | Oppose          | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### Analysis

7.75 FENZ<sup>46</sup> seek two amendments to the provision. I recommend that this submission point be accepted in part for the following reasons:

7.75.1 I consider that the requested amendment to clause 6 is within scope. I further consider that, as this clause seeks to consider the appropriateness of the space between a structure and an internal boundary, when the minimum boundary setback is not complied with, it is also appropriate to consider the ability of this space to be accessed by FENZ, or other emergency, personnel. I therefore recommend that this component of the submission be accepted and that the clause be amended to make reference to access for personnel associated with *emergency services*, as defined within the PDP.

7.75.2 I consider that the request to add a further clause to this provision that considers the fire risk mitigation measures incorporated to avoid the horizontal spread of fire across boundaries is both out of scope and is more appropriately addressed through the provisions of the Building Act which specifically address the adequacy of buildings for their

<sup>46</sup> V1-0090.019 FENZ

intended purpose. I therefore recommend that this component of the submission be rejected.

- 7.76 The relief requested by Hughes<sup>47</sup> in relation to clause 2 is the same that they requested through the PDP process, as addressed in Section 8 of the s42A report for the *Residential* chapter. As this clause is not proposed to be varied through this process, I consider that this submission point is out of scope and therefore recommend that it be rejected.
- 7.77 Kāinga Ora<sup>48</sup> request several amendments to this provision, such that the matters relate specifically to the non-compliance with the internal boundary setback standard. I recommend that this submission point be rejected for the following reasons:
- 7.77.1 The relief requested in relation to clauses 1, 2, 3, 4 and 5, is the same as requested through the PDP process and was addressed in Section 8 of the s42A report for the *Residential* chapter. I refer to the Panel to the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing in this regard.
- 7.77.2 I consider that the purpose of clause 6 is to ensure that residents of a site, as well as those of neighbouring sites, are provided with a level of amenity, which can be affected if there is insufficient ability to manage and maintain the area between a building and a boundary.
- 7.78 Hughes, CSI and RWRL, and RIDL<sup>49</sup> all request that clause 6 be deleted. While Hughes has not provided a reason for this request, the other submitters consider that this is not a relevant RMA matter or effect. I disagree and, as set out above, consider that it is appropriate to retain this clause as a matter for consideration should there be non-compliance with the internal setback boundary rule requirement. I therefore recommend that these submission points be rejected.
- 7.79 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>50</sup> are neutral on this provision. On the basis that I have recommended that this provision be amended, I recommend that this submission point be accepted in part.
- 7.80 Jeremy Alsop<sup>51</sup> is opposed to any change to the district plan based on the Government's medium density housing policy. The amendments to this provision are either of a minor nature to improve consistency throughout the PDP, or to ensure that the effects of a breach of the relevant rule requirement are appropriately considered. As such, I recommend that this submission point be rejected.

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<sup>47</sup> V1-0112.002 Hughes

<sup>48</sup> V1-0113.037 Kāinga Ora

<sup>49</sup> V1-0112.003 Hughes, V1-0114.017 CSI and RWRL and V1-0115.025 RIDL

<sup>50</sup> V1-0029.013 G and L Burgess, V1-0032.038 Eliot Sinclair and V1-0056.019 Ara Poutama

<sup>51</sup> V1-0074.017 Jeremy Alsop

- 7.81 Ryman and RVA<sup>52</sup> oppose this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.82 Referring to Metlifecare's<sup>53</sup> full submission, I record their support for this provision. On the basis that I have recommended that this provision be amended, I recommend that this submission point be accepted in part.
- 7.83 CRC<sup>54</sup> requests that RESZ-MAT6 be retained as notified. On the basis that I have recommended that this provision be amended, I recommend that this submission point be accepted in part.

#### ***Recommendation and amendment***

- 7.84 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MAT6 as shown in **Appendix 2**, to ensure that the suitability of access for emergency services is considered should there be a non-compliance with the relevant internal setback requirement.
- 7.85 I recommend that the original submission point and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 7.86 The scale of change does not require a s32AA evaluation.

#### **RESZ-MAT7**

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

- 7.87 Eight submission points and 14 further submission points were received in relation to RESZ-MAT7.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 041              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 039              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS196            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS196            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL    | FS196            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS196            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0077      | Ryman           | 034              | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 034              | Oppose                     | Not specified.   |

<sup>52</sup> V1-0077.033 Ryman and V1-0079.033 RVA

<sup>53</sup> V1-0096.010 Metlifecare

<sup>54</sup> V1-0107.014 CRC

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0102      | CSI            | FS082            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS082            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS068            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS082            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS082            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0096      | Metlifecare    | 011              | Oppose In Part  | Not specified  |
| V1-0113      | Kāinga Ora     | 038              | Support In Part | <p>Amend as follows:</p> <ol style="list-style-type: none"> <li>1. The <del>degree to extent to which an open street scene is maintained and views</del> <u>passive surveillance opportunities are provided between the residential unit and the public space, private right of way, or shared access are retained</u> street.</li> <li>2. The <u>effects on the planned urban form and streetscape of the zone and whether adequate mitigation of adverse effects can be achieved through landscaping or alternative design.</u> <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></li> <li>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></li> <li>4. <del>Where located in the Large Lot Residential Zone, in a way that is compatible with the open and spacious character anticipated within this zone.</del></li> <li>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;</li> <li>6. Necessity as an integral part of a recreational facility such as a swimming pool or tennis court.</li> <li>7. <del>The extent to which the fencing will reduce the outlook space from habitable rooms.</del></li> </ol> |
| V1-0102      | CSI            | FS303            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |



| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0103      | CGPL           | FS303            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS303            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS303            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 018              | Support In Part | <p>Amend RESZ-MAT7 as follows:</p> <p>...</p> <p>3. The extent to which the proposed fence is <del>constructed out of the same materials as the residential unit</del> and incorporates <u>materials</u>, articulation and modulation, landscaping, or visually permeable elements that provide visual interest.</p> <p>4. Where located in the Large Lot Residential Zone, <del>whether the fence in a way that</del> is compatible with the open and spacious character anticipated within this zone.</p> <p>5. In this case of internal boundaries, <del>whether the fence is to be</del> of sufficient height to maintain privacy and/or-security without adversely affecting the visual amenity or access to sunlight of adjoining land;</p> <p>...</p> |
| V1-0115      | RIDL           | 026              | Support In Part | <p>Amend RESZ-MAT7 as follows:</p> <p>...</p> <p>3. The extent to which the proposed fence is <del>constructed out of the same materials as the residential unit</del> and incorporates <u>materials</u>, articulation and modulation, landscaping, or visually permeable elements that provide visual interest.</p> <p>4. Where located in the Large Lot Residential Zone, <del>whether the fence in a way that</del> is compatible with the open and spacious character anticipated within this zone.</p> <p>5. In this case of internal boundaries, <del>whether the fence is to be</del> of sufficient height to maintain privacy and/or-security without adversely affecting the visual amenity or access to sunlight of adjoining land;</p> <p>...</p> |
| V1-0021      | Lincoln Voice  | FS028            | Oppose          | <p><i>Disallowed in part</i></p> <p><i>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be</i></p>  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <i>independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 7.88 Kāinga Ora<sup>55</sup> request several amendments to this provision. I recommend that this submission point be rejected for the following reasons:
- 7.88.1 The relief requested in relation to clauses 1 – 6 is out of scope of this process. I note that the relief requested is the same as that requested through the PDP process and I refer the Panel to the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing in this regard.
- 7.88.2 As MRZ-REQ9 requires that outlook spaces be provided from habitable rooms, I consider it appropriate that this clause to be retained, to determine the effect of any fencing on the provision of this space, such that fencing does not detract from the intent of the rule requirement. However, I consider that this is only applicable in relation to the MRZ, and therefore recommend that the Panel exercise the powers afforded to it to make recommendations out of scope of submissions<sup>56</sup>, to amend clause 7 such that it only applies in the MRZ, as shown in **Appendix 2**.
- 7.89 I consider that the amendments requested by CSI and RWRL and RIDL<sup>57</sup> are out of scope. This provision was addressed in Section 8 of the s42A report for the *Residential* chapter and I refer the Panel to the recommendations in [Appendix 2](#) of the Right of Reply report in this regard. I recommend that these submission points be rejected.
- 7.90 G and L Burgess and Eliot Sinclair<sup>58</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.91 Ryman and RVA<sup>59</sup> oppose this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.92 Referring to Metlifecare's<sup>60</sup> full submission, I record their support for this provision. I recommend that this submission point be accepted.

<sup>55</sup> V1-0113.038 Kāinga Ora

<sup>56</sup> Clause 99(2)(b) of Part 6 of Schedule 1 of the RMA-EHS

<sup>57</sup> V1-0114.018 CSI and RWRL and V1-0115.026 RIDL

<sup>58</sup> V1-0029.041 G and L Burgess and V1-0032.039 Eliot Sinclair

<sup>59</sup> V1-0077.034 Ryman and V1-0079.034 RVA

<sup>60</sup> V1-0096.011 Metlifecare

### ***Recommendation and amendment***

- 7.93 I recommend that, for the reasons given above, the Hearing Panel:
- Exercise their powers under clause 99(2)(b) of the RMA-EHS to amend RESZ-MAT7.7 such that it only applies in the MRZ, as shown in **Appendix 2**.
- 7.94 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 7.95 The scale of change does not require a s32AA evaluation.

### **RESZ-MAT8**

#### ***Submissions***

- 7.96 13 submission points and 22 further submission points were received in relation to RESZ-MAT8.

| <b>Submitter ID</b> | <b>Submitter Name</b> | <b>Submission Point</b> | <b>Position</b>            | <b>Decision Requested</b>  |
|---------------------|-----------------------|-------------------------|----------------------------|--|
| V1-0029             | G and L Burgess       | 014                     | Neither Support Nor Oppose | Not specified.   |
| V1-0032             | Eliot Sinclair        | 040                     | Neither Support Nor Oppose | Not specified.   |
| V1-0102             | CSI                   | FS197                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103             | CGPL                  | FS197                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114             | CSI and RWRL          | FS197                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115             | RIDL                  | FS197                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056             | Ara Poutama           | 020                     | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074             | Jeremy Alsop          | 018                     | Oppose                     | Delete as notified   |
| V1-0077             | Ryman                 | 035                     | Oppose                     | Not specified.   |
| V1-0079             | RVA                   | 035                     | Oppose                     | Not specified.   |
| V1-0102             | CSI                   | FS083                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103             | CGPL                  | FS083                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0113             | Kāinga Ora            | FS069                   | Oppose                     | Disallow   |
| V1-0114             | CSI and RWRL          | FS083                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115             | RIDL                  | FS083                   | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0096             | Metlifecare           | 012                     | Oppose In Part             | Not specified  |
| V1-0107             | CRC                   | 015                     | Support                    | Retain as notified.  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0112      | Hughes         | 006              | Support In Part | Amend RESZ-MAT8.6.c as follows:<br>6. Extent to which landscaping on the site:<br>....<br>c. reduces the visual impact of buildings <u>on neighbouring properties</u> through screening and planting;  |
| V1-0102      | CSI            | FS034            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS034            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS034            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS034            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0112      | Hughes         | 007              | Support In Part | Amend as follows:<br><u>7. The extent to which the development is consistent with the rule requirements listed in MRZ-R2</u>   |
| V1-0102      | CSI            | FS035            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS035            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS035            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS035            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | 039              | Oppose          | Delete as notified.  |
| V1-0102      | CSI            | FS304            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS304            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS304            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS304            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 031              | Support         | Retain as notified.  |
| V1-0115      | RIDL           | 039              | Support         | Retain as notified   |
| V1-0021      | Lincoln Voice  | FS041            | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that</i> |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <i>they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 7.97 Hughes<sup>61</sup> considers that clause 6(c) should be amended to clarify that the assessment of visual impacts arising from additional residential units should only be in relation to neighbouring properties. I do not agree and consider that it is appropriate that the extent to which landscaping reduces the visual impact of additional residential units is also an appropriate consideration on a site, as much as it is a wider context. I therefore recommend that this submission point be rejected.
- 7.98 Hughes<sup>62</sup> also seek that, in circumstances where an application is for additional residential units the assessment of effects should consider the degree to which the residential units comply with the same built form standards as the permitted level of development on a site. As this matter is applied to development in all residential zones, I do not consider it appropriate to include the amendment as proposed by the submitter. I also do not consider that it is necessary for this to be a specific matter of discretion, as I consider it is the role of the relevant rule requirements. I therefore recommend that this submission point be rejected.
- 7.99 Kāinga Ora<sup>63</sup> seeks that this matter be deleted, and that RESZ-MAT1 be amended to provide a single set of matters of discretion to cover additional residential units or developments of 4 or more residential units. I consider that it is appropriate that RESZ-MAT8 be retained as a matter of discretion when more than the permitted number of residential units are proposed on one site, to ensure that the adequacy of the site to accommodate the additional development in a manner that retains appropriate amenity, both for those on the site as well as the adjoining sites. I therefore recommend that this submission point be rejected.
- 7.100 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>64</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 7.101 Jeremy Alsop<sup>65</sup> opposes any changes to the district plan based on the Government's medium density housing policy. I consider that the amendments to RESZ-MAT8 are necessary to provide guidance to all plan users regarding the matters that are to be considered when considering a resource consent for additional residential units. I therefore recommend that this submission point be rejected.

<sup>61</sup> V1-0112.006 Hughes

<sup>62</sup> V1-0112.007 Hughes

<sup>63</sup> V1-0113.039 Kāinga Ora

<sup>64</sup> V1-0029.014 G and L Burgess, V1-0032.040 Eliot Sinclair and V1-0056.020 Ara Poutama

<sup>65</sup> V1-0074.018 Jeremy Alsop

- 7.102 Ryman and RVA<sup>66</sup> oppose this provision for the same reasons as RESZ-MAT1 and RESZ-MAT2. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.103 Referring to Metlifecare's<sup>67</sup> full submission, I record their support for RESZ-MAT8 as notified. I recommend that this submission point be accepted.
- 7.104 CRC, CSI and RWRL and RIDL<sup>68</sup> request that the RESZ-MAT8 be retained as notified. I recommend that these submission points be accepted.
- 7.105 I also record that a clause 16(2) amendment is necessary to LRZ-R2.5.b., GRZ-R2.5.b and SETZ-R2.5.b., to reflect the amended title to RESZ-MAT8 proposed by Variation 1.

### ***Recommendation***

- 7.106 I recommend, for the reasons given above, that the Hearings Panel retains the variation provision RESZ-MAT8 as notified.
- 7.107 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-MATA**

#### ***Submissions***

- 7.108 Eleven submission points and 14 further submission points were received in relation to RESZ-MATA.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested  |
|--------------|-----------------|------------------|----------------------------|---|
| V1-0029      | G and L Burgess | 015              | Neither Support Nor Oppose | Not specified.  |
| V1-0032      | Eliot Sinclair  | 041              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI             | FS198            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL            | FS198            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0114      | CSI and RWRL    | FS198            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL            | FS198            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0056      | Ara Poutama     | 021              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0074      | Jeremy Alsop    | 019              | Oppose                     | Delete as notified  |
| V1-0077      | Ryman           | 036              | Oppose                     | Not specified.  |
| V1-0079      | RVA             | 036              | Oppose                     | Not specified.  |

<sup>66</sup> V1-0077.035 Ryman and V1-0079.035 RVA

<sup>67</sup> V1-0096.012 Metlifecare

<sup>68</sup> V1-0107.015 CRC, V1-0114.031 CSI and RWRL and V1-0115.039 RIDL

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested   |
|--------------|----------------|------------------|----------------|--|
| V1-0102      | CSI            | FS084            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS084            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS070            | Oppose         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS084            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS084            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0096      | Metlifecare    | 013              | Oppose In Part | Not specified  |
| V1-0107      | CRC            | 016              | Support        | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 040              | Support        | Retain as notified.  |
| V1-0102      | CSI            | FS305            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS305            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS305            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS305            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 032              | Support        | Retain as notified.  |
| V1-0115      | RIDL           | 040              | Support        | Retain as notified   |
| V1-0021      | Lincoln Voice  | FS042            | Oppose         | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

7.109 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>69</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.

7.110 Jeremy Alsop<sup>70</sup> opposes any changes to the district plan based on the Government's medium density housing policy. I consider that the inclusion of this provision is necessary to provide

<sup>69</sup> V1-0029.015 G and L Burgess, V1-0032.041 Eliot Sinclair and V1-0056.021 Ara Poutama

<sup>70</sup> V1-0074.019 Jeremy Alsop

guidance to all plan users regarding the matters that are to be considered when considering a resource consent for non-compliance with MRZ-REQ7 Windows to Street. As such, I recommend that this submission point be rejected.

- 7.111 Ryman and RVA<sup>71</sup> consider that the matters of discretion must focus on the effects resulting from the infringement of the standard. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.112 Referring to Metlifecare's<sup>72</sup> full submission, I record their support for RESZ-MATA as notified. I recommend that this submission point be accepted.
- 7.113 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>73</sup> request that the RESZ-MATA be retained as notified. I recommend that these submission points be accepted.

### ***Recommendation***

- 7.114 I recommend, for the reasons given above, that the Hearings Panel retains the variation provision RESZ-MATA as notified.
- 7.115 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **RESZ-MATB, RESZ-MATC and RESZ-MATD**

#### ***Submissions***

- 7.116 33 submission points and 42 further submission points were received in relation to RESZ-MATB, RESZ-MATC and RESZ-MATD.

| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
| V1-0029      | G and L Burgess | 016              | RESZ-MATB      | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 042              | RESZ-MATB      | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS199            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL            | FS199            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL    | FS199            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL            | FS199            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the</i>                                  |

<sup>71</sup> V1-0077.036 Ryman and V1-0079.036 RVA

<sup>72</sup> V1-0096.013 Metlifecare

<sup>73</sup> V1-0107.016 CRC, V1-0113.040 Kāinga Ora, V1-0114.032 CSI and RWRL and V1-0115.040 RIDL



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------|----------------------------|---|
|              |                |                  |                |                            | <i>relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 022              | RESZ-MATB      | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0074      | Jeremy Alsop   | 020              | RESZ-MATB      | Oppose                     | Delete as notified  |
| V1-0077      | Ryman          | 037              | RESZ-MATB      | Oppose                     | Not specified.  |
| V1-0079      | RVA            | 037              | RESZ-MATB      | Oppose                     | Not specified.  |
| V1-0102      | CSI            | FS085            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS085            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS071            | RESZ-MATB      | Oppose                     | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL   | FS085            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS085            | RESZ-MATB      | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0096      | Metlifecare    | 014              | RESZ-MATB      | Oppose In Part             | Not specified   |
| V1-0107      | CRC            | 017              | RESZ-MATB      | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 041              | RESZ-MATB      | Oppose                     | Amend as follows:<br>1. The degree to which any reduction in outdoor living space will adversely affect the ability of the site to provide for the outdoor living needs of residents of the site.<br><del>2. The extent to which any outdoor living space intrudes in front of any residential unit such that it would be likely to give rise to pressure to erect high fences between the residential unit and the street, to the detriment of an open street scene.</del><br>3. The degree to which large areas of public open space are provided within very close proximity to the site.<br>4. The degree to which a reduction in outdoor living space would contribute to a visual perception of cramped |

| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
|              |                 |                  |                |                            | <del>development or over-development of the site.</del>  |
| V1-0102      | CSI             | FS306            | RESZ-MATB      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL            | FS306            | RESZ-MATB      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | FS306            | RESZ-MATB      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS306            | RESZ-MATB      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | 033              | RESZ-MATB      | Support                    | Retain as notified.  |
| V1-0115      | RIDL            | 041              | RESZ-MATB      | Support                    | Retain as notified   |
| V1-0021      | Lincoln Voice   | FS043            | RESZ-MATB      | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |
| V1-0029      | G and L Burgess | 017              | RESZ-MATC      | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 043              | RESZ-MATC      | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS200            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL            | FS200            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | FS200            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS200            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------|----------------------------|---|
| V1-0056      | Ara Poutama    | 023              | RESZ-MATC      | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0074      | Jeremy Alsop   | 021              | RESZ-MATC      | Oppose                     | Delete as notified  |
| V1-0077      | Ryman          | 038              | RESZ-MATC      | Oppose                     | Not specified.  |
| V1-0079      | RVA            | 038              | RESZ-MATC      | Oppose                     | Not specified.  |
| V1-0102      | CSI            | FS086            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS086            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS072            | RESZ-MATC      | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL   | FS086            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS086            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0096      | Metlifecare    | 015              | RESZ-MATC      | Oppose In Part             | Not specified   |
| V1-0107      | CRC            | 018              | RESZ-MATC      | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 042              | RESZ-MATC      | Oppose                     | Delete as notified and replace as follows:<br><u>1. The extent to which habitable rooms have an outlook.</u><br><u>2. The ability of the affected habitable rooms to receive daylight.</u><br><u>3. The visual and landscape quality of the outlook space from the habitable rooms.</u><br><u>4. The extent to which visual privacy is provided between habitable rooms of different residential units, on the same site.</u><br><u>5. The extent to which the development provides additional outlook spaces from habitable rooms.</u> |
| V1-0055      | AgResearch     | FS049            | RESZ-MATC      | Support In Part            | Allow the submission in part  |
| V1-0102      | CSI            | FS307            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS307            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |

| Submitter ID | Submitter Name  | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------|----------------------------|--|
| V1-0114      | CSI and RWRL    | FS307            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS307            | RESZ-MATC      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | 034              | RESZ-MATC      | Support                    | Retain as notified.  |
| V1-0115      | RIDL            | 042              | RESZ-MATC      | Support                    | Retain as notified   |
| V1-0021      | Lincoln Voice   | FS044            | RESZ-MATC      | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |
| V1-0029      | G and L Burgess | 018              | RESZ-MATD      | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 045              | RESZ-MATD      | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS202            | RESZ-MATD      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL            | FS202            | RESZ-MATD      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL    | FS202            | RESZ-MATD      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL            | FS202            | RESZ-MATD      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0056      | Ara Poutama     | 024              | RESZ-MATD      | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 022              | RESZ-MATD      | Oppose                     | Delete as notified   |
| V1-0077      | Ryman           | 039              | RESZ-MATD      | Oppose                     | Not specified.   |
| V1-0079      | RVA             | 039              | RESZ-MATD      | Oppose                     | Not specified.   |
| V1-0102      | CSI             | FS087            | RESZ-MATD      | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position       | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------|--|
| V1-0103      | CGPL           | FS087            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS073            | RESZ-MATD      | Oppose         | Disallow   |
| V1-0114      | CSI and RWRL   | FS087            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS087            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0096      | Metlifecare    | 016              | RESZ-MATD      | Oppose In Part | Not specified  |
| V1-0107      | CRC            | 020              | RESZ-MATD      | Support        | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 043              | RESZ-MATD      | Oppose         | Amend as follows:<br>1. The extent to which the proposed landscaping enhances residential amenity and is integrated within the site design to:<br>...<br><del>d. contribute to a cooling effect of the urban environment.</del><br>2. Whether the development incorporates CPTED principles as required to achieve a safe, secure environment.<br>3. Effects on the permeability of the site for stormwater run-off and subsequent effects on adjoining sites. |
| V1-0102      | CSI            | FS308            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS308            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS308            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS308            | RESZ-MATD      | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 035              | RESZ-MATD      | Support        | Retain as notified.  |
| V1-0115      | RIDL           | 043              | RESZ-MATD      | Support        | Retain as notified   |
| V1-0021      | Lincoln Voice  | FS045            | RESZ-MATD      | Oppose         | Disallowed in part<br>The Council should recognise   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | <i>that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 7.117 In relation to RESZ-MATB, Kāinga Ora<sup>74</sup> seeks amendments for clarity and to ensure that the matters are related to the intent of the outdoor living space standard of providing amenity to residents of the site. I consider that, having regard to RESZ-O1, RESZ-P3, RESZ-PA, MRZ-R5 and RESZ-MAT7, retention of clause 2 is appropriate when considering any non-compliance with MRZ-REQ8. I accept that there is no need to refer to ‘large’ areas of open space, as any open space areas will be, or have been, provided in accordance with Council’s level of service set out in its Open Space Strategy<sup>75</sup>. I consider that clause 4 is focused on the outward appearance of the development and I agree with the submitter that, in respect to the rule requirement that triggers this matter, it is more appropriate that the matter be focused on the amenity on site. For that reason, I consider that clause 4 should be deleted. I therefore recommend that this submission point be accepted in part.
- 7.118 In relation to RESZ-MATC, Kāinga Ora<sup>76</sup> requests that this matter be deleted and replaced with one that is clearer and related to the relevant rule requirement. I acknowledge that the perception of the adequacy of outlook space could vary from person to person, and that the intent of the rule requirement is related to the provision of an outlook, rather than access to sunlight, and therefore accept that clause 1 should be amended and clause 3 deleted. However, I consider that the matter covered in clause 5 proposed by the submitter is sufficiently covered by clause 2 and therefore there is no need for this additional clause. I recommend that this submission point be accepted in part.
- 7.119 In relation to RESZ-MATD, Kāinga Ora<sup>77</sup> seeks that clause 1(d) be deleted as they consider it is unclear how this component would be assessed, and that clause 2 also be deleted as they consider that it relates more to building design considerations than landscaping. As I consider that any planting would contribute to a cooling effect, I agree that it is unclear how non-compliance with MRZ-REQ10 would be assessed in this respect and therefore agree that clause 1(d) should be deleted. However, I consider that landscaping can, and does, contribute to the perception of a safe

<sup>74</sup> V1-0113.041 Kāinga Ora

<sup>75</sup> [https://www.selwyn.govt.nz/\\_\\_data/assets/pdf\\_file/0009/175905/Selwyn-District-Council\\_Open-Space-Strategy\\_reduced.pdf](https://www.selwyn.govt.nz/__data/assets/pdf_file/0009/175905/Selwyn-District-Council_Open-Space-Strategy_reduced.pdf)

<sup>76</sup> V1-0113.042 Kāinga Ora

<sup>77</sup> V1-0113.043 Kāinga Ora

and secure environment, and that this is an outcome sought by RESZ-O1 and RESZ-PA. I therefore consider that clause 2 should be retained, and recommend that this submission point be accepted in part.

- 7.120 G and L Burgess, Eliot Sinclair and Ara Poutama<sup>78</sup> are neutral on all of these provisions. I recommend that these submission points be accepted in part as I have proposed that they be amended.
- 7.121 Jeremy Alsop<sup>79</sup> opposes any changes to the district plan based on the Government's medium density housing policy. I consider that the inclusion of these provisions is necessary to provide guidance to all plan users regarding the matters that are to be considered when considering a resource consent for non-compliance with the relevant rule requirement. As such, I recommend that these submission points be rejected.
- 7.122 Ryman and RVA<sup>80</sup> consider that the matters of discretion must focus on the effects resulting from the infringement of the standard. In the absence of a specific alternative to assess, I recommend that these submission points be rejected.
- 7.123 Referring to Metlifecare's<sup>81</sup> full submission, I record their support for these provisions as notified. I recommend that these submission points be accepted in part as I have proposed that they be amended.
- 7.124 CRC, CSI and RWRL and RIDL<sup>82</sup> request that the RESZ-MATB be retained as notified. I recommend that these submission points be accepted in part as I have proposed that they be amended.

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

- 7.125 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend RESZ-MATB as shown in **Appendix 2**, to ensure that the matter is related to the provision of amenity for residents of a development.
  - b) amend RESZ-MATC as shown in **Appendix 2**, to ensure that the matter is related to the provision of amenity for residents of a development.
  - c) amend RESZ-MATD as shown in **Appendix 2**, to remove ambiguity.
- 7.126 I recommend that the original submission point and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 7.127 The scale of change does not require a s32AA evaluation.

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<sup>78</sup> V1-0029.016, 017 and 018 G and L Burgess, V1-0032.042, 043 and 045 Eliot Sinclair and V1-0056.022, 023 and 024 Ara Poutama

<sup>79</sup> V1-0074.020, 021 and 022 Jeremy Alsop

<sup>80</sup> V1-0077.037, 038 and 039 Ryman and V1-0079.037, 038 and 039 RVA

<sup>81</sup> V1-0096.014, 015 and 016 Metlifecare

<sup>82</sup> V1-0107.017, 018 and 020 CRC, V1-0114.033, 034 and 035 CSI and RWRL and V1-0115.041, 042 and 043 RIDL

## New Matters

### Submissions

- 7.128 Three submission points and five further submission points were received seeking that a new be included in the RESZ chapter in relation to retirement villages.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0077      | Ryman          | 040              | Oppose   | <p>Insert as follows:</p> <p><u>RESZ-MATX Retirement Villages</u></p> <p><u>a. The effects arising from exceeding any of the relevant density standards.</u></p> <p><u>b. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p><u>c. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p><u>d. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p><u>e. When assessing the matters in 1 -4, consider:</u></p> <p><u>i. The need to provide for efficient use of larger sites;</u><br/> <u>and</u></p> <p><u>ii. The functional and operational needs of the retirement village.</u></p> <p><u>f. The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent made in respect of rule RESX-MATX is precluded from being publicly notified.</u></p> <p><u>An application for resource consent made in respect of rule MRZ-R2 that complies with MRZ-REQ2 – MRZ-REQ5 is precluded from being limited notified.</u></p> |
| V1-0079      | RVA            | 040              | Oppose   | <p>Insert as follows:</p> <p><u>RESZ-MATX Retirement Villages</u></p> <p><u>a. The effects arising from exceeding any of the relevant density standards.</u></p> <p><u>b. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p><u>c. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p><u>d. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p><u>e. When assessing the matters in 1 -4, consider:</u></p> <p><u>i. The need to provide for efficient use of larger sites;</u><br/> <u>and</u></p> <p><u>ii. The functional and operational needs of the retirement village.</u></p> <p><u>f. The positive effects of the construction, development and use of the retirement village.</u></p>  |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p> <p><u>Notification status:</u></p> <p><u>An application for resource consent made in respect of rule RESX-MATX is precluded from being publicly notified.</u></p> <p><u>An application for resource consent made in respect of rule MRZ-R2 that complies with MRZ-REQ2 – MRZ-REQ5 is precluded from being limited notified.</u></p>  |
| V1-0102      | CSI            | FS088            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS088            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS074            | Oppose   | <i>Disallow</i>   |
| V1-0114      | CSI and RWRL   | FS088            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS088            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0096      | Metlifecare    | 019              | Support  | <p>Provide a new matter of discretion for the Design of Retirement Villages as follows:</p> <p><u>1. The design and location of buildings and structures and how this relates to the planned built character of the zone.</u></p> <p><u>2. The functional and operational needs of retirement villages.</u></p> <p><u>3. Whether the development is adequately serviced by three waters infrastructure or can address any constraints on the site.</u></p> <p><u>4. Whether the development includes outdoor space that is sufficient to cater to the needs of the residents of the village.</u></p> <p><u>5. The effects of the retirement village on the safety of and interface with adjacent streets or public open spaces.</u></p> |

### Analysis

- 7.129 Ryman and RVA<sup>83</sup> consider that a specific set of matters of discretion should apply to the construction of or alteration/addition to retirement villages.
- 7.130 Metlifecare<sup>84</sup> considers that retirement villages have a different form of development and seeks to ensure that matters of discretion are appropriate to reflect these differences.
- 7.131 As with the request for new objectives and policies above, I consider that the intent of the requested matter is similar to that requested by various submitters through the PDP process and I refer to the Panel to the discussion in Section 8 of the s42A report for the *Residential* chapter and the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing in this

<sup>83</sup> V1-0077.040 Ryman and V1-0079.040 RVA

<sup>84</sup> V1-0096.019 Metlifecare

regard. I do not consider that further amendment is required in response to Variation 1 and therefore recommend that these submission points be rejected.

### **Recommendation**

- 7.132 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**.

## **Residential Schedule**

### **Submissions**

- 7.133 Six submission points and four further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Position           | Decision Requested  |
|--------------|----------------|------------------|--------------------|---|
| V1-0092      | SDC            | 014              | Support<br>In Part | Insert a diagram or illustration to demonstrate how setbacks are to be measured in the MRZ.<br>Or alternative relief to achieve the intended outcome.   |
| V1-0095      | Fletcher       | 004              | Oppose<br>In Part  | Amend as follows:<br>In LLRZ, LRZ, GRZ, <u>MRZ</u> and SETZ, the required setback shall:<br>- be measured from the external wall of the building closest to the relevant boundary; and<br>- exclude eaves up to 0.6m in width from the wall of a building.<br><del>MRZ</del><br><del>In MRZ, the required setback shall be measured in accordance with building coverage. No section of any building, including any part of the building that extends beyond the ground floor level of the building and overhangs the ground, may extend within the required setback.</del> |
| V1-0077      | Ryman          | FS041            | Support            | Allow the submission  |
| V1-0079      | RVA            | FS041            | Support            | Allow the submission  |
| V1-0112      | Hughes         | 017              | Support<br>In Part | Amend as follows:<br>In LLRZ, LRZ, GRZ, <u>MRZ</u> and SETZ, the required setback shall:<br>...<br><del>MRZ</del><br><del>In MRZ, the required setback shall be measured in accordance with building coverage. No section of any building, including any part of the building that extends beyond the ground floor level of the building and overhangs the ground, may extend within the required setback.</del>  |
| V1-0102      | CSI            | FS045            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS045            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS045            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS045            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |

| Submitter ID | Submitter Name | Submission Point | Position          | Decision Requested  |
|--------------|----------------|------------------|-------------------|---|
| V1-0113      | Kāinga Ora     | 044              | Oppose<br>In Part | Amend as follows:<br>In LLRZ, LRZ, GRZ, <u>MRZ</u> and SETZ, the required setback shall:<br>...<br><del>MRZ</del><br>In MRZ, the required setback shall be measured in accordance with building coverage. No section of any building, including any part of the building that extends beyond the ground floor level of the building and overhangs the ground, may extend within the required setback. |
| V1-0077      | Ryman          | FS048            | Support           | Allow the submission  |
| V1-0079      | RVA            | FS048            | Support           | Allow the submission  |
| V1-0102      | CSI            | FS309            | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS309            | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS309            | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS309            | Support           | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |

### Analysis

- 7.134 Fletcher, Hughes, and Kāinga Ora<sup>85</sup> consider that the measurement of setbacks in the MRZ should be measured in the same manner as that of the other four residential zones.
- 7.135 In the LRZ, GRZ and SETZ, a minimum setback of 2m from internal boundaries is required (as a permitted activity), while in the LLRZ, the minimum setback is 5m from internal boundaries. Allowing eaves to up 0.6m to intrude into this setback requirement does not significantly impact on the perception of space around development, which I consider is the intent of RESZ-P3. In relation to the setback of development from internal boundaries in the LRZ, GRZ, and SETZ, exterior walls of buildings could be located minimum of 4m apart, while a minimum gap of 2.8m could be provided between neighbouring eaves. In the MRZ, the minimum internal boundary setback is 1m therefore the exterior walls of buildings could be located a minimum of 2m apart, with [only] a minimum gap of 0.8m between neighbouring eaves. I consider that this reduced setback has the potential to impact on the perception of space around a building, and while I acknowledge that this perception will change due to the various bulk and location provisions included within the MRZ, I do not consider that a lesser space is appropriate within the Selwyn context, or expressly considered by the density standards in the RMA-EHS.
- 7.136 In this regard, I do not consider that measuring setbacks in the manner notified extends the setback requirement contained in Schedule 3A of the RMA-EHS, as no guidance has been provided within the standard on how this is to be measured. I also note that in the consideration of the Planning Standards, the Ministry for the Environment<sup>86</sup> noted the difficulty in crafting a definition

<sup>85</sup> V1-0095.004 Fletcher, V1-0112.017 Hughes and V1-0113.044 Kāinga Ora

<sup>86</sup> <https://environment.govt.nz/assets/Publications/Files/21-definitions-standard.pdf> Section 3.98 Setback

to fit all relevant situations, including how it may be calculated, and resolved not to recommend including this within the Definitions Standard. As such, there is no national guidance on the measurement of setback and Council is able to determine this for itself.

- 7.137 I also do not consider that this interpretation will significantly limit design options for residential units, or that it would impact on the ability to implement the MDRS as intended. In this respect, while I support the retention of eaves for their contribution to residential comfort that they provide, the option exists to design residential units without these features, or to internalise gutters, as appropriate.
- 7.138 I therefore recommend that the submissions of Fletcher, Hughes and Kāinga Ora be rejected.
- 7.139 SDC<sup>87</sup> seeks that the measurement of setbacks in the MRZ be supported by an illustration, in a similar way to the other residential zones. I consider that this would improve clarity within the PDP and therefore recommend that this submission point be accepted.

#### **Recommendation and amendments**

- 7.140 I recommend that, for the reasons given above, the Hearing Panel:
- a) Incorporate an illustration into RESZ-SCHED1, as shown in **Appendix 2**, to improve clarity.
- 7.141 I recommend that the original submission point and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 7.142 The scale of change does not require a s32AA evaluation.

## **8. General Residential Zone**

### **Introduction**

- 8.1 This section addresses all the submission points received in relation to the General Residential Zone (GRZ) chapter of the PDP.

### **Overview**

### **Submissions**

- 8.2 One submission point and one further submission point was received in relation to GRZ-Overview.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0115      | RIDL           | 035              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS037            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

<sup>87</sup> V1-0092.014 SDC

### Analysis

- 8.3 RIDL<sup>88</sup> request that variation to the GRZ-Overview be retained as notified. I recommend that this submission point be accepted.

### Recommendation

- 8.4 I recommend that the Hearing Panel retains the variation to the GRZ-Overview as notified.
- 8.5 I recommend that the original submission point and the further submission point are accepted or rejected as shown in **Appendix 1**.

### Objectives

### Submissions

- 8.6 Four submission points and 9 further submission points were received in relation to GRZ-O1.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested  |
|--------------|-----------------|------------------|----------------------------|---|
| V1-0029      | G and L Burgess | 039              | Neither Support Nor Oppose | Not specified.  |
| V1-0032      | Eliot Sinclair  | 046              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI             | FS203            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL            | FS203            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL    | FS203            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL            | FS203            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora      | 014              | Support In Part            | Amend as follows:<br><u>Development within the 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, built form of predominantly two storey buildings, in a variety of housing typologies and sizes.</u> |
| V1-0102      | CSI             | FS279            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL            | FS279            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL    | FS279            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |

<sup>88</sup> V1-0115.035 RIDL

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0115      | RIDL           | FS279            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | 028              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS030            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 8.7 G and L Burgess and Eliot Sinclair<sup>89</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 8.8 The relief requested by Kāinga Ora<sup>90</sup> is the same as that they requested through the PDP process, and I refer to the Panel to Section 11 of the s42A report for the *Residential* chapter in this regard. I do not consider that further amendment is required in response to Variation 1 and I therefore recommend that this submission point be rejected.
- 8.9 RIDL<sup>91</sup> request that GRZ-O1 be retained as notified. I recommend that this submission point be accepted.

### ***Recommendation***

- 8.10 I recommend that the Hearing Panel retains the variation to GRZ-O1 as notified.
- 8.11 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### ***Rules***

#### **GRZ-R13 – Retirement Village**

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

- 8.12 One submission point was received in relation to GRZ-R13.

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested   |
|--------------|----------------|------------------|----------------|--|
| V1-0096      | Metlifecare    | 023              | Oppose In Part | Amend as follows:<br>1. Any retirement village, including the establishment of, or additional/external alteration to, a retirement village<br>Where this activity complies with the following rule |

<sup>89</sup> V1-0029.039 G and L Burgess and V1-0032.046 Eliot Sinclair

<sup>90</sup> V1-0113.014 Kāinga Ora

<sup>91</sup> V1-0107.018 CRC, V1-0114.034 CSI and RWRL and V1-0115.042 RIDL

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <p>requirements:</p> <p>...</p> <p>GRZ-REQ14 – Variety in Appearance<br/> <u>[And the following standards, subject to their amendment in line with the MDRS:]</u><br/> <u>GRZ-REQ2 Building Coverage</u><br/> <u>GRZ-REQ5: Setback</u><br/> <u>GRZ-REQ10: Landscape Area</u></p> <p>Matters of discretion:</p> <p>2.The exercise of discretion in relation to GRZ-R13.1 is restricted to the following matters:<br/> <u>(g) RESZ-MAT 13 Location of Comprehensive Development and Retirement Village</u><br/> <u>(h) RESZ-MAT 14 Design of Small Scale Development, Comprehensive Development and Retirement Village</u><br/> <u>(i) The matters in GRZ-P1.</u><br/> <u>(j) RESZ-MAT17 (Design of Retirement Villages).</u><br/> <u>(k) NH-MAT3 Geotechnical Considerations.</u></p> <p>Activity status when compliance not achieved:</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: <u>Refer to GRZ Rule Requirements:-</u></p> <p><u>4. The exercise of discretion in relation to GRZ-R13.3 is restricted to the following matters</u><br/> <u>(a) The extent and effect of non-compliance with the rule requirements in relation to MRZ-R13.2 above.</u><br/> <u>(b) The matters in MRZ-P1 and MRZ-P2.</u><br/> <u>(c) The relevant matters in RESZ-P1 and RESZ-P2 (Residential Activities), RESZ-PA and RESZ-PB (Residential Amenity), RESZ-P5 (Outdoor Living Space) and RESZ-P[X] (Retirement Village [as modified above]).</u><br/> <u>(d) RESZ-MAT17 (Design of Retirement Villages).</u><br/> <u>(e) NH-MAT3 Geotechnical Considerations.</u></p> |

### ***Analysis***

- 8.13 Metlifecare<sup>92</sup> seek amendments to GRZ-R13, which is not subject to Variation 1. I therefore consider that the submission point is out of scope for this hearing and recommend that it be rejected. I note that GRZ-R13 is addressed in Section 11 of the s42A report for the *Residential* chapter.

### ***Recommendation***

- 8.14 I recommend that the Hearings Panel retains GRZ-R13 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 8.15 I recommend that the original submission point be rejected as shown in **Appendix 1**.

<sup>92</sup> V1-0096.023 Metlifecare

**GRZ-R15 – Commercial Activities****Submissions**

8.16 Eight submission points and nine further submission points were received in relation to GRZ-R15.

| Submitter ID | Submitter Name  | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------|------------------|----------------------------|--|
| V1-0029      | G and L Burgess | 024              | Neither Support Nor Oppose | Not specified.   |
| V1-0032      | Eliot Sinclair  | 047              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI             | FS204            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS204            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | FS204            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS204            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama     | 012              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0074      | Jeremy Alsop    | 007              | Oppose                     | Delete as notified   |
| V1-0107      | CRC             | 006              | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora      | 045              | Support                    | Retain as notified.  |
| V1-0102      | CSI             | FS310            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL            | FS310            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | FS310            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL            | FS310            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL    | 037              | Support                    | Retain as notified   |
| V1-0115      | RIDL            | 034              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice   | FS036            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |



### Analysis

- 8.17 G and L Burgess, Eliot Sinclair, and Ara Poutama<sup>93</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 8.18 Jeremy Alsop<sup>94</sup> opposes any changes to the district plan based on the Government's medium density housing policy. I consider that the amendment to GRZ-R15 is a procedural amendment, required to ensure that the PDP complies with the requirement of the Planning Standards, which requires that precincts that apply to only one zone be located within the relevant zone chapter. As the underlying zone to which PREC3 relates is proposed by the Variation to be rezoned from GRZ to MRZ, it is necessary to amend GRZ-R15 to remove reference to PREC3. The same provision is now proposed as MRZ-R11. I therefore recommend that this submission point be rejected.
- 8.19 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>95</sup> request that GRZ-R15 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 8.20 I recommend that the Hearing Panel retains the variation to GRZ-R15 as notified.
- 8.21 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### Rule Requirements

#### **GRZ-REQ1, GRZ-REQ2, GRZ-REQ3, GRZ-REQ4, GRZ-REQ5, GRZ-REQ8, GRZ-REQ10 and GRZ-REQ13**

### Submissions

- 8.22 Four submission points and 15 further submission points were received in relation to GRZ-O1.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
| V1-0096      | Metlifecare    | 025              | GRZ-REQ1       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 026              | GRZ-REQ2       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 027              | GRZ-REQ3       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 028              | GRZ-REQ4       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 029              | GRZ-REQ5       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 030              | GRZ-REQ8       | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 031              | GRZ-REQ10      | Oppose   | Amend to align with the MDRS   |
| V1-0096      | Metlifecare    | 024              | GRZ-REQ13      | Oppose   | Delete GRZ-REQ13 or otherwise amend GRZ REQ13 to reflect the following, provided that they are updated to align with the MDRS<br>GRZ-REQ1 Servicing<br>GRZ-REQ2 Building Coverage<br>GRZ-REQ3 Height<br>GRZ-REQ4 Height in Relation to Boundary<br>GRZ-REQ5: Setback |

<sup>93</sup> V1-0029.024 G and L Lynda Burgess, V1-0032.047 Eliot Sinclair and V1-0056.012 Ara Poutama

<sup>94</sup> V1-0074.007 Jeremy Alsop

<sup>95</sup> V1-0107.006 CRC, V1-0113.045 Kāinga Ora, V1-0114.037 CSI and RWRL and V1-0115.034 RIDL

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested   |
|--------------|----------------|------------------|----------------|----------|--|
|              |                |                  |                |          | GRZ-REQ8 Presentation to the Street<br>GRZ-REQ10: Landscape Area |

### Analysis

- 8.23 Metlifecare<sup>96</sup> seek amendments to GRZ-REQ1, GRZ-REQ2, GRZ-REQ3, GRZ-REQ4, GRZ-REQ5, GRZ-REQ8, GRZ-REQ10 and GRZ-REQ13, which are not subject to Variation 1. I therefore consider that the submission points are out of scope for this hearing and recommend that they be rejected. I note that the GRZ Rule Requirements are addressed in Section 11 of the s42A report for the *Residential* chapter.

### Recommendation

- 8.24 I recommend, for the reasons given above, that the Hearings Panel retains GRZ-REQ1, GRZ-REQ2, GRZ-REQ3, GRZ-REQ4, GRZ-REQ5, GRZ-REQ8, GRZ-REQ10 and GRZ-REQ13 as notified, subject to any changes arising from the original s42A report for the *Residential* hearing.
- 8.25 I recommend that the original submission points be rejected as shown in **Appendix 1**.

### GRZ – Generally

#### Submissions

- 8.26 Two submission points were received in relation to the GRZ generally.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0041      | Mark Howard    | 001              | Support  | Rezone LLRZ area along Iris Taylor Ave to GRZ.  |
| V1-0096      | Metlifecare    | 022              | Oppose   | Apply the MDRS and Density Standards to the GRZ, subject to the amendments proposed to GRZ-R13 and GRZ-REQ13. |

### Analysis

- 8.27 Mark Howard<sup>97</sup> requests that the zoning along Iris Taylor Avenue in West Melton be rezoned from LLRZ to GRZ. Variation 1 does not proposed a change to the zoning of land in West Melton, for the reasons set out in paragraph 4.10 above and the supporting [Section 32 evaluation](#). As such, I consider that this submission point is out of scope for this hearing, and therefore recommend that the submission point be rejected. I note that the *Rezoning: West Melton*<sup>98</sup> s42A report considers the appropriateness of the LLRZ in this location.
- 8.28 Metlifecare<sup>99</sup> considers that the GRZ qualifies as a “relevant residential zone” for the purposes of the RMA-EHS and requests that the density standards be applied to this zone. The approach of Council to the application of the MDRS is clearly set out in the [Section 32 evaluation](#). In this regard,

<sup>96</sup> V1-0096.023 Metlifecare

<sup>97</sup> V1-0041.001 Mark Howard

<sup>98</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0009/1512819/s42A-Rezone-West-Melton.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0009/1512819/s42A-Rezone-West-Melton.pdf)

<sup>99</sup> V1-0096.023 Metlifecare

it is considered that the *relevant residential zones*<sup>100</sup> within Selwyn are in the townships of Lincoln, Prebbleton, and Rolleston. Within the PDP, residential areas in these townships have either been zoned GRZ or LLRZ. Through Variation 1, the GRZ in these townships has been proposed to be rezoned to MRZ, and that the MRZ would implement the MDRS. I do not consider that the remaining areas within the District that, at this time, have a GRZ zoning, being West Melton and Castle Hill, are a relevant residential zone for the purposes of applying the MDRS. I therefore recommend that this submission point be rejected.

- 8.29 I therefore consider that the above submission points are out of scope for this hearing and recommend that they be rejected.

### ***Recommendation***

- 8.30 I recommend that, for the reasons above, the original submission points are rejected as shown in **Appendix 1**.

## **9. Medium Density Residential Zone**

### ***Introduction***

- 9.1 This section addresses all the submission points received in relation to the Medium Density Residential Zone (MRZ) chapter of the PDP, as proposed to be inserted via Variation 1.

### ***Overview***

### ***Submissions***

- 9.2 Seven submission points and six further submission points were received in relation to the MRZ-Overview.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0056      | Ara Poutama    | 026              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 041              | Oppose In Part             | Amend the overview section to recognise the important role of retirement villages in providing for the ageing population and to recognise that the nature and effects of retirement villages are different to other residential activities. |
| V1-0079      | RVA            | 041              | Oppose In Part             | Amend the overview section to recognise the important role of retirement villages in providing for the ageing population and to recognise that the nature and effects of retirement villages are different to other residential activities. |

<sup>100</sup> Section 2 of the RMA – A relevant residential zone

(a) means all residential zones; but

(b) does not include—

(i) a large lot residential zone:

(ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment:

(iii) an offshore island:

(iv) to avoid doubt, a settlement zone

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
| V1-0102      | CSI            | FS089            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS089            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS075            | Oppose         | <i>Disallow</i>   |
| V1-0114      | CSI and RWRL   | FS089            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS089            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0096      | Metlifecare    | 020              | Oppose In Part | Amend as follows:<br>The purpose of the Medium Density Residential zone is to provide areas for a higher density of residential development than elsewhere in the district.<br>...<br><u>Retirement villages are also anticipated in this zone, to assist in meeting the growing demand for housing for the elderly. The functional and operational requirements of these different types of housing solutions are recognised.</u><br>... |
| V1-0107      | CRC            | 022              | Support        | Retain as notified.   |
| V1-0114      | CSI and RWRL   | 039              | Support        | Retain as notified  |
| V1-0115      | RIDL           | 029              | Support        | Retain as notified.   |
| V1-0021      | Lincoln Voice  | FS031            | Oppose         | <i>Disallowed in part</i><br><i>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>  |

### Analysis

- 9.3 Ara Poutama<sup>101</sup> holds a neutral view on this provision, subject to the matters raised in their submission on the PDP being addressed. As Ara Poutama has not requested any specific changes to this provision, I recommend that this submission point be accepted.
- 9.4 Ryman and RVA<sup>102</sup> consider that the MRZ-Overview fails to acknowledge the important role of retirement villages in providing for the ageing population. I disagree and consider that the purpose of the overview is to set out the intent of the zone in its entirety. I consider that the overarching objectives for all residential zones recognise that a range of accommodation needs are required,

<sup>101</sup> V1-0056.026 Ara Poutama

<sup>102</sup> V1-0077.041 Ryman and V1-0079.041 RVA

to provide for all elements of the community, including older people. I also consider that, as discussed below, inclusion of a specific provision relating to retirement villages will recognise that this form of development is anticipated within this zone. I therefore recommend that these submission points be rejected.

9.5 Metlifecare<sup>103</sup> also seek specific recognition of retirement villages within the MRZ-Overview. The MRZ-Overview refers to a variety of built form typologies, rather than to the nature of occupation of these typologies. As development within a retirement village is likely to comprise of similar typologies, and having regard to the reasons set out above, I do not consider it necessary to specifically identify retirement villages within the MRZ-Overview. I therefore recommend that this submission point be rejected.

9.6 CRC, CSI and RWRL and RIDL<sup>104</sup> request that the MRZ-Overview be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

9.7 I recommend, for the reasons given above, that the Hearings Panel retains the variation provision MRZ-Overview as notified.

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

### **Objectives**

### **Submissions**

9.9 Nine submission points and 14 further submission points were received in relation to MRZ-O1.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 049              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS206            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS206            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS206            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS206            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 001              | Support In Part            | Amend as follows:<br>The Medium Density Residential Zone provides for a variety of housing types, <u>households</u> , and sizes that respond to: ... |
| V1-0077      | Ryman          | 042              | Support                    | Retain as notified.  |

<sup>103</sup> V1-0096.020 Metlifecare

<sup>104</sup> V1-0107.022 CRC, V1-0114.039 CSI and RWRL and V1-0115.029 RIDL

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0079      | RVA            | 042              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS090            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS090            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS076            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS090            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS090            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0083      | Waka Kotahi    | 024              | Support         | Not specified.   |
| V1-0107      | CRC            | 023              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 046              | Support In Part | Amend as follows:<br>The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:<br>1. housing needs and demands; and<br>...  |
| V1-0102      | CSI            | FS311            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS311            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS311            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS311            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 040              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 044              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS046            | Oppose          | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### Analysis

- 9.10 Eliot Sinclair<sup>105</sup> holds a neutral view on MRZ-O1 and have not requested any changes. I recommend that this submission point be accepted.

<sup>105</sup> V1-0032.049 Eliot Sinclair

- 9.11 Ara Poutama<sup>106</sup> seeks that the provision is amended to recognise that there are a variety of household types, including households that involve an element of supervision, assistance, care and/or treatment support, that meet the community's diverse social and economic housing needs. While the objective could be read as referring to the *form* of development, I consider that subpart 1 of MRZ-O1 recognises that there are a variety of housing needs and demands. As such, I do not consider it necessary to amend MRZ-O1 and recommend that this submission point be rejected.
- 9.12 Referring to Waka Kotahi's<sup>107</sup> full submission, I record their support for MRZ-O1 as notified. I recommend that this submission point be accepted.
- 9.13 Kāinga Ora<sup>108</sup> seeks a minor amendment, to ensure consistency with the MDRS. On review of the provision, I acknowledge that a minor grammatical error has been made in the drafting of MRZ-O1. Therefore, I recommend that this submission point be accepted and that the amendment be made pursuant to clause 16(2).
- 9.14 Ryman, RVA, CRC, CSI and RWRL and RIDL<sup>109</sup> request that the provision be retained as notified. I recommend that these submission points be accepted.

#### **Recommendation and amendments**

- 9.15 I recommend that, for the reasons given above, the Hearing Panel retains the variation provision MRZ-O1 as notified, subject to a clause 16(2) amendment being undertaken as identified above.
- 9.16 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**.

#### **Policies**

#### **MRZ-P1**

#### **Submissions**

- 9.17 Nine submission points and 16 further submission points were received in relation to MRZ-P1.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 050              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS207            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS207            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS207            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

<sup>106</sup> V1-0056.013 Ara Poutama

<sup>107</sup> V1-0083.024 Waka Kotahi

<sup>108</sup> V1-0113.046 Kāinga Ora

<sup>109</sup> V1-0107.007 CRC, V1-0114.036 CSI and RWRL and V1-0115.026 RIDL

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0115      | RIDL           | FS207            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 002              | Support In Part | Amend as follows:<br>Enable a variety of housing types <u>and households</u> with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments  |
| V1-0077      | Ryman          | FS031            | Oppose          | <i>Disallow the submission</i>   |
| V1-0079      | RVA            | FS031            | Oppose          | <i>Disallow the submission</i>   |
| V1-0077      | Ryman          | 043              | Support         | Retain as notified.  |
| V1-0079      | RVA            | 043              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS091            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS091            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS077            | Oppose          | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS091            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS091            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0083      | Waka Kotahi    | 025              | Support         | Not specified.   |
| V1-0107      | CRC            | 024              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 047              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS312            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS312            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS312            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS312            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 041              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 045              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS047            | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |



### Analysis

- 9.18 Eliot Sinclair<sup>110</sup> are neutral on this provision and have not requested any changes. I recommend that this submission point be accepted.
- 9.19 In line with their submission point on MRZ-O1, Ara Poutama<sup>111</sup> seeks MRZ-P1 be amended to include reference to *households* as well as housing types. MRZ-P1 refers to a variety of housing types. While the balance of the provision refers to built form typologies, I do not consider that this precludes a variety of households compositions from establishing within that built form. I note that although the definition of *residential unit*<sup>112</sup> refers to occupation exclusively by 1 household, as *household* is not further defined it could refer to households that involve an element of supervision, assistance, care and/or treatment support. Regardless, I consider that MRZ-R9 specifically provides for residential activities that require an element of support. As such, I do not consider that an amendment is required to this provision and therefore recommend that this submission point be rejected.
- 9.20 Referring to Waka Kotahi's<sup>113</sup> full submission, I record their support for MRZ-P1 as notified. I recommend that this submission point be accepted.
- 9.21 Ryman, RVA, CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>114</sup> request that MRZ-P1 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 9.22 I recommend, for the reasons given above, that the Hearings Panel retains the variation provision MRZ-P1 as notified.
- 9.23 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### MRZ-P2

#### Submissions

- 9.24 Nine submission points and 14 further submission points were received in relation to MRZ-P2.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 051              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS208            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

<sup>110</sup> V1-0032.050 Eliot Sinclair

<sup>111</sup> V1-0056.002 Ara Poutama

<sup>112</sup> Section 2 of the RMA – A residential unit

(a) means a building or part of a building that is used for a residential activity exclusively by 1 household; and  
(b) includes sleeping, cooking, bathing and toilet facilities.

<sup>113</sup> V1-0083.025 Waka Kotahi

<sup>114</sup> V1-0077.043 Ryman, V1-0079.043 RVA, V1-0107.024 CRC, V1-0113.047 Kāinga Ora, V1-0114.041 CSI and RWRL and V1-0115.045 RIDL

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0103      | CGPL           | FS208            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS208            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS208            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 027              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0077      | Ryman          | 044              | Support                    | Retain as notified.  |
| V1-0079      | RVA            | 044              | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS092            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS092            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS078            | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL   | FS092            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS092            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0083      | Waka Kotahi    | 004              | Support                    | Not specified.   |
| V1-0107      | CRC            | 025              | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 048              | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS313            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS313            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS313            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS313            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 042              | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 046              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS048            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.25 Eliot Sinclair and Ara Poutama<sup>115</sup> are neutral on this provision and have not requested any changes. I recommend that this submission point be accepted.
- 9.26 Referring to Waka Kotahi's<sup>116</sup> full submission, I record their support for MRZ-P2 as notified. I recommend that this submission point be accepted.
- 9.27 Ryman, RVA, CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>117</sup> request that MRZ-P2 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 9.28 I recommend that the Hearings Panel retains the variation provision MRZ-P2 as notified.
- 9.29 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### New Policies

#### Submissions

- 9.30 Two submission points and five further submission points were received seeking that new policies be included in the MRZ Chapter.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0077      | Ryman          | 027              | Support  | Insert as follows:<br><u>MRZ-PX Role of density standards</u><br><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u> |
| V1-0079      | RVA            | 027              | Support  | Insert as follows:<br><u>MRZ-PX Role of density standards</u><br><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u> |
| V1-0102      | CSI            | FS075            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS075            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS061            | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS075            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS075            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

### Analysis

- 9.31 RVA and Ryman<sup>118</sup> request that a new policy be included that enables the density standards to be utilised as a baseline for the assessment of the effects of developments. I consider that this is implied through the incorporation of MDRS as permitted activities within the PDP and that no

<sup>115</sup> V1-0032.051 Eliot Sinclair and V1-0056.027 Ara Poutama

<sup>116</sup> V1-0083.004 Waka Kotahi

<sup>117</sup> V1-0077.044 Ryman, V1-0079.044 RVA, V1-0107.025 CRC, V1-0113.048 Kāinga Ora, V1-0114.042 CSI and RWRL and V1-0115.046 RIDL

<sup>118</sup> V1-0077.027 Ryman and V1-0079.027 RVA,

purpose is served by the policy as proposed given that the concept of a 'permitted baseline' is established in law. I therefore recommend that these submission points be rejected.

### **Recommendation**

- 9.32 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**.

### **Rules**

### **MRZ-R1 – Residential Activity**

### ***Submissions***

- 9.33 Eight submission points and 14 further submission points were received in relation to MRZ-R1.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 052              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS209            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL           | FS209            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0114      | CSI and RWRL   | FS209            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL           | FS209            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0056      | Ara Poutama    | 028              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 045              | Support                    | Retain as notified.   |
| V1-0079      | RVA            | 045              | Support                    | Retain as notified.   |
| V1-0102      | CSI            | FS093            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL           | FS093            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora     | FS079            | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL   | FS093            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL           | FS093            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0107      | CRC            | 026              | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 049              | Support                    | Retain as notified.   |
| V1-0102      | CSI            | FS314            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0103      | CGPL           | FS314            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS314            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS314            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 043              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 047              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS049            | Oppose   | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### Analysis

- 9.34 Eliot Sinclair and Ara Poutama<sup>119</sup> are neutral on this provision. On the basis that no changes are requested, I recommend that these submission points be accepted.
- 9.35 Ryman, RVA, CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>120</sup> request that MRZ-R1 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 9.36 I recommend that the Hearings Panel retains the variation provision MRZ-R1 as notified.
- 9.37 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### MRZ-R2 – Residential Unit or other Principal Building

#### Submissions

- 9.38 12 submission points and 24 further submission points were received in relation to MRZ-R2.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 053              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS210            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

<sup>119</sup> V1-0032.052 Eliot Sinclair and V1-0056.028 Ara Poutama

<sup>120</sup> V1-0077.045 Ryman, V1-0079.045 RVA, V1-0107.026 CRC, V1-0113.049 Kāinga Ora, V1-0114.043 CSI and RWRL and V1-0115.047 RIDL

| Submitter ID | Submitter Name     | Submission Point | Position                   | Decision Requested  |
|--------------|--------------------|------------------|----------------------------|---|
| V1-0103      | CGPL               | FS210            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL       | FS210            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL               | FS210            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0055      | AgResearch         | 011              | Support In Part            | Amend Rule MRZ-R2 as follows:<br>...<br>Where this complies with the following rule requirements:<br><del>MRZ-REQ1 Servicing</del><br>...   |
| V1-0009      | Lincoln University | FS011            | Support                    | Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.   |
| V1-0032      | Eliot Sinclair     | FS046            | Support In Part            | Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch Limited, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions. |
| V1-0102      | CSI                | FS257            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL               | FS257            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL       | FS257            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL               | FS257            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0056      | Ara Poutama        | 029              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0077      | Ryman          | 047              | Support In Part | Amend to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities.                     |
| V1-0079      | RVA            | 047              | Support In Part | Amend to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities.                     |
| V1-0102      | CSI            | FS095            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS095            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS081            | Oppose          | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS095            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS095            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0092      | SDC            | 016              | Support In Part | Amend MRZ-R2 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQA Presentation to the Street</u><br>Or alternative relief to achieve the requested outcome.                               |
| V1-0055      | AgResearch     | FS022            | Oppose          | <i>Disallow the submission</i>   |
| V1-0113      | Kāinga Ora     | FS019            | Oppose          | <i>Disallow</i>  |
| V1-0092      | SDC            | 017              | Support In Part | Amend MRZ-R2 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQB Location of garages, accessory buildings, or structures</u><br>Or alternative relief to achieve the requested outcome.  |
| V1-0055      | AgResearch     | FS023            | Oppose          | <i>Disallow the submission</i>   |
| V1-0092      | SDC            | 018              | Support In Part | Amend MRZ-R2 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQC Dominance of garages, accessory buildings, or structures</u><br>Or alternative relief to achieve the requested outcome. |
| V1-0055      | AgResearch     | FS024            | Oppose          | <i>Disallow the submission</i>   |
| V1-0107      | CRC            | 027              | Support         | Retain as notified.  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0113      | Kāinga Ora     | 050              | Support  | Retain as notified.  |
| V1-0102      | CSI            | FS315            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS315            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS315            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS315            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 044              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 048              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS050            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.39 AgResearch<sup>121</sup> seeks that the provision be amended to delete reference to MRZ-REQ1, on the basis that this is not a density standard under Schedule 3A of the RMA-EHS and its inclusion in this provision is contrary to clause 2(2) of that Schedule. I do not consider that the requirement for development to be connected to services is a density standard and, in the absence of a requirement to ensure that developments are appropriately serviced, I consider that the density permitted by the RMA-EHS would not be able to be achieved. I disagree with the approach proposed by the submitter that servicing should be addressed as a matter of discretion, as this would only be applicable where a resource consent is required and therefore would not allow for consideration in relation to a permitted activity. I therefore recommend that this submission point be rejected. I note that the submitter did not seek the deletion of MRZ-REQ1 itself, only its inclusion as a requirement within MRZ-R2.
- 9.40 Ryman and RVA<sup>122</sup> supports this provision but consider specific provision should be made for retirement villages, to acknowledge the differences that this form of development has from other residential activities. I agree with these submission points and, as set out in [Section 10](#), consider that it is appropriate that retirement villages be specifically identified within the MRZ. I therefore recommend that these submission points be accepted in part.

<sup>121</sup> V1-0055.011 AgResearch

<sup>122</sup> V1-0077.047 Ryman and V1-0079.047 RVA



- 9.41 SDC<sup>123</sup> considers that the provision as notified is insufficient to achieve the intent of RESZ-PA as MRZ-REQ7 does not require glazing to be associated with habitable rooms, and only relates to the portion of the building which is the residential unit or principal building. For the reasons set out in relation to [MRZ-REQ7](#), [MRZ-REQB](#) and [MRZ-REQC](#), I consider that it is appropriate to amend this provision, to ensure that the intent of RESZ-PA is able to be reasonably achieved. I therefore recommend that these submission points be accepted. For the avoidance of doubt, I record that I do not consider that the proposed amendments to this provision conflict with the density standards set out in the RMA-EHS; rather they seek to ensure that the intent of the policy also required to be implemented is achieved.
- 9.42 Eliot Sinclair and Ara Poutama<sup>124</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.43 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>125</sup> request that MRZ-R2 be retained as notified. I recommend that these submission points be accepted in part as I have recommended amendments.

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

- 9.44 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-R2 as shown in **Appendix 2**, to ensure that the intent of RESZ-PA is achieved.
- 9.45 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 9.46 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

#### **MRZ-R3 – Accessory Building**

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

- 9.47 Eight submission points and 11 further submission points were received in relation to MRZ-R3.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 054              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS211            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS211            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS211            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

<sup>123</sup> V1-0092.016, 017 and 018 SDC

<sup>124</sup> V1-0032.053 Eliot Sinclair and V1-0056.029 Ara Poutama

<sup>125</sup> V1-0107.027 CRC, V1-0113.050 Kāinga Ora, V1-0114.044 CSI and RWRL and V1-0115.048 RIDL

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0115      | RIDL           | FS211            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 030              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0092      | SDC            | 019              | Support In Part            | Amend MRZ-R3 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQB Location of garages, accessory buildings, or structures.</u><br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch     | FS025            | Oppose                     | <i>Disallow the submission</i>   |
| V1-0092      | SDC            | 020              | Support In Part            | Amend MRZ-R3 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQC Dominance of garages, accessory buildings, or structures</u><br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch     | FS026            | Oppose                     | <i>Disallow the submission</i>   |
| V1-0107      | CRC            | 028              | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 052              | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS317            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS317            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS317            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS317            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 045              | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 049              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS051            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### **Analysis**

- 9.48 SDC<sup>126</sup> considers that the provision as notified is insufficient to achieve RESZ-P3 and RESZ-PA as there is no legislative requirement for accessory buildings to meet the MDRS relating to windows to street. As such, the submitter seeks the inclusion of two additional requirements in this rule that would manage the location and dominance of accessory buildings. For the reasons set out in relation to [MRZ-REQB](#) and [MRZ-REQC](#), I consider that it is appropriate to amend this provision, to ensure that the intent of RESZ-P3 and RESZ-PA is achieved in relation to accessory buildings. I therefore recommend that these submission points be accepted. For the avoidance of doubt, I record that I do not consider that the proposed amendments to this provision impact on the purpose of the RMA-EHS as they would only be applicable should someone wish to establish an accessory building on their site.
- 9.49 Eliot Sinclair and Ara Poutama<sup>127</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.50 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>128</sup> request that MRZ-REQ4 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

### **Recommendation and amendments**

- 9.51 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-R3 as shown in **Appendix 2**, to allow for consideration of the effect that accessory buildings may have on the perception of attractive and safe streets and open public spaces.
- 9.52 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 9.53 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

### **MRZ-R4 – Any structure not otherwise listed in MRZ-Rule List**

#### **Submissions**

- 9.54 Ten submission points and 16 further submission points were received in relation to MRZ-R4.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 055              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS212            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL           | FS212            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

<sup>126</sup> V1-0092.019 and 020 SDC

<sup>127</sup> V1-0032.054 Eliot Sinclair and V1-0056.030 Ara Poutama

<sup>128</sup> V1-0107.028 CRC, V1-0113.052 Kāinga Ora, V1-0114.045 CSI and RWRL and V1-0115.049 RIDL

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0114      | CSI and RWRL   | FS212            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS212            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0056      | Ara Poutama    | 031              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 049              | Support In Part            | Requests that retirement villages that do not comply with MRZ-R4 should be provided for by the new rule proposed (Refer to V1-0079.048).  |
| V1-0079      | RVA            | 049              | Support In Part            | Requests that retirement villages that do not comply with MRZ-R4 should be provided for by the new rule proposed (Refer to V1-0079.048).  |
| V1-0102      | CSI            | FS097            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS097            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS083            | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL   | FS097            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS097            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0092      | SDC            | 021              | Support In Part            | Amend MRZ-R4 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQB Location of garages, accessory buildings, or structures.</u><br>Or alternative relief to achieve the requested outcome |
| V1-0055      | AgResearch     | FS027            | Oppose                     | Disallow the submission   |
| V1-0092      | SDC            | 022              | Support In Part            | Amend MRZ-R2 as follows:<br>...<br>Where this complies with the following rule requirements:<br>...<br><u>MRZ-REQC Dominance of garages, accessory buildings, or structures</u><br>Or alternative relief to achieve the requested outcome |
| V1-0055      | AgResearch     | FS028            | Oppose                     | Disallow the submission   |
| V1-0107      | CRC            | 029              | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 054              | Support                    | Retain as notified.   |
| V1-0102      | CSI            | FS319            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0103      | CGPL           | FS319            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS319            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS319            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 046              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 050              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS052            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.55 As with MRZ-R3 above, SDC<sup>129</sup> seeks the inclusion of two additional requirements to this rule that would manage the location and dominance of any structure not otherwise identified. For the reasons set out in relation to [MRZ-REQB](#) and [MRZ-REQC](#), I consider that it is appropriate to amend this provision, to ensure that the intent of RESZ-P3 and RESZ-PA is achieved in relation to any structure ‘not otherwise identified’ in the MRZ-Rule List. I therefore recommend that these submission points be accepted. For the avoidance of doubt, I record that I do not consider that the proposed amendments to this provision impact on the purpose of the RMA-EHS as they would only be applicable should someone wish to establish a structure not otherwise identified on their site.
- 9.56 Ryman and RVA<sup>130</sup> considers that the construction of non-residential unit structures within a retirement village will be captured under this rule. Consistent with their other submissions, the submitters seek that a specific rule for retirement villages should be provided for within the MRZ. As set out in [Section 10](#), I have proposed a bespoke provision in relation to retirement villages which would address the concerns of the submitters. I therefore recommend that these submission points be accepted in part.
- 9.57 Eliot Sinclair and Ara Poutama<sup>131</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

<sup>129</sup> V1-0092.021 and 022 SDC

<sup>130</sup> V1-0077.049 Ryman and V1-0079.049 RVA

<sup>131</sup> V1-0032.055 Eliot Sinclair and V1-0056.031 Ara Poutama

9.58 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>132</sup> request that MRZ-R4 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

9.59 I also record that the provision incorrectly refers to accessory buildings, where it should refer to any other structure not otherwise listed. This appears to be an issue in entering material in the eplan, and I therefore recommend that this be amended pursuant to clause 16(2). I do not consider that it changes the reach of the provision, as it is clear that accessory buildings are to be considered under MRZ-R3, whereas MRZ-R4 applies to any other structure not otherwise listed.

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

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

- a) amend MRZ-R4 as shown in **Appendix 2**, to allow for consideration of the effect that structures may have on the perception of attractive and safe streets and open public spaces.
- b) make a minor consequential clause 16(2) amendment as identified above, and shown in **Appendix 2**.

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

9.62 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

#### **MRZ-R5 – Fencing**

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

9.63 14 submission points and 25 further submission points were received in relation to MRZ-R5.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 056              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS213            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>                   |
| V1-0103      | CGPL           | FS213            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>                   |
| V1-0114      | CSI and RWRL   | FS213            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>                   |
| V1-0115      | RIDL           | FS213            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>                   |
| V1-0056      | Ara Poutama    | 032              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0092      | SDC            | 023              | Support In Part            | Amend MRZ-R5.1.b, so that any fence between the front facade of a residential unit and the road boundary has a maximum |

<sup>132</sup> V1-0107.028 CRC, V1-0113.052 Kāinga Ora, V1-0114.045 CSI and RWRL and V1-0115.049 RIDL

| Submitter ID | Submitter Name               | Submission Point | Position        | Decision Requested  |
|--------------|------------------------------|------------------|-----------------|---|
|              |                              |                  |                 | height of 1m. Or alternative relief to achieve the requested outcome.   |
| V1-0113      | Kāinga Ora                   | FS020            | Oppose          | Disallow  |
| V1-0092      | SDC                          | 024              | Support In Part | Amend MRZ-R5.1.b, so that any fence not subject to (a) has a maximum height of 1m, unless it is set back at the same alignment of the front facade as the residential unit or principal building. Or alternative relief to achieve the requested outcome.   |
| V1-0113      | Kāinga Ora                   | FS021            | Oppose          | Disallow  |
| V1-0095      | Fletcher                     | 002              | Support In Part | Amend to include, within the rule, the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence  |
| V1-0131      | Terri Winder and Chris Lea   | FS004            | Support         | Allow in full.  |
| V1-0095      | Fletcher                     | 005              | Support In Part | Amend rule to increase the fence height for fencing on a road boundary or reserve boundary to 1.2m  |
| V1-0131      | Terri Winder and Chris Lea   | FS006            | Support In Part | Amend rule to increase the fence height for fencing on a reserve boundary to 1.2m and open style.   |
| V1-0099      | Barton Fields Villas Limited | 002              | Oppose 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:<br>1. Any fence or freestanding wall<br>Where:<br>...<br>b. within 4m of any legal road boundary, is a maximum height of 1m if solid and 1.2m where more than 50% visually permeable.<br>...<br><u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u>    |
| V1-0107      | CRC                          | 030              | Support         | Retain as notified.   |
| V1-0112      | Hughes                       | 008              | Support In Part | Amend as follows:<br>Activity status: PER<br>1. Any fence or freestanding wall<br>...<br>For the purposes of calculating the maximum height under this rule requirement, where a fence is erected atop a retaining wall, the height shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.<br><u>This rule does not apply to fences or freestanding walls which are perpendicular to a reserve or road boundary.</u> |
| V1-0102      | CSI                          | FS036            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0103      | CGPL           | FS036            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS036            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS036            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0112      | Hughes         | 019              | Support In Part | Amend MRZ-R5.1 as follows:<br>...<br>Where:<br>a. ...<br>b. within 4m of any legal road boundary, is a maximum height of 1m <u>if solid and 1.2m where more than 50% visually permeable.</u><br>...  |
| V1-0102      | CSI            | FS047            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS047            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS047            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS047            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0112      | Hughes         | 020              | Support In Part | Reinstate the ability for a fence on the secondary boundary of a corner site to be a solid 1.8m fence.   |
| V1-0102      | CSI            | FS048            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS048            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS048            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS048            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | 056              | Support In Part | Amend as follows:<br>1. Any fence or freestanding wall<br>Where:<br><br>a. <del>within 4m of any</del> <u>fronting a road</u> boundary:<br>i. is a maximum height of <u>1.2m; or</u><br>ii. <u>where fences exceed 1.2m in height shall be at least 50% visually permeable up to a</u> |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <u>maximum height of 1.8m.</u><br>...  |
| V1-0102      | CSI            | FS321            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS321            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS321            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS321            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 047              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 051              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS053            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.64 SDC<sup>133</sup> considers that, given that MRZ-REQ6 permits buildings to be positioned a minimum of 1.5m from a road boundary, this provision should be amended to reflect this, and propose that any fence between the front facade of a residential unit and the road boundary has a maximum height of 1m and any other fence has a maximum height of 1m, unless it is set back at the same alignment of the front facade as the residential unit or principal building.
- 9.65 Fletcher<sup>134</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.
- 9.66 Barton Fields and Hughes<sup>135</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.

<sup>133</sup> V1-0092.023 and 024 SDC

<sup>134</sup> V1-0095.002 and 005 Fletcher

<sup>135</sup> V1-0099.002 Barton Fields and V1-0112.008, 019 and 020 Hughes

- 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.

- 9.67 Kāinga Ora<sup>136</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.
- 9.68 Since the notification of Variation 1, the s42A report for the *Residential* chapter has, in response to similar submission points from submitters, including from Fletcher, Hughes and Kāinga Ora seeking the same relief as identified above, addressed the provisions related to fencing in the LRZ, GRZ and SETZ.<sup>137</sup> In response to these submissions, it was recommended that fencing be permitted to a maximum of 1.2m parallel to a road boundary and that, on sites with more than one road frontage, 1.8m high fencing that is at least 50% visually permeable be permitted, recording that, with the amendments, fencing would still be effective at achieving the outcomes sought by RESZ-O1 and RESZ-P6, while placing less constraints on property owners.
- 9.69 Despite the more intensive nature of development enabled within the MRZ I do not consider that there is anything significantly different in this zone that would require fencing to be specifically managed any differently than in the LRZ, GRZ and SETZ, with the exception of the distance from the boundary within which fencing is managed. I also consider that the amendments recommended to MRZ-R5 would still be effective in achieving the outcomes of RESZ-PA. I therefore recommend that the submission points from SDC, Fletcher, Barton Fields, Hughes, and Kāinga Ora be accepted in part, for the same reasons as set out in the s42A report for the *Residential* chapter.
- 9.70 Eliot Sinclair and Ara Poutama<sup>138</sup> are neutral on this provision. On the basis that neither submitter has requested changes to this provision, I recommend that these submission points be accepted in part as I have recommended amendments.
- 9.71 CRC, CSI and RWRL and RIDL<sup>139</sup> request that MRZ-R5 be retained as notified. I recommend that these submission points be accepted in part as I have recommended amendments.

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

- 9.72 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-R5.1.b., as shown in **Appendix 2**, to provide greater flexibility in fencing while still enabling opportunities for passive surveillance of the street; and
  - b) amend MRZ-R5.1.c.ii.2., as shown in **Appendix 2**, for consistency.
- 9.73 I recommend that the original submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.

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<sup>136</sup> V1-0113.056 Kāinga Ora

<sup>137</sup> [Residential s42A October 2022](#) – Refer LRZ-R6, GRZ-R6 and SETZ-R6

<sup>138</sup> V1-0032.056 Eliot Sinclair and V1-0056.032 Ara Poutama

<sup>139</sup> V1-0107.030 CRC, V1-0114.047 CSI and RWRL and V1-0115.051 RIDL

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

**MRZ-R6 – Relocated Building**

***Submissions***

9.75 Six submission points and nine further submission points were received in relation to MRZ-R6.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 057              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS214            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS214            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS214            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS214            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 033              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 031              | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 058              | Oppose                     | Delete as notified.  |
| V1-0102      | CSI            | FS323            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS323            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS323            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS323            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 048              | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 052              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS054            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 9.76 Kāinga Ora<sup>140</sup> opposes the separate recognition of relocated buildings and requests that the provision be deleted as they consider it does not promote the adaptive reuse of existing buildings and materials, nor does it promote an increase in housing supply and affordability.
- 9.77 Since the notification of Variation 1, the s42A report for the *Residential* chapter has, in response to similar submission points from Kāinga Ora on the PDP, addressed<sup>141</sup> the appropriateness of retaining provisions in relation to relocated building within the other residential zones, with the recommendation being to remove any provisions related to relocated buildings as it was not considered necessary to manage these differently from any other buildings. I do not consider that there is anything significantly different in the MRZ that would require relocated buildings to be specifically managed, beyond how all other buildings are managed. I therefore recommend that the submission point from Kāinga Ora be accepted.
- 9.78 Eliot Sinclair and Ara Poutama<sup>142</sup> are neutral on this provision. On the basis that I have recommended that this provision be deleted, I recommend that these submission points be rejected.
- 9.79 CRC, CSI and RWRL and RIDL<sup>143</sup> request that MRZ-R6 be retained as notified. I recommend that these submission points be rejected as I have recommended that this provision be deleted.

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

- 9.80 I recommend that, for the reasons given above, the Hearing Panel:
- a) delete the variation provision MRZ-R6, as shown in **Appendix 2**, as it is not necessary to manage relocated buildings differently from new buildings.
- 9.81 I recommend that the original submission points are accepted or rejected as shown in **Appendix 1**.
- 9.82 The scale of change requires a s32AA evaluation, which can be found in [Section 15](#) of the s42A for the *Residential chapter*.

### **MRZ-R7 – MRZ-R24**

#### ***Submissions***

- 9.83 106 submission points and 158 further submission points were received in relation to rules MRZ-R7 through to MRZ-R24, being 18 rules.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested |
|--------------|----------------|------------------|----------------|----------------------------|--------------------|
| V1-0032      | Eliot Sinclair | 058              | MRZ-R7         | Neither Support Nor Oppose | Not specified.     |

<sup>140</sup> V1-0113.058 Kāinga Ora

<sup>141</sup> [Residential s42A October 2022](#) – Refer LLRZ-R7

<sup>142</sup> V1-0032.057 Eliot Sinclair and V1-0056.033 Ara Poutama

<sup>143</sup> V1-0107.031 CRC, V1-0114.048 CSI and RWRL and V1-0115.052 RIDL

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0102      | CSI            | FS215            | MRZ-R7         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS215            | MRZ-R7         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS215            | MRZ-R7         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS215            | MRZ-R7         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 034              | MRZ-R7         | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 032              | MRZ-R7         | Support                    | Retain as notified.  |
| V1-0114      | CSI and RWRL   | 049              | MRZ-R7         | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 053              | MRZ-R7         | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS055            | MRZ-R7         | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 061              | MRZ-R8         | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS218            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS218            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS218            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS218            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 035              | MRZ-R8         | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 033              | MRZ-R8         | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 060              | MRZ-R8         | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS325            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS325            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0114      | CSI and RWRL   | FS325            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS325            | MRZ-R8         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 050              | MRZ-R8         | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 054              | MRZ-R8         | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS056            | MRZ-R8         | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 063              | MRZ-R9         | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS220            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS220            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS220            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS220            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 003              | MRZ-R9         | Support                    | Retain as notified   |
| V1-0107      | CRC            | 034              | MRZ-R9         | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 062              | MRZ-R9         | Support                    | Retain as notified   |
| V1-0102      | CSI            | FS327            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS327            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS327            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS327            | MRZ-R9         | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 051              | MRZ-R9         | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 055              | MRZ-R9         | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS057            | MRZ-R9         | Oppose                     | <i>Disallowed in part<br/>The Council should recognise</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
|              |                |                  |                |                            | <i>that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>         |
| V1-0032      | Eliot Sinclair | 062              | MRZ-R10        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS219            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS219            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS219            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS219            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 036              | MRZ-R10        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 035              | MRZ-R10        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 051              | MRZ-R10        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS316            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS316            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS316            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS316            | MRZ-R10        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 052              | MRZ-R10        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 056              | MRZ-R10        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS058            | MRZ-R10        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they</i> |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
|              |                |                  |                |                            | <i>give a trade advantage, and if so declined.</i>   |
| V1-0032      | Eliot Sinclair | 064              | MRZ-R11        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS221            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS221            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS221            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS221            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 037              | MRZ-R11        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 036              | MRZ-R11        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 053              | MRZ-R11        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS318            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS318            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS318            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS318            | MRZ-R11        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 053              | MRZ-R11        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 057              | MRZ-R11        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS059            | MRZ-R11        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 065              | MRZ-R12        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS222            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0103      | CGPL           | FS222            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS222            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS222            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 038              | MRZ-R12        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 037              | MRZ-R12        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 055              | MRZ-R12        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS320            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS320            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS320            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS320            | MRZ-R12        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 054              | MRZ-R12        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 058              | MRZ-R12        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS060            | MRZ-R12        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 066              | MRZ-R13        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS223            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS223            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS223            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS223            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0056      | Ara Poutama    | 039              | MRZ-R13        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 038              | MRZ-R13        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 057              | MRZ-R13        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS322            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS322            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS322            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS322            | MRZ-R13        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 055              | MRZ-R13        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 059              | MRZ-R13        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS061            | MRZ-R13        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 067              | MRZ-R14        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS224            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS224            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS224            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS224            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 040              | MRZ-R14        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 039              | MRZ-R14        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 059              | MRZ-R14        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS324            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0103      | CGPL           | FS324            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS324            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS324            | MRZ-R14        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 056              | MRZ-R14        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 060              | MRZ-R14        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS062            | MRZ-R14        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 068              | MRZ-R15        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS225            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS225            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS225            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS225            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0107      | CRC)           | 041              | MRZ-R15        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 061              | MRZ-R15        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS326            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS326            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS326            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS326            | MRZ-R15        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 057              | MRZ-R15        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 061              | MRZ-R15        | Support                    | Retain as notified.  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0021      | Lincoln Voice  | FS063            | MRZ-R15        | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |
| V1-0032      | Eliot Sinclair | 069              | MRZ-R16        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS226            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS226            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS226            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS226            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0056      | Ara Poutama    | 041              | MRZ-R16        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 043              | MRZ-R16        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 063              | MRZ-R16        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS328            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS328            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS328            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS328            | MRZ-R16        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 058              | MRZ-R16        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 062              | MRZ-R16        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS064            | MRZ-R16        | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in  |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
|              |                |                  |                |                            | <i>their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>  |
| V1-0032      | Eliot Sinclair | 070              | MRZ-R17        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS227            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS227            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS227            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS227            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 042              | MRZ-R17        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 044              | MRZ-R17        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 065              | MRZ-R17        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS330            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS330            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS330            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS330            | MRZ-R17        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 059              | MRZ-R17        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 063              | MRZ-R17        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS065            | MRZ-R17        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 071              | MRZ-R18        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS228            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0103      | CGPL           | FS228            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS228            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS228            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 043              | MRZ-R18        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 045              | MRZ-R18        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 068              | MRZ-R18        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS333            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS333            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS333            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS333            | MRZ-R18        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 060              | MRZ-R18        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 064              | MRZ-R18        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS066            | MRZ-R18        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 072              | MRZ-R19        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS229            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS229            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS229            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS229            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0056      | Ara Poutama    | 044              | MRZ-R19        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 046              | MRZ-R19        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 070              | MRZ-R19        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS335            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS335            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS335            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS335            | MRZ-R19        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 061              | MRZ-R19        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 065              | MRZ-R19        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS067            | MRZ-R19        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 073              | MRZ-R20        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS230            | MRZ-R20        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS230            | MRZ-R20        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS230            | MRZ-R20        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS230            | MRZ-R20        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 045              | MRZ-R20        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 047              | MRZ-R20        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 072              | MRZ-R20        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS337            | MRZ-R20        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0103      | CGPL           | FS337            | MRZ-R20        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS337            | MRZ-R20        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS337            | MRZ-R20        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 062              | MRZ-R20        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 066              | MRZ-R20        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS068            | MRZ-R20        | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |
| V1-0032      | Eliot Sinclair | 074              | MRZ-R21        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS231            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS231            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS231            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS231            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0056      | Ara Poutama    | 046              | MRZ-R21        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 048              | MRZ-R21        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 074              | MRZ-R21        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS339            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS339            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS339            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS339            | MRZ-R21        | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0114      | CSI and RWRL   | 063              | MRZ-R21        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 067              | MRZ-R21        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS069            | MRZ-R21        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 075              | MRZ-R22        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS232            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS232            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS232            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS232            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 047              | MRZ-R22        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 049              | MRZ-R22        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 076              | MRZ-R22        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS341            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS341            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS341            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS341            | MRZ-R22        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 064              | MRZ-R22        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 068              | MRZ-R22        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS070            | MRZ-R22        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that</i>   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
|              |                |                  |                |                            | <i>they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>   |
| V1-0032      | Eliot Sinclair | 076              | MRZ-R23        | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS233            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS233            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS233            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS233            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 048              | MRZ-R23        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 050              | MRZ-R23        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 078              | MRZ-R23        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS343            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS343            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS343            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS343            | MRZ-R23        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 065              | MRZ-R23        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 069              | MRZ-R23        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS071            | MRZ-R23        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |
| V1-0032      | Eliot Sinclair | 077              | MRZ-R24        | Neither Support Nor Oppose | Not specified.   |

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------|----------------------------|--|
| V1-0102      | CSI            | FS234            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS234            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS234            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS234            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 049              | MRZ-R24        | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 051              | MRZ-R24        | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 080              | MRZ-R24        | Support                    | Retain as notified.  |
| V1-0102      | CSI            | FS345            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS345            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS345            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS345            | MRZ-R24        | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 066              | MRZ-R24        | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 070              | MRZ-R24        | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS072            | MRZ-R24        | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.84 Eliot Sinclair<sup>144</sup> are neutral on MRZ-R7 through to MRZ-R24. On the basis that no changes are requested, I recommend that these submission points be accepted.

<sup>144</sup> V1-0032.058, 061, 063, 062, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076 and 077 Eliot Sinclair

- 9.85 Ara Poutama<sup>145</sup> also hold a neutral view on MRZ-R7 to MRZ-R24, excluding MRZ-R15 on which no submission was recorded and MRZ-R9, which they request be retained as notified. As Ara Poutama has not requested any specific changes to these provisions, I recommend that these submission points be accepted.
- 9.86 Kāinga Ora<sup>146</sup> request that MRZ-R8 through to MRZ-R24 be retained as notified. I recommend that these submission points be accepted. For completeness, I note that no submission point was received on MRZ-R7.
- 9.87 CRC<sup>147</sup>, CSI and RWRL<sup>148</sup> and RIDL<sup>149</sup> request that MRZ-R7 through to MRZ-R24 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

- 9.88 I recommend that the Hearings Panel retains the variation provisions MRZ-R7 to MRZ-R24 as notified.
- 9.89 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **Rule Requirements**

#### **MRZ-REQ1 – Servicing**

#### ***Submissions***

- 9.90 Nine submission points and 16 further submission points were received in relation to MRZ-REQ1.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 078              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS235            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS235            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS235            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS235            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0056      | Ara Poutama    | 050              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0077      | Ryman          | 050              | Support                    | Retain as notified.  |
| V1-0079      | RVA            | 050              | Support                    | Retain as notified.  |

<sup>145</sup> V1-0056.034, 035, 003, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048 and 049 Ara Poutama

<sup>146</sup> V1-0113.060, 062, 051, 053, 055, 057, 059, 061, 063, 065, 068, 070, 072, 074, 076, 078 and 080 Kāinga Ora

<sup>147</sup> V1-0107.032, 033, 034, 035, 036, 037, 038, 039, 041, 043, 044, 045, 046, 047, 048, 049, 050 and 051 CRC

<sup>148</sup> V1-0114.049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065 and 066 CSI and RWRL

<sup>149</sup> V1-0115.053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069 and 070 RIDL

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0102      | CSI            | FS098            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS098            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS084            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS098            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS098            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0090      | FENZ           | 020              | Support In Part | Amend as follows:<br>1. Any residential unit or other principal building shall be connected to a Council reticulated water supply with sufficient supply and pressure for firefighting. Where insufficient, an alternative firefighting water supply shall be provided in accordance with SNZ4509:2008 New Zealand Fire Service Water Supplies Code of Practice  |
| V1-0077      | Ryman          | FS038            | Oppose          | Disallow the submission  |
| V1-0079      | RVA            | FS038            | Oppose          | Disallow the submission  |
| V1-0107      | CRC            | 052              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 084              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS349            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS349            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS349            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS349            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 067              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 071              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS073            | Oppose          | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### **Analysis**

- 9.91 FENZ<sup>150</sup> seeks that, given the impacts of infrastructure on water supply infrastructure, servicing considers not just connection to the reticulated water supply but sufficient supply and pressure for firefighting and where this is not sufficient, an alternative supply be provided in accordance with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008. While I agree in principle that consideration needs to be given to the adequacy of supply for firefighting, I do not consider that it is the responsibility of individual developments to provide this, where a reticulated water supply is provided. Rather I consider that this is a requirement of the provider, in this case the Council, to ensure that there is sufficient supply within the network to meet demand, including that of firefighting. I therefore recommend that this submission point be rejected.
- 9.92 Eliot Sinclair and Ara Poutama<sup>151</sup> are neutral on this provision. On the basis that neither submitter has requested changes to this provision, I recommend that these submission points be accepted.
- 9.93 Ryman, RVA, CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>152</sup> request that MRZ-REQ1 be retained as notified. I recommend that these submission points be accepted.

### **Recommendation**

- 9.94 I recommend, for the reasons given above, that the Hearings Panel retains the variation provision MRZ-REQ1 as notified.
- 9.95 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.

### **MRZ-REQ2 – Number of Residential Units**

#### ***Submissions***

- 9.96 Ten submission points and 21 further submission points were received in relation to MRZ-REQ2.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0024      | Robert Claman  | 002              | Oppose                     | Delete the Variation.  |
| V1-0032      | Eliot Sinclair | 079              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS236            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS236            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS236            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL           | FS236            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

<sup>150</sup> V1-0090.020 FENZ

<sup>151</sup> V1-0032.078 Eliot Sinclair and V1-0056.050 Ara Poutama

<sup>152</sup> V1-0077.050 Ryman, V1-0079.050 RVA, V1-0107.052 CRC, V1-0113.084 Kāinga Ora, V1-0114.067 CSI and RWRL and V1-0115.071 RIDL

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0056      | Ara Poutama    | 051              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 051              | Oppose In Part             | Amend to refer to retirement units.   |
| V1-0079      | RVA            | 051              | Oppose In Part             | Amend to refer to retirement units.   |
| V1-0102      | CSI            | FS099            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS099            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS085            | Oppose                     | <i>Disallow</i>   |
| V1-0114      | CSI and RWRL   | FS099            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS099            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0107      | CRC            | 053              | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 085              | Support In Part            | Amend as follows:<br>Matters for discretion:<br>3. The exercise of discretion in relation to MRZ-REQ2.2. is restricted to the following matters:<br>a. RESZ-MAT1 Residential Design<br><del>b. RESZ-MAT8 Additional Residential Units</del> |
| V1-0102      | CSI            | FS350            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS350            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL   | FS350            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS350            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | 086              | Support In Part            | Amend as follows:<br>...<br><u>Notification:</u><br><u>4. Any application arising from MRZ-REQ3.2. shall not be subject to public or limited notification.</u>  |
| V1-0055      | AgResearch     | FS050            | Support                    | <i>Allow the submission</i>   |
| V1-0077      | Ryman          | FS055            | Support In Part            | <i>Allow the submission to the extent it is consistent with the Enabling Housing Act.</i>   |
| V1-0079      | RVA            | FS055            | Support In Part            | <i>Allow the submission to the extent it is consistent with the Enabling Housing Act.</i>   |
| V1-0102      | CSI            | FS351            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS351            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0114      | CSI and RWRL   | FS351            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS351            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 068              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 072              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS074            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.97 Robert Claman<sup>153</sup> is opposed to the housing intensification proposal, where it applies to or affects existing properties, and considers that the increase in density could adversely affect existing surrounding properties and the ability of services to provide for this additional housing. I consider that as the inclusion of this provision in the PDP has been mandated by the RMA-EHS, there is no scope to grant the relief requested and therefore recommend that this submission point be rejected.
- 9.98 Eliot Sinclair and Ara Poutama<sup>154</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have recommended that this provision be amended.
- 9.99 Ryman and RVA<sup>155</sup> support this provision in principle but seek that it be amended, consistent with their request that retirement units be differentiated from residential units. For the reasons set out in [Section 10](#), I do not consider that it is necessary to make this distinction within the MRZ. I therefore recommend that these submission points be rejected.
- 9.100 Kāinga Ora<sup>156</sup> seeks amendments to preclude public and limited notification for non-compliance with this provision, consistent with the requirements of clause 5 of Schedule 3A of the RMA-EHS. I recommend that this submission point be accepted, to align with the provisions of the RMA-EHS.
- 9.101 Kāinga Ora<sup>157</sup> also seeks the deletion of RESZ-MAT8 from this provision, as a consequential relief to their submission point that that matter be deleted. For the reasons set out in relation to [RESZ-MAT8](#), I recommend that this submission point be rejected.

<sup>153</sup> V1-0024.002 Robert Claman

<sup>154</sup> V1-0032.079 Eliot Sinclair and V1-0056.051 Ara Poutama

<sup>155</sup> V1-0077.051 Ryman and V1-0079.051 RVA

<sup>156</sup> V1-0113.086 Kāinga Ora

<sup>157</sup> V1-0113.066 Kāinga Ora



- 9.102 CRC, CSI and RWRL and RIDL<sup>158</sup> request that MRZ-REQ2 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

**Recommendation and amendments**

- 9.103 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-REQ2 as shown in **Appendix 2**, to align with the public notification requirements set out in the RMA-EHS.
- 9.104 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 9.105 The scale of change does not require a s32AA evaluation.

**MRZ-REQ3 – Building Coverage**

***Submissions***

- 9.106 Nine submission points and 19 further submission points were received in relation to MRZ-REQ3.

| Submitter ID | Submitter Name             | Submission Point | Position                   | Decision Requested  |
|--------------|----------------------------|------------------|----------------------------|---|
| V1-0056      | Ara Poutama                | 052              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman                      | 052              | Support                    | Retain as notified.   |
| V1-0079      | RVA                        | 052              | Support                    | Retain as notified.   |
| V1-0102      | CSI                        | FS100            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL                       | FS100            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora                 | FS086            | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL               | FS100            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL                       | FS100            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0095      | Fletcher                   | 003              | Oppose In Part             | Amend as follows:<br>1. The maximum building coverage of all buildings must not exceed 50% of the net site area, <u>except that eaves and roof overhangs up to 600 millimetres in width and guttering up to 200mm in width from the wall of a building may be excluded.</u> |
| V1-0077      | Ryman                      | FS040            | Support                    | Allow the submission  |
| V1-0079      | RVA                        | FS040            | Support                    | Allow the submission  |
| V1-0131      | Terri Winder and Chris Lea | FS005            | Support                    | Allow in full.  |
| V1-0107      | CRC                        | 054              | Support                    | Retain as notified.   |
| V1-0112      | Hughes                     | 016              | Support In Part            | Amend as follows:<br>1. The maximum building coverage of all  |

<sup>158</sup> V1-0107.053 CRC, V1-0114.068 CSI and RWRL and V1-0115.072 RIDL

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | buildings must not exceed 50% of the net site area, <u>except that eaves and roof overhangs up to 600 millimetres in width and guttering up to 200mm in width from the wall of a building may be excluded.</u>   |
| V1-0102      | CSI            | FS044            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS044            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS044            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS044            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | 087              | Support In Part | Amend as follows.<br>4. Any application arising from MRZ-REQ3.2. shall not be subject to public <del>or</del> <del>limited</del> notification.   |
| V1-0077      | Ryman          | FS051            | Support         | Allow the submission   |
| V1-0079      | RVA            | FS051            | Support         | Allow the submission   |
| V1-0102      | CSI            | FS352            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS352            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS352            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS352            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 069              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 073              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS075            | Oppose          | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### ***Analysis***

- 9.107 Fletcher and Hughes<sup>159</sup> seek that eaves and roof overhangs of up to 600mm and gutters of up to 200mm in width be excluded from the calculation of building coverage. While I acknowledge the guidance from the Ministry for the Environment that councils could exclude eaves from the calculation of building coverage through the rules within a district plan, I do not agree that including these building elements within the building coverage calculation limits the potential design options or that it would impact on the ability to implement the MDRS as intended. I consider that building coverage of 50% is both generous and higher than any other building coverage provision within the PDP, including that proposed for small site and comprehensive developments. I also consider that, if an exclusion was provided for eaves and gutters, if a residential unit was then built to 50% of the net site area, the effect of this would be to allow approximately a further 10% of built form across a site. I therefore recommend that these submission points be rejected.
- 9.108 Kāinga Ora<sup>160</sup> seeks amendments to remove the preclusion of limited notification, as this is not mandatory under the provisions of the RMA-EHS, and there may be circumstances where limited notification is appropriate. In this respect, the preclusion of limited notification is not mandatory, and I consider that it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process. I therefore recommend that this submission point be accepted.
- 9.109 Eliot Sinclair and Ara Poutama<sup>161</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.110 Ryman, RVA, CRC, CSI and RWRL and RIDL<sup>162</sup> request that MRZ-REQ3 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

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

- 9.111 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-REQ3 as shown in **Appendix 2**, to allow for consideration of limited notification.
- 9.112 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 9.113 The scale of change does not require a s32AA evaluation.

### **MRZ-REQ4 – Height**

#### ***Submissions***

- 9.114 23 submission points and 28 further submission points were received in relation to MRZ-REQ4.

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<sup>159</sup> V1-0095.003 Fletcher and V1-0112.016 Hughes

<sup>160</sup> V1-0113.087 Kāinga Ora

<sup>161</sup> V1-0032.080 Eliot Sinclair and V1-0056.052 Ara Poutama

<sup>162</sup> V1-0077.052 Ryman, V1-0079.052 RVA, V1-0107.054 CRC, V1-0114.069 CSI and RWRL and V1-0115.073 RIDL

| Submitter ID | Submitter Name   | Submission Point | Position                   | Decision Requested   |
|--------------|------------------|------------------|----------------------------|--|
| V1-0001      | Erith Boyd       | 002              | Oppose                     | Not specified  |
| V1-0020      | Tina Prince      | 001              | Oppose In Part             | Amend such that neighbour's consent is required for a two or three storey house proposed beside an established one storey house.                     |
| V1-0077      | Ryman            | FS024            | Oppose                     | Disallow the submission  |
| V1-0079      | RVA              | FS024            | Oppose                     | Disallow the submission  |
| V1-0022      | Eldho George     | 003              | Oppose                     | Housing intensification rules should have to consider the loss of sunlight trees and urban amenity and how that will affect citizens' mental health. |
| V1-0022      | Eldho George     | 004              | Oppose                     | Delete as notified.  |
| V1-0022      | Eldho George     | 005              | Oppose                     | Delete as notified   |
| V1-0022      | Eldho George     | 006              | Oppose                     | Delete variation as notified   |
| V1-0024      | Robert Claman    | 003              | Oppose                     | Delete the Variation.  |
| V1-0027      | Richard Christie | 004              | Oppose                     | Delete as notified   |
| V1-0032      | Eliot Sinclair   | 080              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI              | FS237            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL             | FS237            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL     | FS237            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL             | FS237            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0038      | Jeff Heyl        | 003              | Oppose                     | Delete variation as notified   |
| V1-0046      | Denise Carrick   | 004              | Oppose                     | Requests that Council put in a height limit of 2 storeys across all of Prebbleton, Rolleston, Lincoln.   |
| V1-0077      | Ryman            | FS027            | Oppose                     | Disallow the submission  |
| V1-0079      | RVA              | FS027            | Oppose                     | Disallow the submission  |
| V1-0056      | Ara Poutama      | 053              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0077      | Ryman            | 053              | Support                    | Retain as notified.  |
| V1-0079      | RVA              | 053              | Support                    | Retain as notified.  |
| V1-0102      | CSI              | FS101            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL             | FS101            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora       | FS087            | Oppose                     | Disallow   |
| V1-0114      | CSI and RWRL     | FS101            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL             | FS101            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0083      | Waka Kotahi    | 022              | Support In Part | Not specified.   |
| V1-0055      | AgResearch     | FS018            | Support         | Allow the submission   |
| V1-0086      | Jo Brady       | 001              | Oppose          | Amend the 11m height for Selwyn and put in place a 2 story maximum height.   |
| V1-0107      | CRC            | 055              | Support         | Retain as notified.  |
| V1-0109      | Fiona Thirring | 008              | Oppose          | Delete provision.  |
| V1-0113      | Kāinga Ora     | 009              | Support In Part | Amend as follows:<br>...<br>4. Any application arising from MRZ-REQ3.2. shall not be subject to public or limited notification.  |
| V1-0077      | Ryman          | FS056            | Support         | Allow the submission   |
| V1-0079      | RVA            | FS056            | Support         | Allow the submission   |
| V1-0102      | CSI            | FS274            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS274            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS274            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS274            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | 088              | Support In Part | Amend as follows:<br>1. Buildings must not exceed 11m in height, when measured from ground level, except that 50% 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° or more, as shown in MRZ-DIAGRAMA: Measurement of Height, <u>except in the Height Variation Control area, buildings must not exceed 19 metres in height.</u><br>... |
| V1-0077      | Ryman          | FS050            | Support         | Allow the submission   |
| V1-0079      | RVA            | FS050            | Support         | Allow the submission   |
| V1-0102      | CSI            | FS353            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS353            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS353            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS353            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0126      | Emma Robertson | FS001            | Oppose          | Reject the proposed height control overlay 19m.  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0114      | CSI and RWRL   | 070              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 074              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS076            | Oppose   | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.115 Erith Boyd<sup>163</sup> considers that buildings of 12m in height is not appropriate on rural boundaries, and that buildings of this height should be located within the central parts of the townships.
- 9.116 Tina Prince<sup>164</sup> is also opposed to the proposed building height within the boundary of older, established subdivisions.
- 9.117 Eldho George<sup>165</sup> is concerned about the loss of privacy and sunlight to homes and gardens of the proposed building height, particularly during winter.
- 9.118 Robert Claman<sup>166</sup> is opposed to the provision as he considers that development of this height could adversely affect existing surrounding properties through the loss of privacy, shading and loss of natural light.
- 9.119 Richard Christie<sup>167</sup> considers that there could be perverse effects from this provision with people seeking larger properties to avoid the risk and uncertainty of having tall structures built within 1 metre of the boundary.
- 9.120 Jeff Heyl<sup>168</sup> considers that the Variation, in its entirety, is unnecessary for Selwyn District and that this specific provision will result in an obstruction of views where intensification occurs.
- 9.121 Denise Carrick<sup>169</sup> considers that the proposed building height is out of context of the three townships and that a 2 storey limit is sufficient to accommodate housing needs without impacting on the current environment of existing residents.

<sup>163</sup> V1-0001.002 Erith Boyd

<sup>164</sup> V1-0020.001 Tina Prince

<sup>165</sup> V1-0022.003, 004, 005 and 006 Eldho George

<sup>166</sup> V1-0024.003 Robert Claman

<sup>167</sup> V1-0027.004 Richard Christie

<sup>168</sup> V1-0038.003 Jeff Heyl

<sup>169</sup> V1-0046.004 Denise Carrick

- 9.122 Jo Brady<sup>170</sup> considers that the proposed height does not consider the difference in sun angles in the South Island compared to the North Island and seeks that a maximum height of 2 storeys be imposed.
- 9.123 Fiona Thirring<sup>171</sup> considers the proposed height will mean that sun will be blocked to neighbouring properties.
- 9.124 In relation to the submissions from Erith Boyd, Tina Prince, Eldho George, Robert Claman, Richard Christie, Jeff Heyl, Denise Carrick, Jo Brady, and Fiona Thirring, I recommend that these submission points be rejected for the following reasons:
- 9.124.1 the three townships are *relevant residential zones* and, pursuant to s77G, there is a duty on the Council to implement the MDRS;
  - 9.124.2 none of the reasons given by the above submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter; and
  - 9.124.3 the inclusion of this provision is mandated by the RMA-EHS, therefore there is no scope to provide the relief requested by the submitters.
- 9.125 Kāinga Ora<sup>172</sup> seeks amendments to remove the preclusion of limited notification, as this is not mandatory under the provisions of the RMA-EHS, and there may be circumstances where limited notification is appropriate. In this respect, the preclusion of limited notification is not mandatory, and I consider that it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process. I therefore recommend that this submission point be accepted.
- 9.126 Kāinga Ora<sup>173</sup> also consider that, to ensure appropriate levels of intensification around centres are encouraged and enabled in accordance with the NPS-UD, a Height Variation Control Area within a walkable catchment of the Rolleston Town Centre be included, which would allow for building heights of up to 19m.
- 9.127 Waka Kotahi<sup>174</sup> similarly considers that Council should include greater building heights and density within and around TCZ.
- 9.128 As set out in the [Section 32 evaluation](#), having regard to NPS-UD Policy 3(d), no building heights or densities have been proposed within Selwyn, commensurate with the level of commercial activity and community services within the relevant townships. In the absence of any meaningful evidence, planning evaluation or s32AA evaluation from either submitter, I consider that the height notified appropriately implements the requirements of the NPS-UD. I therefore recommend that these submission points be rejected.

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<sup>170</sup> V1-0086.002 Jo Brady

<sup>171</sup> V1-0109.008 Fiona Thirring

<sup>172</sup> V1-0113.009 Kāinga Ora

<sup>173</sup> V1-0113.066 Kāinga Ora

<sup>174</sup> V1-0083.022 Waka Kotahi

9.129 Eliot Sinclair and Ara Poutama<sup>175</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

9.130 Ryman, RVA, CRC, CSI and RWRL and RIDL<sup>176</sup> request that MRZ-REQ4 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

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

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

a) amend MRZ-REQ4 as shown in **Appendix 2**, to allow for consideration of limited.

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

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

### **MRZ-REQ5 – Height in Relation to Boundary**

#### ***Submissions***

9.134 15 submission points and 24 further submission points were received in relation to MRZ-REQ5.

| Submitter ID | Submitter Name   | Submission Point | Position                   | Decision Requested  |
|--------------|------------------|------------------|----------------------------|---|
| V1-0027      | Richard Christie | 003              | Oppose                     | Delete as notified  |
| V1-0027      | Richard Christie | 005              | Oppose                     | Delete as notified  |
| V1-0030      | Tracey MacLeod   | 002              | Oppose In Part             | Include design standards that ensure sunlight and Lincoln's character is retained             |
| V1-0077      | Ryman            | FS013            | Oppose                     | Disallow the submission   |
| V1-0079      | RVA              | FS013            | Oppose                     | Disallow the submission   |
| V1-0032      | Eliot Sinclair   | 081              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI              | FS238            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL             | FS238            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0114      | CSI and RWRL     | FS238            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL             | FS238            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0042      | Jason Horne      | 007              | Oppose                     | Delete variation as notified  |
| V1-0044      | Nicki Turner     | 002              | Oppose In Part             | Include design standards that ensure sunlight and Lincoln's character is retained             |
| V1-0077      | Ryman            | FS023            | Oppose                     | Disallow the submission   |
| V1-0079      | RVA              | FS023            | Oppose                     | Disallow the submission   |

<sup>175</sup> V1-0032.080 Eliot Sinclair and V1-0056.053 Ara Poutama

<sup>176</sup> V1-0077.053 Ryman, V1-0079.053 RVA, V1-0107.055 CRC, V1-0114.070 CSI and RWRL and V1-0115.074 RIDL



| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0056      | Ara Poutama    | 054              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 054              | Oppose In Part             | Requests amendments to APP3, being a condition of MRZ-REQ5, as detailed in V1-0079.107.   |
| V1-0079      | RVA            | 054              | Oppose In Part             | Requests amendments to APP3, being a condition of MRZ-REQ5, as detailed in V1-0079.107.   |
| V1-0102      | CSI            | FS102            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS102            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS088            | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL   | FS102            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS102            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0086      | Jo Brady       | 002              | Oppose                     | Amend the 1m from a boundary construction to a minimum of 2m for Selwyn.  |
| V1-0107      | CRC            | 056              | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 064              | Oppose                     | Amend as follows:<br>...<br>Notification:<br>e. Any application arising from MRZ-REQ5.2. shall not be subject to public or limited notification.  |
| V1-0077      | Ryman          | FS057            | Support                    | Allow the submission  |
| V1-0079      | RVA            | FS057            | Support                    | Allow the submission  |
| V1-0102      | CSI            | FS329            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS329            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL   | FS329            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS329            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | 066              | Oppose                     | Amend as follows:<br><del>a. Any building or structure shall comply with the Height in Relation to Boundary D requirement in APP3—Height in Relation to Boundary. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the</del> |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <p><u>boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p> <p><u>b. This standard does not apply to—</u></p> <p><u>(a) a boundary with a road:</u></p> <p><u>(b) existing or proposed internal boundaries within a site:</u></p> <p><u>(c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>...</p> |
| V1-0102      | CSI            | FS331            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS331            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS331            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS331            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 071              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 075              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS077            | Oppose   | <p><i>Disallowed in part</i></p> <p><i>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i></p>  |

### Analysis

- 9.135 Richard Christie<sup>177</sup> considers that this provision goes against the established recession plane provisions within the district, undermining the investments that individuals have made in their homes by potentially denying them sunlight to their properties and seeks that the provision be deleted.

<sup>177</sup> V1-0027.003 and 005 Richard Christie

- 9.136 Tracey MacLeod and Nicki Turner<sup>178</sup> request that urban design rules should be put in place to ensure new homes in the proposed MRZ meet the light/shade practices required for all house dwellers to have healthy lives and that reflect the character and age of the Lincoln town centre.
- 9.137 Jason Horne<sup>179</sup> opposes this provision as he considers that this provision will have an impact on natural sunlight and unobstructed views.
- 9.138 Jo Brady<sup>180</sup> considers that the proposed recession plane will result in a greater reduction in light for a neighboring property in the South Island than it will in the North Island, where the sun is higher.
- 9.139 In relation to the submissions from Richard Christie, Tracey MacLeod, Nicki Turner, Jason Horne, and Jo Brady, I recommend that these submission points be rejected for the following reasons:
- 9.139.1 none of the reasons given by the above submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter; and
- 9.139.2 the inclusion of this provision is mandated by the RMA-EHS, therefore there is no scope to provide the relief requested by the submitters.
- 9.140 Kāinga Ora<sup>181</sup> seeks amendments to remove the preclusion of limited notification, as this is not mandatory under the provisions of the RMA-EHS, and there may be circumstances where limited notification is appropriate. In this respect, the preclusion of limited notification is not mandatory, and I consider that it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process. I therefore recommend that this submission point be accepted.
- 9.141 Kāinga Ora<sup>182</sup> also considers that the provision does not achieve consistency with the MDRS and is insufficiently clear and seek that the contents of Height in Relation to Boundary D, as set out in APP3, is relocated to this provision. I consider that the location of the text of this standard within APP3 is consistent with the structure of the PDP and keeping all the relevant recession plane measures in one place is better for plan consistency. I do acknowledge that the provision includes minor alternations to the standard, to include reference to 'structures' and to allow for various minor protrusions through the recession planes such as for poles, aerials, chimneys etc. I consider that these alterations are appropriate, recognising that not all structures are buildings, and that there are a range of ancillary elements of development that are unlikely to give rise to noticeable shading effects, should they protrude through the recession plane. I therefore recommend that this submission point be rejected.
- 9.142 Ryman and RVA<sup>183</sup> supports this provision in principle but seek that the related *APP3 – Height in Relation to Boundary* be amended to reflect that some developments may occur adjacent to less

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<sup>178</sup> V1-0030.002 Tracey MacLeod and V1-0044.002 Nicki Turner

<sup>179</sup> V1-0042.007 Jason Horne

<sup>180</sup> V1-0086.002 Jo Brady

<sup>181</sup> V1-0113.084 Kāinga Ora

<sup>182</sup> V1-0113.066 Kāinga Ora

<sup>183</sup> V1-0077.054 Ryman and V1-0079.054 RVA

sensitive zones. I have addressed the requested amendment to APP3 below, and as no specific change is requested to MRZ-REQ5, I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

9.143 Eliot Sinclair and Ara Poutama<sup>184</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

9.144 CRC, CSI and RWRL and RIDL<sup>185</sup> request that MRZ-REQ6 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

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

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

a) amend MRZ-REQ5 as shown in **Appendix 2**, to allow for consideration of limited notification.

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

### **APP3**

#### ***Submissions***

9.147 Two submission points and five further submission points were received in relation to APP3.

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
| V1-0077      | Ryman          | 107              | Oppose In Part | Amend as follows:<br>This requirement does not apply to:<br>...<br><u>b. boundaries adjoining rural zones, commercial and mixed use zones, industrial zones and special purpose zones.</u><br>c.... |
| V1-0079      | RVA            | 107              | Oppose In Part | Amend as follows:<br>This requirement does not apply to:<br>...<br><u>b. boundaries adjoining rural zones, commercial and mixed use zones, industrial zones and special purpose zones.</u><br>c.... |
| V1-0102      | CSI            | FS155            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS155            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS141            | Oppose         | <i>Disallow</i>   |
| V1-0114      | CSI and RWRL   | FS155            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS155            | Support        | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |

<sup>184</sup> V1-0032.081 Eliot Sinclair and V1-0056.054 Ara Poutama

<sup>185</sup> V1-0107.056 CRC, V1-0114.071 CSI and RWRL and V1-0115.075 RIDL

### ***Analysis***

- 9.148 Ryman and RVA<sup>186</sup> seek that additional exclusions be integrated into this provision to reflect that some developments may occur adjacent to less sensitive zones. I do not agree, as while uses within other zones may be less sensitive, I do not consider that they have a lesser need for daylight. I therefore recommend that these submission points be rejected.
- 9.149 I also recommend that the Panel use their powers pursuant to clause 99(2)(b) to amend APP3 Height in Relation to Boundary D to specifically identify that roof mounted features which make use of solar energy, such as solar panels or solar hot water systems, be excluded from the application of this provision, consistent with the recommendations in [Appendix 2](#) of the Right of Reply report for the Residential Hearing.

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

- 9.150 I recommend that, for the reasons given above, the Hearing Panel:
- a) Exercise their powers under clause 99(2)(b) of the RMA-EHS to amend amend APP3 Height in Relation to Boundary D as shown in **Appendix 2**, for consistency across the plan.
- 9.151 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 9.152 The scale of change does not require a s32AA evaluation.

### **MRZ-REQ6 Setbacks**

#### ***Submissions***

- 9.153 13 submission points and 21 further submission points were received in relation to MRZ-REQ6.

| Submitter ID | Submitter Name   | Submission Point | Position                   | Decision Requested  |
|--------------|------------------|------------------|----------------------------|---|
| V1-0027      | Richard Christie | 002              | Oppose                     | Delete as notified  |
| V1-0027      | Richard Christie | 006              | Oppose                     | Delete as notified  |
| V1-0032      | Eliot Sinclair   | 082              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI              | FS239            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL             | FS239            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0114      | CSI and RWRL     | FS239            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL             | FS239            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0056      | Ara Poutama      | 055              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman            | 055              | Support In Part            | Amend to clarify meaning of 'road' and 'internal'.  |

<sup>186</sup> V1-0077.107 Ryman and V1-0079.107 RVA

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| V1-0078      | KiwiRail       | 002              | Support In Part | Amend as follows:<br>MRZ-Table1: Setbacks<br>Boundary/Minimum depth<br><u>Rail Corridor/5m</u>                                      |
| V1-0113      | Kāinga Ora     | FS008            | Oppose          | Disallow  |
| V1-0079      | RVA            | 055              | Support In Part | Amend to clarify meaning of 'road' and 'internal'.  |
| V1-0102      | CSI            | FS103            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0103      | CGPL           | FS103            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0113      | Kāinga Ora     | FS089            | Oppose          | Disallow  |
| V1-0114      | CSI and RWRL   | FS103            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0115      | RIDL           | FS103            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0086      | Jo Brady       | 003              | Oppose          | Amend the 1m from a boundary construction to a minimum of 2m for Selwyn.  |
| V1-0107      | CRC            | 057              | Support         | Retain as notified.   |
| V1-0112      | Hughes         | 009              | Oppose In Part  | Amend MRZ-TABLE1: Setbacks as follows:<br>Internal – <u>0m for garages with a wall length not exceeding 7m</u>                      |
| V1-0102      | CSI            | FS037            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0103      | CGPL           | FS037            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0114      | CSI and RWRL   | FS037            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0115      | RIDL           | FS037            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0113      | Kāinga Ora     | 067              | Support In Part | Amend as follows.<br>4. Any application arising from MRZ-REQ6.2. shall not be subject to public or <del>limited</del> notification. |
| V1-0077      | Ryman          | FS052            | Support         | Allow the submission  |
| V1-0079      | RVA            | FS052            | Support         | Allow the submission  |
| V1-0102      | CSI            | FS332            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0103      | CGPL           | FS332            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |
| V1-0114      | CSI and RWRL   | FS332            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                       |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0115      | RIDL           | FS332            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 072              | Support  | Retain as notified   |
| V1-0115      | RIDL           | 076              | Support  | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS078            | Oppose   | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined. |

### Analysis

- 9.154 Richard Christie<sup>187</sup> considers that this provision goes against the established setback provisions within the district, undermining the investments that individuals have made in their homes by potentially denying them sunlight to their properties and seeks that the provision be deleted. As the inclusion of this provision in the PDP has been mandated by the RMA-EHS, I consider that there is no scope to grant the relief requested and therefore recommend that this submission point be rejected.
- 9.155 Ryman and RVA<sup>188</sup> support the retention of the provision as notified, but request clarification of the meaning of 'road' and 'internal'. *Road boundary* and *internal boundary* are defined within the PDP and have been utilised within this provision to ensure consistency across the plan. I therefore recommend that these submission points be rejected.
- 9.156 KiwiRail<sup>189</sup> requests that a 5m setback apply to all buildings adjoining operational railway corridor boundaries. They consider that this setback is required for operational 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 where this intersects with the MRZ. Therefore, I do not consider that there is a need to require an additional setback and I recommend that this submission point be rejected.
- 9.157 Jo Brady<sup>190</sup> seeks that the minimum setback be increased to 2m. As the inclusion of this provision in the PDP has been mandated by the RMA-EHS, I consider that there is no scope to grant the relief requested and therefore recommend that this submission point be rejected.

<sup>187</sup> V1-0027.002 and 006 Richard Christie

<sup>188</sup> V1-0077.055 Ryman and V1-0079.055 RVA

<sup>189</sup> V1-0078.002 KiwiRail

<sup>190</sup> V1-0086.003 Jo Brady

- 9.158 Hughes<sup>191</sup> consider that, to enable greater use of a site, provision should be made to enable garages to be located on a boundary. I consider that this is already provided for within the provision, where buildings share a common wall. I consider that enabling this further would adversely impact on the amenity within the zone, have practical construction and maintenance implication for landowners, and is inconsistent with the Selwyn context. I also consider that this is a more permissive approach than the minimum requirements of MDRS. I therefore recommend that this submission point be rejected.
- 9.159 Kāinga Ora<sup>192</sup> seeks amendments to remove the preclusion of limited notification, as this is not mandatory under the provisions of the RMA-EHS, and there may be circumstances where limited notification is appropriate. In this respect, the preclusion of limited notification is not mandatory, and I consider that it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process. I therefore recommend that this submission point be accepted.
- 9.160 Eliot Sinclair and Ara Poutama<sup>193</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.161 CRC, CSI and RWRL and RIDL<sup>194</sup> request that MRZ-REQ6 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.

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

- 9.162 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-REQ6 as shown in **Appendix 2**, to allow for consideration of limited notification if appropriate to an application.
- 9.163 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 9.164 The scale of change does not require a s32AA evaluation.

#### **MRZ-REQ7 – Windows to Street**

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

- 9.165 14 submission points and 20 further submission points were received in relation to MRZ-REQ7. Further, SDC sought that a new rule requirement be included to address concerns that the provisions as notified were insufficient to achieve RESZ-PA, and I consider it appropriate that these submission points be considered in conjunction with this rule requirement. These submission points are highlighted in blue, to distinguish them from the submission points specifically in relation to MRZ-REQ7.

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<sup>191</sup> V1-0112.009 Hughes

<sup>192</sup> V1-0113.067 Kāinga Ora

<sup>193</sup> V1-0032.085 Eliot Sinclair and V1-0056.058 Ara Poutama

<sup>194</sup> V1-0107.057 CRC, V1-0114.072 CSI and RWRL and V1-0115.076 RIDL



| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 083              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS240            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS240            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS240            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS240            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0056      | Ara Poutama    | 056              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 056              | Oppose In Part             | Amend as follows:<br>1. Any residential unit <u>or retirement unit</u> , or other principal building, facing <del>the</del> a public street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors. |
| V1-0079      | RVA            | 056              | Oppose In Part             | Amend as follows:<br>1. Any residential unit <u>or retirement unit</u> , or other principal building, facing <del>the</del> a public street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors. |
| V1-0102      | CSI            | FS104            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS104            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS090            | Oppose                     | Disallow  |
| V1-0114      | CSI and RWRL   | FS104            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS104            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0092      | SDC            | 025              | Support In Part            | Amend MRZ-REQ7 to clarify what is meant by "street facing façade", and how it works on corner sections, for consistency with RESZ-PB.<br>Or alternative relief to achieve the requested outcome.  |
| V1-0092      | SDC            | 026              | Support In Part            | Amend so that MRZ-REQ7 applies to shared accessways, not just to roads.<br>Or alternative relief to achieve the requested outcome.  |
| V1-0113      | Kāinga Ora     | FS022            | Oppose                     | Disallow  |
| V1-0092      | SDC            | 027              | Support In Part            | Amend the diagram to show all of the gable end within the excluded area, and include it   |

| Submitter ID | Submitter Name               | Submission Point | Position        | Decision Requested  |
|--------------|------------------------------|------------------|-----------------|---|
|              |                              |                  |                 | as a separate diagram for consistency with other diagrams in the MRZ-REQ.<br>Or alternative relief to achieve the requested outcome.  |
| V1-0092      | SDC                          | 036              | Support In Part | Insert new MRZ-REQA requiring a kitchen or habitable room to be located within the street-facing façade.<br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch                   | FS033            | Oppose          | Disallow the submission   |
| V1-0113      | Kāinga Ora                   | FS027            | Oppose          | Disallow  |
| V1-0092      | SDC                          | 037              | Support In Part | Insert new MRZ-REQA non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome.                            |
| V1-0055      | AgResearch                   | FS034            | Oppose          | Disallow the submission   |
| V1-0113      | Kāinga Ora                   | FS028            | Oppose          | Disallow  |
| V1-0092      | SDC                          | 038              | Support In Part | Insert new MRZ-REQA requiring a kitchen or habitable room to be located within the street-facing façade.<br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch                   | FS035            | Oppose          | Disallow the submission   |
| V1-0113      | Kāinga Ora                   | FS029            | Oppose          | Disallow  |
| V1-0092      | SDC                          | 039              | Support In Part | Insert new MRZ-REQA non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome.                            |
| V1-0055      | AgResearch                   | FS036            | Oppose          | Disallow the submission   |
| V1-0113      | Kāinga Ora                   | FS030            | Oppose          | Disallow  |
| V1-0095      | Fletcher                     | 001              | Support In Part | Amend as follows:<br>1. ...<br>For the purposes of this requirement:<br>(a) any area of of roofspace that is fully enclosed by a gable shall not be included in the area of the street-facing façade.,<br>(b) any area of an attached garage shall not be included in the area of the street facing façade. |
| V1-0131      | Terri Winder and Chris Lea   | FS003            | Support         | Allow in full.  |
| V1-0099      | Barton Fields Villas Limited | 003              | Oppose In Part  | Amend as follows:<br>1. ...<br>For the purposes of this requirement:<br>(a), any area of of roofspace that is fully enclosed by a gable shall not be included in  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | the area of the street-facing façade.,<br><u>(b) any area of an attached garage shall not be included in the area of the street facing façade.</u>   |
| V1-0107      | CRC            | 058              | Support         | Retain as notified.  |
| V1-0112      | Hughes         | 010              | Support In Part | Amend MRZ-REQ7.1 as follows:<br>1. ...<br>For the purposes of this requirement:<br><u>(a), any area of of roofspace that is fully enclosed by a gable shall not be included in the area of the street-facing façade.,</u><br><u>(b) any area of an attached garage shall not be included in the area of the street facing façade.</u>                                    |
| V1-0102      | CSI            | FS038            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS038            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS038            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS038            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | 069              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS334            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS334            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS334            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS334            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 073              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 077              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS079            | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### **Analysis**

- 9.166 Fletcher, Barton Fields, and Hughes<sup>195</sup> request that attached garaging is excluded from the glazing calculation.
- 9.167 SDC<sup>196</sup> seek that the provision be amended to clarify what is meant by 'street facing façade', and how this would be applied on corner sections; that the provision apply to shared accessways as well as roads; and to clarify how gable ends are to be considered.
- 9.168 SDC<sup>197</sup> also consider that the provision as notified is insufficient to achieve RESZ-PA, as there is no requirement that windows to the street be associated with habitable rooms.
- 9.169 Having regard to the submissions above, I consider that the provision should be amended to ensure that it achieves the intent of RESZ-PA and RESZ-O1 and to clarify how the percentage of glazing required by the provision is to be calculated. Specifically, I consider that:
- 9.169.1 To ensure passive surveillance of streets and improve the visual appearance of residential units, or other principal buildings, the provision should be applied to all street facing facades. I acknowledge on corner sites that this may give rise to concerns regarding privacy, however the option exists to erect a fence if this is the case. However, as fencing is a personal choice, I do not consider that it is appropriate to exclude 'secondary' facades from this provision as landowners may not chose to fence, or only to erect a low fence, therefore it is important that the intent of the provision be retained to all street facing facades.
  - 9.169.2 For the same reasons as above, this provision should also apply to shared accessways.
  - 9.169.3 The inclusion of glazing alone will not achieve the intent of RESZ-PA or RESZ-O1, and requiring a habitable room to the public realm at ground level will ensure that the opportunity for passive surveillance of both the public and private realms is provided. This is important because it improves the perception of safety and reduces the opportunity to commit crime. I record that a similar requirement is included in the four other residential zones<sup>198</sup> and I do not consider that there is anything significantly different in the MRZ that would negate this requirement. I consider that this can be incorporated into this provision such that there is no need for a specific requirement in this regard.
  - 9.169.4 As garages do not fall within the definition of *residential unit*, they would be excluded from the glazing calculation. However, for the avoidance of doubt, I consider that this should be recorded within the provision.
  - 9.169.5 It is appropriate that gable ends be excluded from the area of glazing calculation as I consider that glazing in any such element is unlikely to assist in achieving passive

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<sup>195</sup> V1-0095.001 Fletcher, V1-0099.003 Barton Fields and V1-0112.010 Hughes

<sup>196</sup> V1-0092.025, 026 and 027 SDC

<sup>197</sup> V1-0092.036, 037, 038 and 039 SDC

<sup>198</sup> Refer to LLRZ-REQ6, LRZ-REQ8, GRZ-REQ8 and SETZ-REQ8

surveillance of the public realm. However, clarification of how the glazing calculation relates to gable ends is appropriate.

- 9.170 I therefore recommend that the submission points of Fletcher, Barton Fields, Hughes and SDC be accepted, in full or in part.
- 9.171 Ryman and RVA<sup>199</sup> support this provision in principle but seek that it be amended, consistent with their request that retirement units be differentiated from residential units. For the reasons set out in [Section 10](#), I do not consider that it is necessary to make this distinction within the MRZ. I therefore recommend that these submission points be rejected.
- 9.172 Eliot Sinclair and Ara Poutama<sup>200</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.173 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>201</sup> request that MRZ-REQ7 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.174 I also recommend that the Panel use their powers pursuant to clause 99(2)(b) to amend the notification statement included in this provision. In this respect, the preclusion of limited notification is not mandatory, consistent with the requirements of clause 5 of Schedule 3A of the RMA-EHS. I consider that the preclusion of limited notification within the provision as notified was an error and it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process.

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

- 9.175 I recommend that, for the reasons given above, the Hearing Panel, amend MRZ-REQ7:
- a) amend MRZ-REQ7.1, as shown in **Appendix 2**, to clarify the provision and ensure that it achieves the intent of RESZ-PA and REZ-O1; and
  - b) exercise their powers under clause 99(2)(b) of the RMA-EHS to amend MRZ-REQ7.4. as shown in **Appendix 2**, to allow for consideration of limited notification, consistent with the provisions of the RMA-EHS.
- 9.176 I recommend that the original submission points and the further submission points are accepted or rejected as shown in **Appendix 1**.
- 9.177 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

#### **MRZ-REQ8 – Outdoor Living Space**

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

- 9.178 12 submission points and 22 further submission points were received in relation to MRZ-REQ8.

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<sup>199</sup> V1-0077.056 Ryman and V1-0079.056 RVA

<sup>200</sup> V1-0032.083 Eliot Sinclair and V1-0056.056 Ara Poutama

<sup>201</sup> V1-0107.058 CRC, V1-0113.069 Kāinga Ora, V1-0114.073 CSI and RWRL and V1-0115.077 RIDL

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 084              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS241            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS241            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS241            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS241            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 057              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0077      | Ryman          | 057              | Oppose In Part             | Amend as follows:<br>...<br><u>3. For retirement units, clause 1 and 2 apply with the following modifications:</u><br><u>a. the outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each retirement unit; and</u><br><u>b. a retirement village may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.</u> |
| V1-0079      | RVA            | 057              | Oppose In Part             | Amend as follows:<br>...<br><u>3. For retirement units, clause 1 and 2 apply with the following modifications:</u><br><u>a. the outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each retirement unit; and</u><br><u>b. a retirement village may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.</u> |
| V1-0102      | CSI            | FS105            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS105            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS091            | Oppose                     | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS105            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0115      | RIDL           | FS105            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0092      | SDC            | 028              | Support In Part | Amend MRZ-REQ8 to ensure that outdoor living spaces are not located between the road boundary and the residential unit.  |
| V1-0055      | AgResearch     | FS029            | Oppose          | <i>Disallow the submission</i>   |
| V1-0113      | Kāinga Ora     | FS023            | Oppose          | <i>Disallow</i>  |
| V1-0092      | SDC            | 029              | Support In Part | Amend MRZ-REQ8 to ensure that outdoor living spaces are not located between the road boundary and the residential unit.  |
| V1-0055      | AgResearch     | FS030            | Oppose          | <i>Disallow the submission</i>   |
| V1-0113      | Kāinga Ora     | FS024            | Oppose          | <i>Disallow</i>  |
| V1-0092      | SDC            | 030              | Support In Part | Amend MRZ-REQ8 to ensure that outdoor living spaces are not located between the road boundary and the residential unit.  |
| V1-0055      | AgResearch     | FS031            | Oppose          | <i>Disallow the submission</i>   |
| V1-0113      | Kāinga Ora     | FS025            | Oppose          | <i>Disallow</i>  |
| V1-0092      | SDC            | 031              | Support In Part | Amend MRZ-REQ8 to ensure that outdoor living spaces are not located between the road boundary and the residential unit.  |
| V1-0055      | AgResearch     | FS032            | Oppose          | <i>Disallow the submission</i>   |
| V1-0113      | Kāinga Ora     | FS026            | Oppose          | <i>Disallow</i>  |
| V1-0107      | CRC            | 059              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 071              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS336            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS336            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS336            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS336            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 074              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 078              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS080            | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 9.179 SDC<sup>202</sup> considers that as there is no restriction on the location of outdoor living space it could be located between a residential unit and a road boundary, creating pressure to establish fencing to provide a level of privacy. I agree with this submission point and consider that this can have adverse effects on the 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 as improves the perceptions of safety. I recommend that this provision be amended to ensure that ground floor outdoor living spaces are not located between the residential unit and a road boundary. This amendment works in combination with the rule requirements relating to fencing (MRZ-R5) and windows to street (MRZ-REQ7) to promote the principles of CPTED and assists to achieve the purpose of RESZ-O1, RESZ-P5 and RESZ-PA. I note that this amendment is consistent with the approach taken in the GRZ. I therefore recommend that these submission points be accepted.
- 9.180 Ryman and RVA<sup>203</sup> support this provision in principle but consider that it should be amended to enable communal areas to count towards the amenity standard in regard to retirement villages. For the reasons set out in [Section 10](#), I recommend that these submission points be accepted in part.
- 9.181 Eliot Sinclair and Ara Poutama<sup>204</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.182 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>205</sup> request that MRZ-REQ8 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.183 I record that I consider that there is the possibility for confusion regarding the use of the word *patio* in this provision. A patio is generally considered to be a paved area on the ground floor but has been included in clause (1)(b) and (2), both of which refer to the dimensions of outdoor living space that is located above the ground floor. I consider that, having identified this matter during the hearing process, scope exists pursuant to clause 99 for the Panel to make a recommendation on this matter, should they be of a similar view to myself. I consider that possible options available to the Panel removing the word *patio* from MRZ-REQ8(1)(b) and (2) or to incorporate a definition into the PDP that would clearly define a patio as being located above the ground. I record that my preference would be that patio is removed from the provision. I do not consider that this changes the application or extent of the standard.
- 9.184 I recommend that the Panel use their powers pursuant to clause 99(2)(b) to amend the notification statement included in this provision. In this respect, the preclusion of limited notification is not mandatory, consistent with the requirements of clause 5 of Schedule 3A of the RMA-EHS. I consider that the preclusion of limited notification within the provision as notified was an error

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<sup>202</sup> V1-0092.028, 029, 030 and 031 SDC

<sup>203</sup> V1-0077.057 Ryman and V1-0079.057 RVA

<sup>204</sup> V1-0032.084 Eliot Sinclair and V1-0056.057 Ara Poutama

<sup>205</sup> V1-0107.059 CRC, V1-0113.071 Kāinga Ora, V1-0114.074 CSI and RWRL and V1-0115.078 RIDL



and it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process.

### **Recommendation and amendments**

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

- a) amend MRZ-REQ8 as shown in **Appendix 2**, to ensure that outdoor living space located on the ground floor does not give rise to the need for this area to be fenced; and
- b) Exercise their powers under clause 99(2)(b) of the RMA-EHS to amend MRZ-REQ8.5. as shown in **Appendix 2**, to allow for consideration of limited notification, consistent with the provisions of the RMA-EHS.

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

9.187 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

### **MRZ-REQ9 – Outlook Space**

#### ***Submissions***

9.188 12 submission points and 14 further submission points were received in relation to MRZ-REQ9.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 085              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS242            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS242            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS242            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS242            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 058              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0077      | Ryman          | 058              | Oppose In Part             | Amend as follows:<br>...<br><u>10. For retirement units, clauses 1 – 9 apply with the following modification: The minimum dimensions for a required outlook space are 1 metre in depth and 1 metre in width for a principal living room and all other habitable rooms.</u> |
| V1-0079      | RVA            | 058              | Oppose In Part             | Amend as follows:<br>...<br><u>10. For retirement units, clauses 1 – 9 apply with the following modification: The minimum dimensions for a required outlook</u>  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | <u>space are 1 metre in depth and 1 metre in width for a principal living room and all other habitable rooms.</u>  |
| V1-0102      | CSI            | FS106            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS106            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS092            | Oppose          | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS106            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS106            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0092      | SDC            | 032              | Support In Part | Amend MRZ-REQ9 to clarify how the height of the outlook space is to be measured.   |
| V1-0092      | SDC            | 033              | Support In Part | Amend MRZ-REQ9 to clarify how the height of the outlook space is to be measured.   |
| V1-0092      | SDC            | 034              | Support In Part | Amend MRZ-REQ9 to clarify that ranch sliders, french doors, and the like, are considered "windows" for the purpose of the REQ.   |
| V1-0092      | SDC            | 035              | Support In Part | Amend MRZ-REQ9 to clarify that ranch sliders, french doors, and the like, are considered "windows" for the purpose of the REQ.   |
| V1-0107      | CRC            | 060              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 073              | Support         | Retain as notified.  |
| V1-0102      | CSI            | FS338            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS338            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS338            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS338            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 075              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 079              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS081            | Oppose          | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### ***Analysis***

- 9.189 SDC<sup>206</sup> considers that a vertical measurement should be included in this provision, to align with the intent of outlook spaces as being spaces that are clear and unobstructed, as set out in MRZ-REQ9.9. I agree with this submission point and consider that it is appropriate that the measurement of outdoor space be considered in three dimensions, rather than just in two planes. I therefore recommend that these submission points be accepted.
- 9.190 SDC<sup>207</sup> also consider that often the largest area of glazing in a principal living room is not a window, but a ranch slider or french doors or similar, and request that the provision be amended to reflect this. I consider that the provision as notified does not allow for consideration of outlook space from these openings as I consider that, generally speaking, a window is perceived as a different element of a building than a door of any form. While I do not consider that the drafters of the MDRS intended that outlook spaces were only to be measured in relation to windows, I also consider unless provision is made for alternatives, on the face of it there is no option but to only determine these areas from windows. I therefore recommend that these submission points be accepted.
- 9.191 Ryman and RVA<sup>208</sup> support this provision in principle but consider however consider it is not directly relevant to retirement villages and request that the provision be amended. For the reasons set out in [Section 10](#), I recommend that these submission points be rejected.
- 9.192 Eliot Sinclair and Ara Poutama<sup>209</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.193 CRC, Kāinga Ora, CSI and RWRL and RIDL<sup>210</sup> request that MRZ-REQ8 be retained as notified. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.194 I also recommend that the Panel use their powers pursuant to clause 99(2)(b) to amend the notification statement included in this provision. In this respect, the preclusion of limited notification is not mandatory, consistent with the requirements of clause 5 of Schedule 3A of the RMA-EHS. I consider that the preclusion of limited notification within the provision as notified was an error and it would be inappropriate to prevent those who may be adversely affected by non-compliance with this provision from having the opportunity to participate in the process.

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

- 9.195 I recommend that, for the reasons given above, the Hearing Panel:
- a) amend MRZ-REQ9 as shown in **Appendix 2**, to ensure that the determination of outlook space can be made in relation to glazed door openings and also provide for a vertical distance such

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<sup>206</sup> V1-0092.032 and 033 SDC

<sup>207</sup> V1-0092.034 and 035 SDC

<sup>208</sup> V1-0077.058 Ryman and V1-0079.058 RVA

<sup>209</sup> V1-0032.085 Eliot Sinclair and V1-0056.058 Ara Poutama

<sup>210</sup> V1-0107.060 CRC, V1-0113.073 Kāinga Ora, V1-0114.075 CSI and RWRL and V1-0115.079 RIDL

that the space is considered as a three-dimensional space, and to allow for consideration of limited notification if appropriate to an application.

- b) exercise their powers under clause 99(2)(b) of the RMA-EHS to amend MRZ-REQ9.12 as shown in **Appendix 2**, to allow for consideration of limited notification, consistent with the provisions of the RMA-EHS.

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

9.197 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

#### **MRZ-REQ10 – Landscape Area**

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

9.198 Eight submission points and 14 further submission points were received in relation to MRZ-REQ10.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 086              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS243            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS243            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL   | FS243            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS243            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0056      | Ara Poutama    | 059              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0077      | Ryman          | 059              | Oppose In Part             | Amend as follows:<br>1. A residential unit <u>or retirement unit</u> at ground floor level must have a landscaped area:<br>a. ...<br>b. maybe located on any part of the development site and does not need to be associated with each residential unit <u>or retirement unit</u> .<br>2. ...<br>...<br>b. ...<br>i. a minimum of ø 1.8m high at time of planting; and<br>... |
| V1-0079      | RVA            | 059              | Oppose In Part             | Amend as follows:<br>1. A residential unit <u>or retirement unit</u> at ground floor level must have a landscaped area:<br>a. ...   |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
|              |                |                  |                 | <p>b. maybe located on any part of the development site and does not need to be associated with each residential unit <u>or retirement unit</u>.</p> <p>2. ...</p> <p>...</p> <p>b. ...</p> <p>i. a minimum of of 1.8m high at time of planting; and</p> <p>...</p>  |
| V1-0102      | CSI            | FS107            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS107            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS093            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL   | FS107            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS107            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0107      | CRC            | 061              | Support         | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 075              | Support In Part | <p>Amend as follows:</p> <p><del>2. Except as provided for in MRZ-REQ10.1, the area between the road boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be:</del></p> <p><del>a. landscaped with a mix of lawn, garden beds, or shrubs; and</del></p> <p><del>b. provided with one specimen tree for every 10m of frontage that is:-</del></p> <p><del>i. a minimum of of 1.8m high at time of plating; and</del></p> <p><del>ii. capable of achieving a height at maturity of 8m.</del></p> |
| V1-0102      | CSI            | FS340            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS340            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS340            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS340            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | 076              | Support         | Retain as notified   |
| V1-0115      | RIDL           | 080              | Support         | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS082            | Oppose          | <p>Disallowed in part</p> <p>The Council should recognise that it is clear</p>   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | <i>that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.199 Ryman and RVA<sup>211</sup> support this provision in principle but seek that it be amended, consistent with their request that retirement units be differentiated from residential units. For the reasons set out in [Section 10](#), I do not consider that it is necessary to make this distinction within the MRZ. The submitters have also identified an unnecessary ‘of’ in the provision and seek that it be removed. On review, I acknowledge that this is an error. I also record that the spelling of *planting* in this clause is incorrect. I recommend that these submission points be accepted in part and that amendments be made pursuant to clause 16(2).
- 9.200 Kāinga Ora<sup>212</sup> seeks that clause 2 of this provision be deleted as they consider that it is overly detailed and specific, and unnecessary for achieving consistency with the requirements of the RMA-EHS. I consider that clause 1 of this provision is consistent with the RMA-EHS, however, as worded, this provision relates only to residential units, and not to any other form of development. Therefore, I consider that it is necessary that clause 2 be included in the provision, to require landscaping in relation to other forms of development. I record that the wording of clause 2 is the same as that included in the other four residential zones, and I do not consider that there is anything significantly different in the MRZ that would negate this requirement. Therefore, I recommend that this submission point be rejected.
- 9.201 Eliot Sinclair and Ara Poutama<sup>213</sup> are neutral on this provision. I recommend that these submission points be accepted.
- 9.202 CRC, CSI and RWRL and RIDL<sup>214</sup> request that MRZ-REQ10 be retained as notified. I recommend that these submission points be accepted.

### Recommendation

- 9.203 I recommend, for the reasons given above, that the Hearings Panel retains MRZ-REQ10 as notified, subject to a clause 16(2) amendment being undertaken as identified above.
- 9.204 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.

<sup>211</sup> V1-0077.059 Ryman and V1-0079.059 RVA

<sup>212</sup> V1-0113.075 Kāinga Ora

<sup>213</sup> V1-0032.086 Eliot Sinclair and V1-0056.059 Ara Poutama

<sup>214</sup> V1-0107.061 CRC, V1-0114.076 CSI and RWRL and V1-0115.080 RIDL

**MRZ-REQ11 – Outdoor Storage****Submissions**

9.205 Six submission points and 11 further submission points were received in relation to MRZ-REQ11.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0032      | Eliot Sinclair | 087              | Neither Support Nor Oppose | Not specified.  |
| V1-0102      | CSI            | FS244            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS244            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS244            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS244            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0056      | Ara Poutama    | 060              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.  |
| V1-0107      | CRC            | 062              | Support                    | Retain as notified.   |
| V1-0113      | Kāinga Ora     | 077              | Support In Part            | Amend as follows:<br>3. The exercise of discretion in relation to MRZ-REQ11.3.a is restricted to the following matters:<br><u>a. RESZ-MAT1 Residential Design Effects of outdoor storage areas on the amenity of the streetscape, adjoining public space and adjoining residential sites.</u> |
| V1-0077      | Ryman          | FS053            | Support                    | Allow the submission  |
| V1-0079      | RVA            | FS053            | Support                    | Allow the submission  |
| V1-0102      | CSI            | FS342            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS342            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | FS342            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS342            | Support                    | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL   | 077              | Support                    | Retain as notified  |
| V1-0115      | RIDL           | 081              | Support                    | Retain as notified.   |
| V1-0021      | Lincoln Voice  | FS083            | Oppose                     | Disallowed in part<br>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be          |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
|              |                |                  |          | <i>independently evaluated if they give a trade advantage, and if so declined.</i> |

### **Analysis**

- 9.206 Kāinga Ora<sup>215</sup> seek amendments to this provision to ensure that the matters of discretion relate specifically to non-compliance with this provision. I agree with the submitter and consider that the exercise of discretion should relate to a narrower range of matters that are directly related to a breach of this provision. I recommend that this submission point be accepted.
- 9.207 Eliot Sinclair and Ara Poutama<sup>216</sup> are neutral on this provision. I recommend that these submission points be accepted in part as I have proposed that this provision be amended.
- 9.208 CRC, CSI and RWRL and RIDL<sup>217</sup> request that MRZ-REQ11 be retained as notified. I recommend that these submission points be accepted in part given that I have proposed an amendment to this provision.

### **Recommendation**

- 9.209 I recommend that, for the reasons given above, the Hearing Panel:
- a) amends MRZ-REQ11, as shown in **Appendix 2**, to ensure that the matters of discretion specifically relate to the effect of non-compliance with this provision.
- 9.210 I recommend that the original submission points and further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.

### **MRZ-REQ12 – Development Areas**

#### **Submissions**

- 9.211 Six submission points and nine further submission points were received in relation to MRZ-REQ12.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0032      | Eliot Sinclair | 088              | Neither Support Nor Oppose | Not specified.   |
| V1-0102      | CSI            | FS245            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0103      | CGPL           | FS245            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0114      | CSI and RWRL   | FS245            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |

<sup>215</sup> V1-0113.077 Kāinga Ora

<sup>216</sup> V1-0032.087 Eliot Sinclair and V1-0056.060 Ara Poutama

<sup>217</sup> V1-0107.062 CRC, V1-0114.077 CSI and RWRL and V1-0115.081 RIDL



| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| V1-0115      | RIDL           | FS245            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0056      | Ara Poutama    | 061              | Neither Support Nor Oppose | Amend the PDP as set out in the original submission.   |
| V1-0107      | CRC            | 010              | Support                    | Retain as notified.  |
| V1-0113      | Kāinga Ora     | 079              | Oppose                     | Delete as notified.  |
| V1-0102      | CSI            | FS344            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS344            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | FS344            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS344            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0114      | CSI and RWRL   | 078              | Support                    | Retain as notified   |
| V1-0115      | RIDL           | 082              | Support                    | Retain as notified.  |
| V1-0021      | Lincoln Voice  | FS084            | Oppose                     | <i>Disallowed in part<br/>The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i> |

### Analysis

- 9.212 Kāinga Ora<sup>218</sup> seeks that this provision be deleted as they consider that it will make the MRZ less enabling of development and has not been justified as a qualifying matter in accordance with s77I of the RMA-EHS. The inclusion of the components of this requirement stem from relevant Schedule 1 processes, where it was considered appropriate that setback provisions be included to address reverse sensitivity effects. However, I acknowledge that these have not been specifically identified as a qualifying matter within the supporting [Section 32 evaluation](#), therefore I provide that below. On this basis, I recommend that the submission point be rejected.

### ***Evaluation under s77J and s77L of qualifying matters that arise from the application of s77I(j) – any other matter***

- 9.212.1 Evaluative assessments are required to be made in accordance with Section 77J (Requirements in relation to evaluation report) and Section 77L (Further requirement about application of section 77I(j)) of the RMA-EHS.

<sup>218</sup> V1-0113.079 Kāinga Ora

- 9.212.2 As such, this section evaluates the modification to permitted setback standards to provide for setbacks from the GIZ in relation to that land within DEV-LI7 and DEV-LI8 and from the wastewater treatment pond, as designated<sup>219</sup>, in relation to DEV-LI8. The evaluation demonstrates why it is considered that these areas should be subject to a qualifying matter that makes the density of development permitted by the MDRS incompatible in this area and assesses the impacts of imposing the setbacks proposed.
- 9.212.3 The requirement for these setbacks was addressed through the Schedule 1 process associated with Private Plan Change 69<sup>220</sup>. In summary, it was considered that setbacks were required to address reverse sensitivity effects of development, and in the case of the wastewater treatment pond, to provide for the protection of that important infrastructure without imposing unnecessary restrictions on the development of the site. Through the Schedule 1 process and based on the information provided by the various parties, it was determined that, in relation to the wastewater treatment pond, a 100m setback was appropriate, measured from the edge of the treatment pond, as opposed to the edge of the designation/site of the wastewater treatment pond. It was also determined that a 50m setback from the proposed GIZ was appropriate so as to avoid reverse sensitivity effects associated with activities within that zone.
- 9.212.4 The need for the setback from the wastewater treatment pond was well traversed through the Schedule 1 process, and based on the evidence presented, it was agreed that a setback was required, with the Commissioner being satisfied that a 100m setback from the wastewater treatment pond was appropriate in relation to the present and intended use of this infrastructure. In terms of the impact that the setback may have on the permitted density, I consider that, with the setback being measured from the edge the pond, as opposed to the boundary of the designated site, the development potential of the area is not reduced as much as it would be should this be measured from the edge of the designation.
- 9.212.5 While there will be some costs associated with the provisions, I consider that in terms of the overall housing supply within the development areas specifically, and the township of Lincoln and the overall area included in the MRZ within Selwyn more generally, these will be negligible. As the land is yet to be developed, I consider that there is the flexibility to ensure that any loss of density is provided elsewhere within the development areas. I consider that the evidence provided through the Schedule 1 process for Private Plan Change 69 identifies that the controls are necessary to allow for operation of the infrastructure and to mitigate any reverse sensitivity effects.
- 9.212.6 The setbacks represent the minimum level of modifications to the density standards to achieve the necessary protection of Council's infrastructure and to ensure that future residential development is insulated from any effects associated with activities on the adjoining sites.

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<sup>219</sup> SDC-66 ESSS (S) Allendale Lane in the PDP

<sup>220</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0005/871502/PC69-Commissioner-Recommendation-13-May-2022.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0005/871502/PC69-Commissioner-Recommendation-13-May-2022.pdf)

- 9.213 Eliot Sinclair and Ara Poutama<sup>221</sup> are neutral on this provision. I recommend that these submission points be accepted.
- 9.214 CRC, CSI and RWRL and RIDL<sup>222</sup> request that MRZ-REQ12 be retained as notified. I recommend that these submission points be accepted.

#### **Recommendation and amendments**

- 9.215 I recommend that, for the reasons given above, the Hearing Panel:
- a) retains MRZ-REQ12 as notified; and
  - b) Exercise their powers under clause 99(2)(b) of the RMA-EHS to amend HPW30, as shown in **Appendix 2**, to include the matters in relation to DEV-LI7 and DEV-LI8 as qualifying matters.
- 9.216 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

#### **New MRZ Rule Requirements**

##### **Submissions**

- 9.217 Eight submission points and 12 further submission points were received seeking that new rule requirements be included in the MRZ Chapter.

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0092      | SDC            | 040              | Support In Part | Insert new MRZ-REQB to require any garage, accessory building or structure to be no further forward on a site than the associated residential unit.<br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch     | FS037            | Oppose          | Disallow the submission  |
| V1-0113      | Kāinga Ora     | FS031            | Oppose          | Disallow   |
| V1-0092      | SDC            | 041              | Support In Part | Insert new MRZ-REQB non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome. |
| V1-0055      | AgResearch     | FS038            | Oppose          | Disallow the submission  |
| V1-0092      | SDC            | 042              | Support In Part | Insert new MRZ-REQB to require any garage, accessory building or structure to be no further forward on a site than the associated residential unit.<br>Or alternative relief to achieve the requested outcome.   |
| V1-0055      | AgResearch     | FS039            | Oppose          | Disallow the submission  |
| V1-0113      | Kāinga Ora     | FS032            | Oppose          | Disallow   |

<sup>221</sup> V1-0032.088 Eliot Sinclair and V1-0056.061 Ara Poutama

<sup>222</sup> V1-0107.010 CRC, V1-0114.078 CSI and RWRL and V1-0115.082 RIDL

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0092      | SDC            | 043              | Support In Part | Insert new MRZ-REQB non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome. |
| V1-0055      | AgResearch     | FS040            | Oppose          | Disallow the submission  |
| V1-0092      | SDC            | 044              | Support In Part | Insert a new MRZ-REQC to require any garage, accessory building, or structure to be no more than 50% of the building frontage, where the site has direct frontage to a road or shared accessway.<br>Or alternative relief to achieve the requested outcome.                      |
| V1-0055      | AgResearch     | FS041            | Oppose          | Disallow the submission  |
| V1-0113      | Kāinga Ora     | FS033            | Oppose          | Disallow   |
| V1-0092      | SDC            | 045              | Support In Part | Insert new MRZ-REQC non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome. |
| V1-0055      | AgResearch     | FS042            | Oppose          | Disallow the submission  |
| V1-0092      | SDC            | 046              | Support In Part | Insert a new MRZ-REQC to require any garage, accessory building, or structure to be no more than 50% of the building frontage, where the site has direct frontage to a road or shared accessway.<br>Or alternative relief to achieve the requested outcome.                      |
| V1-0055      | AgResearch     | FS043            | Oppose          | Disallow the submission  |
| V1-0113      | Kāinga Ora     | FS034            | Oppose          | Disallow   |
| V1-0092      | SDC            | 047              | Support In Part | Insert new MRZ-REQC non-compliance condition, whereby non-compliance should have an RDIS status, with associated appropriate matters of discretion to ensure that RESZ-P3, RESZ-PA, RESZ-PB, and MRZ-P2 are achieved.<br>Or alternative relief to achieve the requested outcome. |
| V1-0055      | AgResearch     | FS044            | Oppose          | Disallow the submission  |

### Analysis

- 9.218 SDC<sup>223</sup> considers that the provisions as notified are insufficient to achieve the intent of RESZ-PA, and seeks the inclusion of additional rule requirements within the MRZ chapter to manage the location and dominance of garages, accessory buildings and structures to ensure that these forms of developments do not detract from the intent of the policy to provide attractive and safe streets and open public spaces or prevent the opportunity for passive surveillance.

<sup>223</sup> V1-0092.040, 041, 042, 043, 044, 045, 046 and 047 SDC

- 9.219 I agree with the submitter and consider that the MDRS provisions as drafted do not acknowledge the Selwyn context. In this regard, although the Council is identified as a Tier 1 local authority, its context is quite different from that of other Tier 1 councils, in that the *relevant residential zones*, being Lincoln, Prebbleton and Rolleston are not city centres or metropolitan areas. Rather they are townships, or smaller urban environments which, while part of an urban area, are separated from the main urban area by some distance, with residents generally commuting for work, education, retail, services, and other community services. As these townships are not well served by good access to public transport, the focus is on private vehicle use, which requires that the PDP plans for the possible desire of residents for on-site garaging options, even though this is no longer a requirement as all carparking standards have been removed in accordance with the NPS-UD.
- 9.220 I consider that, as MRZ-REQ7 is only applicable to residential units, it is possible the development could occur that met all of the density standards but did not meet the intent of RESZ-PA or RESZ-O1, in that any provision of glazing to the street could be obscured by the installation of a garage, accessory building or other structures. I also consider that, as a *garage* does not form part of the definition of *residential unit*, the potential exists for a garage to be included in a street facing façade, and for that to form a significant component of that façade, again preventing the intent of the policies from being implemented.
- 9.221 Having regard to the submissions above, I consider that additional rule requirements should be incorporated into the MRZ chapter which would require consideration of the location and dominance of garages, accessory buildings, and structures, to ensure that the intent of RESZ-PA and RESZ-O1 are achieved. I therefore recommend that these submission points be accepted. For the avoidance of doubt, I record that I do not consider that the proposed amendments to this provision conflict with the density standards set out in the RMA-EHS; rather they better implement the intent of the policy. I also do not consider that these provisions make development less enabling in terms of the relevant building height or density standards as they would only be applicable should someone wish to establish a garage, an accessory building or other structures on their site.

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

- 9.222 I recommend that, for the reasons given above, the Hearing Panel:
- a) Insert two new rule requirements, as shown in **Appendix 2**, to ensure that RESZ-PA is effectively implemented and the intent of RESZ-O1 is achieved and to allow for consideration of the effect that garages, accessory buildings and/or structures may have on the perception of attractive and safe streets and open public spaces.
- 9.223 I recommend that the original submission points and further submission points are accepted or rejected as shown in **Appendix 1**.

## **10. Retirement Villages**

### ***Submissions***

- 10.1 Ten submission points and 23 further submission points were received seeking that retirement villages be specifically provided for within the MRZ.

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| V1-0045      | Summerset      | 001              | Neither Support Nor Oppose | Council engages constructively with the Retirement Villages Association in relation to Council's housing intensification variation.   |
| V1-0077      | Ryman          | 002              | Support                    | Insert new definition as follows:<br><u>Retirement Unit</u><br><u>means any unit within a retirement village that is used or designed to be used for a residential activity (whether or not it includes cooking, bathing, and toilet facilities).</u> A retirement unit is not a residential unit.  |
| V1-0077      | Ryman          | 046              | Support In Part            | Insert as follows:<br><u>MRZ-RX Retirement villages</u><br><u>Activity status: PER</u><br><u>1. Any retirement village.</u><br><u>Activity status when compliance not achieved: N/A</u>   |
| V1-0077      | Ryman          | 048              | Support In Part            | Insert as follows:<br><u>MRZ-R2x Construction or alteration of or addition to any building or other structure for a retirement village</u><br><u>Activity Status: RDIS</u><br><u>1. The establishment of, or the addition / external alteration to, a retirement village that does not comply with MRZ-R2 or MRZ-R4</u><br><u>Matters for discretion:</u><br><u>2. The exercise of discretion in relation to MRZ-R2x is restricted to the following matters:</u><br><u>a. RESZ-MATX Retirement Villages</u><br><u>Notification:</u><br><u>An application for resource consent associated with a retirement village made in respect of rule MRZ-R2x is precluded from being publicly notified.</u><br><u>An application for resource consent associated with a retirement village made in respect of rule MRZ-R2x that complies with MRZ-REQ3 – MRZ-REQ6 is precluded from being limited notified.</u> |
| V1-0079      | RVA            | 002              | Support                    | Insert new definition as follows:<br><u>Retirement Unit</u><br><u>means any unit within a retirement village that is used or designed to be used for a residential activity (whether or not it includes cooking, bathing, and toilet facilities).</u> A retirement unit is not a residential unit.  |
| V1-0102      | CSI            | FS050            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL           | FS050            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0113      | Kāinga Ora     | FS036            | Oppose                     | <i>Disallow</i>   |
| V1-0114      | CSI and RWRL   | FS050            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL           | FS050            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0079      | RVA            | 046              | Support In Part            | Insert as follows:<br><u>MRZ-RX Retirement villages</u><br><u>Activity status: PER</u><br><u>1. Any retirement village.</u><br><u>Activity status when compliance not achieved: N/A</u>   |

| Submitter ID | Submitter Name | Submission Point | Position           | Decision Requested   |
|--------------|----------------|------------------|--------------------|--|
| V1-0102      | CSI            | FS094            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS094            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS080            | Oppose             | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS094            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS094            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0079      | RVA            | 048              | Support<br>In Part | <p>Insert as follows:</p> <p><u>MRZ-R2x Construction or alteration of or addition to any building or other structure for a retirement village</u></p> <p><u>Activity Status: RDIS</u></p> <p><u>1. The establishment of, or the addition / external alteration to, a retirement village that does not comply with MRZ-R2 or MRZ-R4</u></p> <p><u>Matters for discretion:</u></p> <p><u>2. The exercise of discretion in relation to MRZ-R2x is restricted to the following matters:</u></p> <p><u>a. RESZ-MATX Retirement Villages</u></p> <p><u>Notification:</u></p> <p><u>An application for resource consent associated with a retirement village made in respect of rule MRZ-R2x is precluded from being publicly notified.</u></p> <p><u>An application for resource consent associated with a retirement village made in respect of rule MRZ-R2x that complies with MRZ-REQ3 – MRZ-REQ6 is precluded from being limited notified.</u></p> |
| V1-0102      | CSI            | FS096            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL           | FS096            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora     | FS082            | Oppose             | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL   | FS096            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL           | FS096            | Support            | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0096      | Metlifecare    | 021              | Support            | <p>Insert a new rule as follows:</p> <p><u>Activity status: RDIS</u></p> <p><u>1. Any retirement village, including the establishment of, or additional/external alteration to, a retirement village</u></p> <p><u>Where this activity complies with the following rule requirements:</u></p> <p><u>MRZ-REQ1 Servicing</u></p> <p><u>MRZ-REQ3 Building Coverage</u></p> <p><u>MRZ-REQ4 Height</u></p> <p><u>MRZ-REQ5: Height in Relation to Boundary</u></p> <p><u>MRZ-REQ6: Setback</u></p> <p><u>MRZ-REQ10: Landscape Area</u></p> <p><u>MRZ-REQ12: Development Areas</u></p> <p><u>Matters of discretion:</u></p> <p><u>2. The exercise of discretion in relation to GRZ-R[x].1 is restricted to the following matters:</u></p>   |



| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
|              |                |                  |                | <u>(a) MRZ-P1 and MRZ-P2.</u><br><u>(b) RESZ-MAT17 (Design of Retirement Villages).</u><br><u>(c) NH-MAT3 Geotechnical Considerations</u><br><u>Activity status when compliance with MRZ-R[x].1 is not achieved:</u><br><u>3. When compliance with any of MRZ-R[x].1 is not achieved: RDIS</u><br><u>4. The exercise of discretion in relation to GRZ-R[x].3 is restricted to the following matters</u><br><u>(a) The extent and effect of non-compliance with the rule requirements in relation to MRZ-R[x].1 above.</u><br><u>(b) The matters in MRZ-P1 and MRZ-P2.</u><br><u>(d) The matters in RESZ-P1 and RESZ-P2 (Residential Activities), RESZ-PA and RESZ-PB (Residential Amenity), RESZ-P5 (Outdoor Living Space) and RESZ-P[X] (Retirement Village [as modified above]).</u><br><u>(e) RESZ-MAT17 (Design of Retirement Villages).</u><br><u>(f) NH-MAT3 Geotechnical Considerations.</u> |
| V1-0099      | Barton Fields  | 001              | Oppose In Part | Insert a new rule as follows:<br><u>MRZ-RX</u><br><u>Activity Status: RDIS</u><br><u>1. Retirement Villages</u><br><u>Where this activity complies with the following rule requirements:</u><br><u>MRZ-REQ1 Servicing</u><br><u>MRZ-REQ4 Height</u><br><u>MRZ-REQ5 Height in Relation to Boundary</u><br><u>MRZ-REQ6 Setbacks</u><br><u>Matters for discretion:</u><br><u>2. The exercise of discretion in relation to MRZ-RX.1. is restricted to the following matters:</u><br><u>RESZ-MAT14 Design of Small Site Development,</u><br><u>Comprehensive</u><br><u>Development and Retirement Village</u><br><u>Activity status when compliance not achieved: DIS</u>  |
| V1-0077      | Ryman          | FS042            | Oppose In Part | <i>Seeks to have their original submission point (providing for the use of retirement villages as a permitted activity and the construction of buildings for retirement villages being provided for as a restricted discretionary activity) included and to disallow this submission point.</i>   |
| V1-0079      | RVA            | FS042            | Oppose In Part | <i>Seeks to have their original submission point (providing for the use of retirement villages as a permitted activity and the construction of buildings for retirement villages being provided for as a restricted discretionary activity) included and to disallow this submission point.</i>   |
| V1-0113      | Kāinga Ora     | 082              | Support        | Insert a new Retirement Village rule into the MRZ which provides for retirement villages as a Restricted Discretionary activity.  |
| V1-0077      | Ryman          | FS049            | Oppose In Part | <i>Seeks to have their original submission point (providing for the use of retirement villages as a permitted activity and the construction of buildings for retirement villages being provided for as a restricted discretionary activity) included and to disallow this submission point.</i>   |



| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested   |
|--------------|----------------|------------------|----------------|--|
| V1-0079      | RVA            | FS049            | Oppose In Part | Seeks to have their original submission point (providing for the use of retirement villages as a permitted activity and the construction of buildings for retirement villages being provided for as a restricted discretionary activity) included and to disallow this submission point. |
| V1-0102      | CSI            | FS347            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS347            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0114      | CSI and RWRL   | FS347            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS347            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

### Analysis

- 10.2 Ryman and RVA<sup>224</sup> consider that a definition of ‘retirement unit’ is required in the PDP, to acknowledge the differences from typical residential activities in terms of layout and amenity needs. While I consider that these submission points are out of scope of this Variation process, I also consider that, having regard to the Planning Standards definition of retirement village, adopted within the PDP, there is no need to differentiate a retirement unit from a residential unit, or to do so solely within the scope of the MRZ. I therefore recommend that these submission points be rejected.
- 10.3 The submitters<sup>225</sup> also consider rule should be included in the MRZ to specifically provide for retirement villages, with either a PER or a RDIS activity status, and that these have their own set of focused matters of discretion. As elsewhere in this report, the submitters also consider that MRZ-REQ2, MRZ-REQ7, MRZ-REQ8, MRZ-REQ9 and MRZ-REQ10 should be amended in relation to retirement villages. I record that no submissions points were made in relation to MRZ-REQ11 or MRZ-REQ12.
- 10.4 Summerset<sup>226</sup> supports the submission of the RVA in its entirety.
- 10.5 Metlifecare<sup>227</sup> considers that it is appropriate for retirement villages to be provided for within the MRZ, with a RDIS activity status but, similar to Ryman and RVA, do not consider that this form of development should not be subject to MRZ-REQ2, MRZ-REQ7, MRZ-REQ8 and MRZ-REQ9, as notified. I record that no submissions points were made in relation to MRZ-REQ11 or MRZ-REQ12.
- 10.6 Barton Fields<sup>228</sup> also considers that the MRZ should provide for retirement villages with a RDIS activity status. The submitter also considers that this form of development should not be subject

<sup>224</sup> V1-0077.002 Ryman and V1-0079.002 RVA

<sup>225</sup> V1-0077.046 and 048 Ryman and V1-0079.046 and 048 RVA

<sup>226</sup> V1-0045.001 Summerset

<sup>227</sup> V1-0096.021 Metlifecare

<sup>228</sup> V1-0096.021 Metlifecare

to MRZ-REQ2, MRZ-REQ3, MRZ-REQ7, MRZ-REQ8, MRZ-REQ9, MRZ-REQ10, MRZ-REQ11 or MRZ-REQ12.

- 10.7 Kāinga Ora<sup>229</sup> also considers that the MRZ should provide for retirement villages with a RDIS activity status.
- 10.8 I agree with the above submitters that there is a need to specifically identify retirement villages within the MRZ, rather than rely on the RDIS status of MRZ-REQ2 where four or more residential units are proposed, as retirement villages can, by definition, accommodate a wide range of activities, including hospital and non-residential activities, within a variety of built forms. I record that retirement villages are provided for within the LRZ, GRZ and SETZ, with a RDIS activity status and I consider that it is appropriate that these be similarly provided for within the MRZ.
- 10.9 However, I disagree with submitters that retirement villages should not be subject to all of the density standards proposed within the MRZ. In this regard, I consider that, in respect of:
- 10.9.1 MRZ-REQ3 Building Coverage – it is appropriate that a level of control be retained over the area of a site that can be built over, both for the internal amenity of residents of the site, and for the surrounding locality.
- 10.9.2 MRZ-REQ7 Windows to Street – as discussed in the original s42A report<sup>230</sup> for the *Residential* hearing, it is important that the PDP manages the built form associated with retirement villages, as much as it does for any other form of residential activity. Having regard to RESZ-PA and RESZ-O1, retirement villages should be subject to this requirement, to ensure that passive surveillance opportunities are provided.
- 10.9.3 MRZ-REQ8 Outdoor Living Space – there is no reason why an occupant of a residential unit within a retirement village should be provided with a lesser standard of amenity than that of any other residential activity. Outdoor living space is required in relation to retirement villages in the other three zones and there is nothing significantly different in the MRZ that would negate the requirement that this be provided in this zone. I record that MRZ-REQ8 allows for this requirement to be provided communally, which is also consistent with the other three zones.
- 10.9.4 MRZ-REQ9 Outlook Space and MRZ-REQ10 Landscape Area – again, there is no reason why an occupant of a residential unit within a retirement village should be provided with a lesser standard of amenity than that of any other residential activity.
- 10.10 Given the nature of development associated with retirement villages, I do not consider that it is necessary that they comply with MRZ-REQ2 Number of Residential Units per Site. However, I do consider it appropriate that MRZ-REQ12 Development Areas also be imposed on retirement villages, to advise if there are any specific, locational, matters which need to be considered.
- 10.11 I also consider that additional requirements be applied to retirement villages, consistent with the other three zones, to ensure that variety in appearance is provided. While a certain level of

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<sup>229</sup> V1-0113.082 Kāinga Ora

<sup>230</sup> [Residential s42A October 2022](#) – Refer to LRZ-REQ13, GRZ-REQ13 and SETZ-REQ13

conformity in this larger scale residential development is anticipated, I consider that variation in appearance assists in the internal legibility, 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 requirement assists in contributing to an attractive street scene, creating visual interest.

- 10.12 I also consider that there is a need to ensure that appropriate outdoor storage areas are provided in association with retirement villages, more generally. While the other three zones make specific reference to the provision of an additional service, storage and waste management area associated with each residential unit, as this area is able to be grouped communally, I consider that applying MRZ-REQ11 Outdoor Storage would achieve the same outcome.
- 10.13 For completeness, I record that Ryman, RVA, Metlifecare and Barton Fields all support retirement villages being subject to MRZ-REQ1 Servicing, MRZ-REQ4 Height, MRZ-REQ5 – Height in relation to boundary, and MRZ-REQ6 Setbacks.
- 10.14 I therefore recommend that the submission points of Ryman, RVA, Summerset, Metlifecare, Barton Fields, and Kāinga Ora should be accepted in part and that retirement villages be expressly provided for within the MRZ.

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

- 10.15 I recommend that, for the reasons given above, the Hearing Panel:
- a) Insert a new rule into the MRZ, as shown in **Appendix 2**, to expressly recognise and provide for retirement villages, with a RDIS activity status, in a manner that is both consistent with the approach in other residential zones and with the density standards applicable to activities within the MRZ.
- 10.16 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.
- 10.17 The scale of change requires a s32AA evaluation, which can be found in [Section 13](#).

## **11. MRZ Generally**

- 11.1 This section responds to those submissions made in relation to either the geo-spatial scope of the proposed MRZ, or to the proposal to incorporate MDRS into the PDP.

### **Geo-spatial extent of MRZ**

#### ***Submissions***

- 11.2 82 submission points and 56 further submission points were received in relation the geo-spatial area within which the MDRS are proposed to be applied. This is indicated by the extent of the MRZ. For ease of consideration, the analysis provided below has broken down these submission points to those in support or opposition.

**Submissions in opposition**

| Submitter ID | Submitter Name             | Submission Point | Position        | Decision Requested  |
|--------------|----------------------------|------------------|-----------------|---|
| V1-0001      | Erith Boyd                 | 003              | Oppose          | Not specified   |
| V1-0003      | Amanda Parkin              | 001              | Support In Part | Apply intensification to areas of Lincoln that have clear access to greenspace and sunlight. With council planning for the inevitable need for traffic and parking infrastructure.  |
| V1-0077      | Ryman                      | FS001            | Oppose          | Disallow the submission   |
| V1-0079      | RVA                        | FS001            | Oppose          | Disallow the submission   |
| V1-0014      | Craig Byers                | 001              | Oppose In Part  | Delete proposed rezoning, and replaced with a more targeted analysis of where the new rules are best applied.   |
| V1-0131      | Terri Winder and Chris Lea | FS001            | Support         | Allow in full.  |
| V1-0014      | Craig Byers                | 002              | Oppose In Part  | Amend Variation 1 to allow SDC to consider the principles of NPS-UD when subdivision applications are received for properties outside of the urban areas of Rolleston, Lincoln, Prebbleton.   |
| V1-0131      | Terri Winder and Chris Lea | FS002            | Support         | Allow in full.  |
| V1-0015      | Darren Wilson              | 001              | Oppose          | Delete variation as notified.   |
| V1-0017      | Phil Hughes                | 001              | Oppose          | Delete variation as notified  |
| V1-0017      | Phil Hughes                | 002              | Oppose          | Vote down this Variation and submit a legislation amendment to Central Government to amend the legislation changing the current list of Tier 1 Territorial Authorities to the Auckland, Wellington, Tauranga, Hamilton and Christchurch City Councils, removing the other District (not City) Councils from the list. |
| V1-0017      | Phil Hughes                | 003              | Oppose In Part  | Reject rezoning of the area around Stationmasters Way /Edward Law Boulevard corner of Prebbleton (inclusive Central Avenue, William Deans Drive and all internal roads).  |
| V1-0017      | Phil Hughes                | 004              | Oppose In Part  | Exempt this part of Prebbleton from the Variation.  |
| V1-0029      | Gary and Lynda Burgess     | FS001            | Oppose          | We request council to disallow the submission on the basis that waste water capacity can be suitably addressed at the time of development when enabling intensification and re-zoning submissions.  |

| Submitter ID | Submitter Name  | Submission Point | Position        | Decision Requested   |
|--------------|-----------------|------------------|-----------------|--|
| V1-0018      | Aaron McGlinchy | 001              | Oppose          | Exclude any land subject to a private plan change request until any appeals to the Environment Court have been concluded.  |
| V1-0077      | Ryman           | FS016            | Oppose          | Disallow the submission  |
| V1-0079      | RVA             | FS016            | Oppose          | Disallow the submission  |
| V1-0088      | Orion           | FS004            | Oppose In Part  | Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.                |
| V1-0018      | Aaron McGlinchy | 002              | Support In Part | Target medium density to appropriate locations, to avoid inappropriate locations and contain the scale of medium density so that infrastructure (which is already under stress) is not further burdened.   |
| V1-0018      | Aaron McGlinchy | 004              | Oppose          | Requests that Council proactively identify parts of townships, close to central amenities and public transport links, whereby medium density would be appropriate and investigate other mechanisms to reward sympathetic intensification e.g. temporary rates relief if criteria specified by Council are met. |
| V1-0077      | Ryman           | FS018            | Oppose          | Disallow the submission  |
| V1-0079      | RVA             | FS018            | Oppose          | Disallow the submission  |
| V1-0019      | Kathryn Pooke   | 001              | Oppose In Part  | Reject rezoning of Hurley Drive, Rolleston and surrounding streets.  |
| V1-0019      | Kathryn Pooke   | 002              | Oppose In Part  | Reject rezoning of Granite Drive, Rolleston and surrounding streets  |
| V1-0021      | Lincoln Voice   | 001              | Oppose          | Reject the zone change from GRUZ to MRZ over the area included in PC69.  |
| V1-0068      | Manmeet Singh   | FS002            | Oppose          | Reject submission  |
| V1-0102      | CSI             | FS001            | Oppose          | Reject   |
| V1-0103      | CGPL            | FS001            | Oppose          | Reject   |
| V1-0114      | CSI and RWRL    | FS001            | Oppose          | Reject   |
| V1-0115      | RIDL            | FS001            | Oppose          | Reject   |
| V1-0030      | Tracey MacLeod  | 001              | Oppose In Part  | Reduce the extent of medium density coverage, restricting it to the Lincoln Town Centre, between North and South Belts.  |
| V1-0030      | Tracey MacLeod  | 003              | Oppose          | Remove the area contained within PC69 from the variation.  |
| V1-0088      | Orion           | FS024            | Oppose In Part  | Should land be rezoned as a result of any submission on Variation 1 to the proposed  |

| Submitter ID | Submitter Name      | Submission Point | Position                   | Decision Requested   |
|--------------|---------------------|------------------|----------------------------|--|
|              |                     |                  |                            | <i>District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>   |
| V1-0030      | Tracey MacLeod      | 004              | Neither Support Nor Oppose | Not specified  |
| V1-0036      | Lois Sherriff       | 001              | Support In Part            | Not specified.   |
| V1-0043      | Rebecca Tunnicliffe | 001              | Oppose                     | Exclude Trent Park, Prebbleton from the MRZ.   |
| V1-0043      | Rebecca Tunnicliffe | 002              | Oppose                     | Exclude Prebbleton from the Selwyn MRZ.  |
| V1-0044      | Nicki Turner        | 001              | Oppose In Part             | Reduce the extent of medium density coverage, restricting it to the Lincoln Town Centre, between North and South Belts.  |
| V1-0044      | Nicki Turner        | 003              | Oppose                     | Remove the area contained within PC69 from the variation.  |
| V1-0088      | Orion               | FS012            | Oppose In Part             | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i> |
| V1-0044      | Nicki Turner        | 004              | Oppose In Part             | Not specified.   |
| V1-0046      | Denise Carrick      | 001              | Oppose                     | Remove the PC69 land from Variation 1 until the Environment Court appeal has been finalised.   |
| V1-0088      | Orion               | FS046            | Oppose In Part             | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i> |
| V1-0046      | Denise Carrick      | 007              | Oppose                     | Seeks that medium density is kept to Rolleston that has the infrastructure to support it.  |
| V1-0077      | Ryman               | FS029            | Oppose                     | Disallow the submission  |
| V1-0079      | RVA                 | FS029            | Oppose                     | Disallow the submission  |
| V1-0050      | Kathleen Liberty    | 001              | Oppose                     | Join with Christchurch City Council to appeal the Medium Density Rules to the High Court.  |

| Submitter ID | Submitter Name     | Submission Point | Position        | Decision Requested   |
|--------------|--------------------|------------------|-----------------|--|
| V1-0050      | Kathleen Liberty   | 002              | Oppose          | Data used to derive these important classifications needs to be remediated to be based on much higher quality data.  |
| V1-0058      | Jocelyn Humphreys  | 001              | Oppose          | Delete the inclusion of Prebbleton under the MDRS rules and retain the existing residential zoning as GRZ, GRUZ and LLRZ.  |
| V1-0071      | Tony Gemmill       | 001              | Oppose In Part  | Amend planning maps to exclude new subdivisions in Lincoln from MRZ.   |
| V1-0071      | Tony Gemmill       | 002              | Oppose In Part  | Amend planning maps to exclude the area of PC69 from MRZ.  |
| V1-0088      | Orion              | FS049            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i> |
| V1-0071      | Tony Gemmill       | 003              | Support In Part | Amend to apply the MRZ and new standards to land on or immediately adjacent to bus routes in Lincoln.  |
| V1-0074      | Jeremy Alsop       | 001              | Oppose          | Delete variation as notified   |
| V1-0075      | Graham Searle      | 001              | Oppose          | Exclude Prebbleton from MRZ  |
| V1-0104      | Sonya Strahan      | 001              | Oppose          | Reject MRZ Variation 1 rezoning for Flemington and Barton Fields subdivisions.   |
| V1-0104      | Sonya Strahan      | 002              | Oppose          | Delete Leinster Terrace, Lincoln from Variation 1 of Selwyn Proposed District Plan.  |
| V1-0104      | Sonya Strahan      | 003              | Oppose          | Delete Leinster Terrace, Lincoln from Variation 1 of Selwyn Proposed District Plan.  |
| V1-0105      | Christine Thirring | 002              | Oppose          | Delete variation as notified   |
| V1-0108      | Andrew Mazey       | 001              | Oppose In Part  | Identify specific areas suitable for intensification on an effects basis to maintain current amenity in existing and planned residential areas.  |
| V1-0077      | Ryman              | FS044            | Oppose          | <i>Disallow the submission</i>   |
| V1-0079      | RVA                | FS044            | Oppose          | <i>Disallow the submission</i>   |
| V1-0108      | Andrew Mazey       | 002              | Oppose In Part  | Identify specific areas suitable for intensification on an effects basis to maintain current amenity in existing and planned residential areas.  |
| V1-0077      | Ryman              | FS045            | Oppose          | <i>Disallow the submission</i>   |
| V1-0079      | RVA                | FS045            | Oppose          | <i>Disallow the submission</i>   |

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
| V1-0108      | Andrew Mazey   | 003              | Oppose In Part | Identify specific areas suitable for intensification on an effects basis to maintain current amenity in existing and planned residential areas.   |
| V1-0077      | Ryman          | FS046            | Oppose         | Disallow the submission   |
| V1-0079      | RVA            | FS046            | Oppose         | Disallow the submission   |
| V1-0108      | Andrew Mazey   | 004              | Oppose In Part | Continue to uphold this in light of this proposed Variation, and its intentions to allow further intensification.   |
| V1-0109      | Fiona Thirring | 001              | Oppose         | Delete provision.   |
| V1-0088      | Orion          | FS007            | Oppose In Part | Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.                                       |
| V1-0109      | Fiona Thirring | 002              | Oppose         | Delete provision.   |
| V1-0109      | Fiona Thirring | 003              | Oppose         | Delete provision.   |
| V1-0109      | Fiona Thirring | 004              | Oppose         | Delete provision.   |
| V1-0109      | Fiona Thirring | 005              | Oppose         | Delete variation as notified  |
| V1-0109      | Fiona Thirring | 006              | Oppose         | Delete variation as notified  |
| V1-0109      | Fiona Thirring | 007              | Oppose         | Delete variation as notified  |
| V1-0109      | Fiona Thirring | 012              | Oppose         | Delete provision.   |
| V1-0110      | Nancy Borrie   | 001              | Oppose In Part | Amend the maps so that only the areas of Lincoln within the walkable catchments of land located along Birchs Road, James Street, Gerald Street, adjoining the Town Centre Zone to Lincoln University, adjoining the University and along Edward Street and within East Belt, North Belt, South Belt and West Belt be defined as MDRS. |
| V1-0112      | Hughes         | 018              | Oppose In Part | A more targeted approach to locating density in appropriate locations (and zones) throughout the District, along with commensurate design outcomes to support the establishment of medium density housing.  |
| V1-0102      | CSI            | FS046            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS046            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |



| Submitter ID | Submitter Name      | Submission Point | Position        | Decision Requested   |
|--------------|---------------------|------------------|-----------------|--|
| V1-0114      | CSI and RWRL        | FS046            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0115      | RIDL                | FS046            | Support         | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i> |
| V1-0117      | Graham Murphy       | 001              | Support In Part | Amended to only include future developments.   |
| V1-0119      | Stephanie Broomhall | 001              | Oppose In Part  | Amend the MDRS.  |
| V1-0119      | Stephanie Broomhall | 002              | Oppose In Part  | Amend the MDRS.  |

### Analysis

- 11.3 Erith Boyd<sup>231</sup> considers that, while the rural perimeters of Rolleston, Springston and Prebbleton need to be maintained and subdivisions should not encroach on prime rural land, allowing 12m buildings on the rural boundaries is unacceptable, and this form of development should be within the very central parts of the townships.
- 11.4 Amanda Parkin<sup>232</sup> considers that intensification should only be enabled in greenfield areas in Lincoln, where consideration can be given to access to greenspace and sunlight and the need for traffic and parking infrastructure, rather than allowing for infilling of existing sections in an ad hoc manner.
- 11.5 Craig Byers<sup>233</sup> opposes the extent of the MRZ as notified and considers that it should both be more specifically targeted to ensure similar urban forms are grouped together to avoid adverse impacts on individual property owners and the wider urban form of the three townships and applied to areas outside of the three townships.
- 11.6 Darren Wilson<sup>234</sup> opposes the MRZ zoning to the three townships as they consider that they are not amenable to the proposed zoning, in terms of both infrastructure provision and the character of these communities.
- 11.7 Phil Hughes<sup>235</sup> opposes the application of MRZ to Prebbleton generally as the village aspect of the township does not make it suitable as an urban intensification area, and specifically around the Stationmasters Way/Edward Law Boulevard/Tosswill Road/Central Avenue, including all internal roads, as they consider that the infrastructure in this area, including the road network and wastewater system, is insufficient to accommodate additional density. The submitter also

<sup>231</sup> V1-0001.003 Erith Boyd

<sup>232</sup> V1-003.001 Amanda Parkin

<sup>233</sup> V1-0014.001 and 002 Craig Byers

<sup>234</sup> V1-0015.001 Darren Wilson

<sup>235</sup> V1-0017.001, 002, 003 and 004 Phil Hughes

considers that it is not appropriate for Selwyn to be subject to the intensification legislation if Christchurch is not.

- 11.8 Aaron McGlinchy<sup>236</sup> considers that, rather than the blanket rezoning of the three townships, intensification should be targeted to specific locations, where it can be properly planned for and executed well. The submitter also considers that any land subject to appeal in relation to decisions arising from other processes should not be included in the Variation.
- 11.9 Kathryn Pooke<sup>237</sup> considers that the proposed MRZ should not be applied to Hurley Drive, Granite Drive and surrounding road in Rolleston as these roads are not wide enough to accommodate additional on street parking.
- 11.10 Lincoln Voice<sup>238</sup> considers that the land associated with Private Plan Change 69 to the Operative District Plan, should not be included in the Variation as the appropriateness of this land for residential purposes is subject to appeal, and that no appeal rights are provided under the RMA-EHS in respect of this process, thus giving rises to natural justice concerns.
- 11.11 Tracey MacLeod and Nicki Turner<sup>239</sup> seeks that the MRZ should be restricted to the town centre in Lincoln, between North and South Belts, and to Rolleston, which has no heritage, character, or versatile soils to protect and there are more services to support this form of development. The submitter also considers that the land within Private Plan Change 69 should be excluded from this zone until any Court processes associated with the appeal have been completed.
- 11.12 Lois Sherriff<sup>240</sup> consider that the MRZ should only be applied in new suburbs, not within existing housing areas.
- 11.13 Rebecca Tunnicliffe<sup>241</sup> seeks that Prebbleton generally and Trent Park more specifically be excluded from MRZ as enabling development in accordance MDRS is inconsistent with the current character of the village and the existing transport network, including public transport, is inadequate.
- 11.14 Denise Carrick<sup>242</sup> seeks that the land within Private Plan Change 69 should be excluded from this zone until any Court processes associated with the appeal have been completed and that the MRZ should be restricted to Rolleston as it has the infrastructure to support this level of development.
- 11.15 Kathleen Liberty<sup>243</sup> opposes the inclusion of Lincoln in the MRZ, as they consider its inclusion is based on incomplete and out of date Census data and a flawed analysis of population is to be determined.

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<sup>236</sup> V1-0018.001, 002 and 004 Aaron McGlinchy

<sup>237</sup> V1-0019.001 and 002 Kathryn Pooke

<sup>238</sup> V1-0021.001 Lincoln Voice

<sup>239</sup> V1-0030.001 and 004 Tracey MacLeod and V1-0044.001, 003 and 004 Nicki Turner

<sup>240</sup> V1-0036.001 Lois Sherriff

<sup>241</sup> V1-0043.001 and 002 Rebecca Tunnicliffe

<sup>242</sup> V1-0046.001 and 007 Denise Carrick

<sup>243</sup> V1-0050.001 Kathleen Liberty

- 11.16 Jocelyn Humphreys<sup>244</sup> considers that Prebbleton should not be included in the proposed MRZ as it has a population below the threshold level of 5,000 residents, is not primarily urban in character and lacks the employment and amenity values of an urban environment, and quality public transport connections to adjacent commercial centres.
- 11.17 Tony Gemmill<sup>245</sup> considers that, in Lincoln, the MRZ should not apply to the recently developed subdivisions in Lincoln, or to that land within Private Plan Change 69. Rather the submitter considers that the MRZ is more appropriately applied to land in close proximity to public transport routes, limiting impacts on the balance of the township.
- 11.18 Jeremy Alsop<sup>246</sup> opposes any changes to the district plan based on the Government's medium density housing policy.
- 11.19 Graham Searle<sup>247</sup> opposes the inclusion of Prebbleton in the MRZ, as they consider that this township does not meet the definition of either a *relevant residential zone* or *urban environment*, as defined by the RMA-EHS.
- 11.20 Sonya Strahan<sup>248</sup> opposes the application of MRZ to all of the areas covered by the Flemington and Barton Fields subdivisions in Lincoln, as they consider that the road network is insufficient to accommodate additional density and that these areas are not well served by their own amenities. The submitter also considers that Leinster Avenue should be excluded from the MRZ as it is both a heritage and ecological area and subject to flooding.
- 11.21 Christine Thirring and Fiona Thirring<sup>249</sup> opposes the extent of the MRZ as notified, including the inclusion of additional land in Rolleston that is within the FDA, covered by a private plan change request or approved from residential development through HASHA and/or COVID-19 processes, as they consider that any resulting development will negatively change the character of these areas, have an adverse effect on nearby properties and place a strain on infrastructure.
- 11.22 Andrew Mazey<sup>250</sup> opposes the blanket application of the MRZ in Rolleston and considers that specific areas suitable for intensification should be identified on an effects basis to maintain current amenity in existing and planned residential areas, having regard to previous planning directions of the Council.
- 11.23 Nancy Borrie<sup>251</sup> considers that the MRZ in Lincoln should only apply to land adjoining the town centre, Lincoln University and along Edward Street and within East Belt, North Belt, South Belt and West Belt, that redevelopment of this area could ensure that it happened in a more comprehensive

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<sup>244</sup> V1-0058.001 Jocelyn Humphreys

<sup>245</sup> V1-0071.001 and 003 Tony Gemmill

<sup>246</sup> V1-0074.001 Jeremy Alsop

<sup>247</sup> V1-0075.001 Graham Searle

<sup>248</sup> V1-00104.001, 002 and 003 Sonya Strahan

<sup>249</sup> V1-0105.002 Christine Thirring and V1-0109.002, 003, 004, 005, 006, and 012 Fiona Thirring

<sup>250</sup> V1-0108.001, 002, 003 and 004 Andrew Mazey

<sup>251</sup> V1-0110.001 Nancy Borrie

manner, rather than being spread out through the whole community, thereby avoiding impact of overshadowing, loss of amenity and privacy, and congestion on the streets by residents.

- 11.24 Hughes<sup>252</sup> considers that medium density development should be planned and encouraged through design, as opposed to the piecemeal implementation being encouraged by the RMA-EHS, and that the current approach has design implications for roads, reserves and infrastructure that are inefficient and will either give rise to speculative design that could be underutilised, or retrospective design that will not be entirely fit for purpose.
- 11.25 Graham Murphy<sup>253</sup> considers that the MRZ should apply only to future areas, not to existing areas.
- 11.26 Stephanie Broomhall<sup>254</sup> considers that the extent of the MRZ in Prebbleton may impact on the ability of existing landowners to run lifestyle blocks, and is inconsistent with recent developments.
- 11.27 I recommend that the above submission points should be rejected for the following reasons:
- 11.27.1 The three townships are all within an *urban environment* and contain *relevant residential zones*, as defined by the RMA-EHS, and, pursuant to s77G(2), there is a duty on the Council to incorporate the MDRS into these townships.
- 11.27.2 Any infrastructure issues that arise as a result of development within the zone, unless covered by the qualifying matters incorporated into the PDP, can be addressed at the time of development, either by a proponent or by Council as appropriate.
- 11.27.3 The geo-spatial extent of the MRZ, as notified, includes those areas that have been determined to be suitable for residential development through a variety of other processes, and applies to all relevant residential zones, as defined by the RMA-EHS.
- 11.27.4 No meaningful evidence, planning evaluation or s32AA evaluation has been provided to support any change to the proposed extent of the MRZ.

#### **Submissions in support**

| Submitter ID | Submitter Name  | Submission Point | Position        | Decision Requested  |
|--------------|-----------------|------------------|-----------------|---|
| V1-0008      | Jeff Elias      | 001              | Support         | Retain as notified  |
| V1-0013      | Jig Dhakal      | 001              | Support In Part | Amend the density provisions within a 10min walking distance of Lincoln University to allow for greater intensification than what MDRS currently provides for, or at a minimum retain the medium density standards as proposed. |
| V1-0013      | Jig Dhakal      | 003              | Support         | Not specified.  |
| V1-0025      | Yoursection     | 003              | Support         | Retain as notified.   |
| V1-0034      | Mohammad Rabani | 001              | Support         | Retain variation as notified.   |

<sup>252</sup> V1-0112.018 Hughes

<sup>253</sup> V1-0117.001 Graham Murphy

<sup>254</sup> V1-0119.001 and 002 Stephanie Broomhill

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested   |
|--------------|----------------------|------------------|-----------------|--|
| V1-0035      | Safeya Rabani        | 001              | Support         | Retain variation as notified.  |
| V1-0037      | Ron de Vries         | 001              | Support         | Retain variation as notified   |
| V1-0039      | Sandy Vries          | 001              | Support         | Retain variation as notified   |
| V1-0048      | Urban Estates        | 002              | Support         | Retain MRZ zoning as notified  |
| V1-0048      | Urban Estates        | 004              | Support         | Retain MRZ zoning as notified  |
| V1-0049      | Transpower           | 001              | Support         | Retain the location and extent of the proposed MRZ so that the MRZ does not contain, and is not traversed by, the National Grid (including the 'National Grid Yard' and 'National Grid Corridor' as defined in the Proposed District Plan)   |
| V1-0053      | Four Stars and Gould | 001              | Oppose          | Amend the planning maps to rezone all of the land subject to PC71 from GRUZ to MRZ   |
| V1-0065      | CIAL                 | FS001            | Oppose          | <i>CIAL seek that the portion of the PC71 site subject to the Operative Contour retains rural zoning in the Proposed Variation. This is a precautionary measure until the remodelling process is completed and any updated contours are incorporated into the planning framework including potential hearings on the Proposed Variation.</i> |
| V1-0088      | Orion                | FS035            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>                                       |
| V1-0054      | MON Group Ltd        | 001              | Support In Part | Retain as notified, subject to the inclusion of a NCZ  |
| V1-0088      | Orion                | FS048            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>                                       |
| V1-0057      | Ellis Darusette      | 001              | Support         | Retain as notified.  |
| V1-0059      | Dunweavin            | 001              | Support         | Retain as notified.  |
| V1-0061      | TRRG                 | 001              | Support         | Retain as notified.  |
| V1-0067      | Kevler               | 001              | Support         | Retain as notified.  |
| V1-0088      | Orion                | FS026            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion</i>  |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
|              |                |                  |                 | <i>submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>   |
| V1-0072      | HSL            | 001              | Support         | Retain MRZ as notified for Lot 1 DP 326339.   |
| V1-0088      | Orion          | FS037            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>  |
| V1-0083      | Waka Kotahi    | 001              | Support In Part | Not specified.  |
| V1-0083      | Waka Kotahi    | 020              | Support         | That the land subject to Plan Changes 68, 69, 71, 72, 75, 76 and 78 be included in the MRZ  |
| V1-0021      | Lincoln Voice  | FS085            | Oppose In Part  | <i>Disallow in part<br/>Private Plan Change 69 removed from Variation 1 to the Proposed Selwyn District Plan (Part A)</i>   |
| V1-0088      | Orion          | FS041            | Oppose In Part  | <i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>  |
| V1-0107      | CRC            | 019              | Support         | Retain as notified.   |
| V1-0021      | Lincoln Voice  | FS001            | Oppose In Part  | <i>Disallowed in part.<br/>Specifically we want Private Plan Change 69 not included in the Variation 1 to the Proposed Selwyn District Plan (Part A)</i>  |
| V1-0021      | Lincoln Voice  | FS002            | Oppose In Part  | <i>Disallowed in part.<br/>Any private plan changes (such as PC69), or submissions seeking rezoning that are located on Highly Productive Land that had not been initiated by Selwyn Council, or made operative in the District Plan at the time of the National Policy Statement Highly Productive Land (NPS HPL) coming into effect, should be removed from variation 1 until they have been fully evaluated under the provisions of the NPS HPL.</i> |
| V1-0107      | CRC            | 040              | Support         | Retain as notified.   |
| V1-0115      | RIDL           | FS360            | Oppose          | Reject  |

| Submitter ID | Submitter Name             | Submission Point | Position       | Decision Requested  |
|--------------|----------------------------|------------------|----------------|---|
| V1-0127      | Lilley Family Trust        | FS002            | Oppose In Part | Reject Submission insofar as it affects the decision sought by Lilley Family Trust through the PSDP.  |
| V1-0107      | CRC                        | 042              | Support        | Retain as notified.   |
| V1-0112      | Hughes                     | 013              | Support        | Retain the rezoning of Faringdon South, Faringdon South West (Westwood) and Faringdon South East (West Village) as shown in the Variation 1 Planning Maps |
| V1-0102      | CSI                        | FS041            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL                       | FS041            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL               | FS041            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL                       | FS041            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora                 | 001              | Support        | Retain as notified.   |
| V1-0021      | Lincoln Voice Incorporated | FS086            | Oppose In Part | Disallow in part<br>Private Plan Change 69 removed from Variation 1 to the Proposed Selwyn District Plan (Part A&B)                                       |
| V1-0102      | CSI                        | FS266            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL                       | FS266            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0114      | CSI and RWRL               | FS266            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL                       | FS266            | Support        | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0127      | Lilley Family Trust        | FS001            | Oppose In Part | Reject Submission insofar as it affects the decision sought by Lilley Family Trust through the PSDP.  |
| V1-0115      | RIDL                       | 001              | Support        | Retain the proposed MRZ zoning for the relevant parts of PC69 site.   |
| V1-0021      | Lincoln Voice Incorporated | FS003            | Oppose         | Disallowed<br>Specifically Private Plan Change 69 is not included in the Variation 1 to the Proposed Selwyn District Plan (Part A)                        |

| Submitter ID | Submitter Name             | Submission Point | Position        | Decision Requested  |
|--------------|----------------------------|------------------|-----------------|---|
| V1-0021      | Lincoln Voice Incorporated | FS088            | Oppose In Part  | <i>Disallowed in part<br/>Decline any changes through Variation 1 to the proposed District Plan that relate to, or enable, Private Plan Change 69 as it is under appeal at the Environment Court. Any such changes sort through variation 1 should not be considered until the Environment Court Appeal on PC69 has been heard and decided.</i> |
| V1-0068      | Manmeet Singh              | FS004            | Support In Part | <i>As per relief specified in 'reasons for support in part'.</i>  |
| V1-0118      | Alan Ye                    | 001              | Support In Part | Include 8 McCormick Lane and 62 Finn Avenue, Rolleston in the MRZ as having immediate legal effect to enable infill development.  |

### Analysis

- 11.28 Jeff Elias<sup>255</sup> supports both the opening of more land in Rolleston to be residential and for development of this to be at higher densities than existing.
- 11.29 Jig Dhakal<sup>256</sup> supports the MRZ but also considers that higher densities should be enabled within 10 minutes walking distance of Lincoln University as this would have a variety of benefits.
- 11.30 Yoursection<sup>257</sup> supports the MRZ for that land subject to Private Plan Change 75 to the Operative District Plan in Rolleston and seeks that this be retained.
- 11.31 Mohammad Rabani and Safeya Rabani<sup>258</sup> supports the MRZ and consider that it will increase the residential population and community of Rolleston while retaining rural land which otherwise may be at risk.
- 11.32 Ron de Vries and Sandy Vries<sup>259</sup> support the MRZ in Lincoln as they consider the township needs a range of accommodation types.
- 11.33 Urban Estates<sup>260</sup> supports the MRZ for that land subject to Private Plan Change 68 to the Operative District Plan in Prebbleton and Private Plan Change 78 to the Operative District Plan in Rolleston and seeks that these zonings be retained.

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<sup>255</sup> V1-0008.001 Jeff Elias

<sup>256</sup> V1-0013.001 and 003 Jig Dhakal

<sup>257</sup> V1-0025.003 Yoursection

<sup>258</sup> V1-0034.001 Mohammad Rabani and V1-0035.001 Safeya Rabani

<sup>259</sup> V1-0037.001 Ron de Vries and V1-0039.001 Sandy Vries

<sup>260</sup> V1-0048.002 and 004 Urban Estates



- 11.34 Transpower<sup>261</sup> supports the physical extent of the proposed MRZ, as notified, on the basis that it does not contain, and is not traversed by, the National Grid.
- 11.35 Four Stars and Gould<sup>262</sup> supports the MRZ for that land subject to Private Plan Change 71 to the Operative District Plan, and seeks that this be retained. However, the submitter considers that all the land originally included in the plan change request should be included within the proposed MRZ, including that area within the 50Ldn Noise contour, which was declined through the relevant Schedule 1 process.
- 11.36 MON Group<sup>263</sup> supports the MRZ over the land subject to Private Plan Change 75 in Rolleston however, consistent with their submission point in relation to DEV-RO10, seek the inclusion of an NCZ, as shown on the outline development plan.
- 11.37 Ellis Darusette<sup>264</sup> supports the MRZ proposed over the land at 606 Selwyn Road, Rolleston and seeks that this be retained.
- 11.38 Dunweavin<sup>265</sup> supports the MRZ for that land subject to Private Plan Change 76 of the Operative District Plan in Rolleston and seeks that this be retained.
- 11.39 TRRG<sup>266</sup> supports the MRZ of the land subject to Private Plan Change 72 of the Operative District Plan in Prebbleton and seeks that this be retained.
- 11.40 Kevler<sup>267</sup> supports the MRZ of the land subject to Private Plan Change 75 of the Operative District Plan in Rolleston and seeks that this be retained.
- 11.41 HSL<sup>268</sup> supports the MRZ proposed over the land at 545 East Maddisons Road, Rolleston and seeks that this be retained.
- 11.42 Waka Kotahi<sup>269</sup> supports the extent of the MRZ as notified, including the inclusion of those areas covered by approved private plan changes in Lincoln, Prebbleton and Rolleston, as well as the additional land identified as FDAs in Rolleston.
- 11.43 CRC<sup>270</sup> supports the proposed MRZ for Lincoln, Prebbleton and Rolleston, as they consider that this will achieve consolidation and intensification of urban areas within Greater Christchurch, as is sought by the CRPS.

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<sup>261</sup> V1-0049.001 Transpower

<sup>262</sup> V1-0053.001 Four Stars and Gould

<sup>263</sup> V1-0054.001 MON Group

<sup>264</sup> V1-0057.001 Ellis Darusette

<sup>265</sup> V1-0059.001 Dunweavin

<sup>266</sup> V1-0061.001 and 003 TRRG

<sup>267</sup> V1-0067.001 Kevler

<sup>268</sup> V1-0072.001 HSL

<sup>269</sup> V1-0083.001 and 020 Waka Kotahi

<sup>270</sup> V1-0107.019, 040 and 042 CRC

- 11.44 Hughes<sup>271</sup> supports the MRZ proposed over the land consented for urban development through the HASHA and COVID-19 processes and seeks that this be retained.
- 11.45 Kāinga Ora<sup>272</sup> supports the proposed MRZ for Lincoln, Prebbleton and Rolleston and seeks that this be retained.
- 11.46 RIDL<sup>273</sup> supports the MRZ of the land subject to Private Plan Change 69 of the Operative District Plan in Lincoln and seeks that this be retained.
- 11.47 Alan Ye<sup>274</sup> seeks that the MRZ apply, with immediate effect, to two properties within the HASHA in Acland Park.
- 11.48 I recommend that the above submission points should be accepted , in full or in part, for the following reasons:
- 11.48.1 The geo-spatial extent of the MRZ captures all of the *relevant residential zones*, as defined by the RMA-EHS, including those areas that have been determined to be suitable for residential development through a variety of other processes.
- 11.48.2 As set out in the [Section 32 evaluation](#), having regard to the level of commercial activity and community services within the relevant townships, it is not considered necessary to provide for further increases in height or density beyond that enabled by the MDRS.
- 11.48.3 The provisions of the PDP provide for the protection of significant infrastructure.

### **Recommendation**

- 11.49 I recommend that, for the reasons given above, the Hearing Panel retains the extent of the MRZ within Lincoln, Prebbleton and Rolleston, as notified, unless otherwise amended in response to rezoning requests considered in separate reports.
- 11.50 I recommend that the original submission points and the further submission points are accepted or rejected, in full or in part, as shown in **Appendix 1**.

### **Incorporation of MDRS into the PDP**

#### **Submissions**

- 11.51 26 submission points and eight further submission points were received in relation to the incorporation of the MDRS into the PDP.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0002      | Craig Chalmers | 001              | Oppose   | Requests that as little as possible of the intensive housing is adopted |

<sup>271</sup> V1-0112.013 Hughes

<sup>272</sup> V1-0113.001 Kāinga Ora

<sup>273</sup> V1-0115.001 RIDL

<sup>274</sup> V1-0118.001 Alan Ye

| Submitter ID | Submitter Name          | Submission Point | Position                   | Decision Requested  |
|--------------|-------------------------|------------------|----------------------------|---|
| V1-0011      | Helen and Tom Fraser    | 001              | Support                    | Retain variation as notified  |
| V1-0022      | Eldho George            | 001              | Oppose                     | Delete variation as notified.   |
| V1-0022      | Eldho George            | 002              | Oppose                     | Delete variation as notified  |
| V1-0024      | Robert Claman           | 001              | Oppose                     | Delete the Variation.   |
| V1-0024      | Robert Claman           | 004              | Oppose                     | Delete variation as notified.   |
| V1-0024      | Robert Claman           | 005              | Oppose                     | Delete variation as notified.   |
| V1-0026      | Daryl Streat            | 001              | Oppose                     | Delete variation as notified.   |
| V1-0026      | Daryl Streat            | 002              | Oppose                     | Delete variation as notified  |
| V1-0027      | Richard Christie        | 001              | Oppose                     | Delete variation as notified.   |
| V1-0029      | G and L Burgess         | 038              | Neither Support Nor Oppose | Not specified.  |
| V1-0032      | Eliot Sinclair          | 016              | Support In Part            | Not specified   |
| V1-0102      | CSI                     | FS173            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0103      | CGPL                    | FS173            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0114      | CSI and RWRL            | FS173            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0115      | RIDL                    | FS173            | Support                    | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0038      | Jeff Heyl               | 001              | Oppose                     | Delete variation as notified  |
| V1-0038      | Jeff Heyl               | 002              | Oppose                     | Delete variation as notified  |
| V1-0040      | Geoffrey Cooke          | 001              | Oppose In Part             | Amend exiting provisions so that they are not superseded in their entirety, and that existing provisions remain for existing residential properties, unless the Dwelling or Principal Building is modified using the MDRS to increase principal living space. |
| V1-0042      | Jason Horne             | 002              | Oppose                     | Delete variation as notified  |
| V1-0042      | Jason Horne             | 003              | Oppose                     | Delete variation as notified  |
| V1-0042      | Jason Horne             | 008              | Oppose                     | Delete variation as notified  |
| V1-0042      | Jason Horne             | 009              | Oppose                     | Delete variation as notified  |
| V1-0047      | Michael and Karen Green | 001              | Oppose                     | Reject the Variation as notified.   |
| V1-0059      | Dunweavin               | 003              | Support                    | Retain as notified.   |
| V1-0061      | TRRG                    | 003              | Support                    | Retain as notified.   |
| V1-0074      | Jeremy Alsop            | 024              | Oppose                     | Delete variation as notified  |
| V1-0097      | Chris Barrett           | 001              | Oppose                     | Delete variation as notified  |

| Submitter ID | Submitter Name              | Submission Point | Position                   | Decision Requested  |
|--------------|-----------------------------|------------------|----------------------------|---|
| V1-0111      | Foodstuffs                  | 001              | Support In Part            | Retain as notified, except where otherwise submitted  |
| V1-0111      | Foodstuffs                  | 002              | Neither Support Nor Oppose | Include provisions which explicitly recognise the existing amenity effects of adjacent commercial activities (such as supermarkets) to MRZ and any other amendments which ensure operational and functional needs of existing lawfully established commercial activities are not hindered or constrained in future by new residential development in the MRZ. |
| V1-0053      | <i>Four Stars and Gould</i> | FS005            | <i>Oppose</i>              | <i>Reject the submission</i>  |
| V1-0077      | <i>Ryman</i>                | FS047            | <i>Oppose</i>              | <i>Disallow the submission</i>  |
| V1-0079      | <i>RVA</i>                  | FS047            | <i>Oppose</i>              | <i>Disallow the submission</i>  |
| V1-0113      | <i>Kāinga Ora</i>           | FS004            | <i>Oppose</i>              | <i>Disallow</i>   |

### **Analysis**

- 11.52 Helen and Tom Fraser<sup>275</sup> supports the Variation as they consider the MDRS allows the potential for intensification without compromising land that is important for primary production. I recommend that this submission point is accepted.
- 11.53 G and L Burgess and Eliot Sinclair<sup>276</sup> hold a neutral view on implementation of the MDRS. I recommend that these submission points be accepted.
- 11.54 Dunweavin and TRRG<sup>277</sup> supports the inclusion of the MDRS into the PDP. I recommend that these submission points be accepted.
- 11.55 The following submitters are opposed to the incorporation of MDRS into the PDP for the reasons discussed below:
- 11.55.1 Craig Chalmers<sup>278</sup> consider that the proposed intensification will have a negative impact on the areas affected, in terms of social issues and pressure on infrastructure, and that the current feel of the towns will be lost, and so seeks as little adaption as possible of the MDRS.
- 11.55.2 Eldho George<sup>279</sup> opposes the Variation and considers that neighbourhoods will be negatively affected by the intensification of housing, particularly in term of loss of losing sunlight and privacy and impacts on infrastructure, and that the MDRS will not improve housing affordability.

<sup>275</sup> V1-0011.001 Helen and Tom Fraser

<sup>276</sup> V1-0029.038 G and L Burgess and V1-0032.016 Eliot Sinclair

<sup>277</sup> V1-0059.003 Dunweavin and V1-0061.003 TRRG

<sup>278</sup> V1-002.001 Craig Chalmers

<sup>279</sup> V1-0022.001 and 002 Eldho George

- 11.55.3 Robert Claman<sup>280</sup> opposes the MDRS where they have the potential to affect existing properties, particularly in terms of loss of privacy and shading (loss of natural light) and increases in noise and traffic/vehicle congestion. The submitter considers that the government had no mandate to force this proposal on any councils, especially where there is already a suitable district plan in place to cope with population and housing growth.
- 11.55.4 Daryl Streat<sup>281</sup> consider the MDRS will result in a developer-driven approach to intensification, which is unlikely to result in greater housing affordability, enhanced environments, or a more environmentally friendly society and considers that a community led approach, which considers the best locations, most suitable soils, societal and environmental impacts, is more appropriate.
- 11.55.5 Richard Christie<sup>282</sup> opposes the MDRS as they consider that these go against well-established planning principles such as setback provisions and recession planes and will undermine previous investments individuals have made in their homes, leaving many home owners uncertain about the future as all existing protections have been disregarded. The submitter also considers that Selwyn should be excluded from these provisions as the issues that they seek to address are not a feature the District, given the high rate of quality homes being built and their relative affordability compared to large urban centres.
- 11.55.6 Jeff Heyl<sup>283</sup> considers that this form of development is unnecessary in Selwyn and that the proposed Intensification will introduce issues related to congestion and obstruction of views and access and may well decrease property values.
- 11.55.7 Geoffrey Cooke<sup>284</sup> considers that the manner in MDRS is proposed to be implemented in Selwyn will allow existing residential property owners the opportunity to increase the capacity of garages and accessory buildings to accommodate people, rather than residential units.
- 11.55.8 Jason Horne<sup>285</sup> considers that development in accordance with MDRS will have negative impacts in terms of traffic congestion and subsequent need for road maintenance, environmental noise and is generally inappropriate for Selwyn.
- 11.55.9 Michael and Karen Green<sup>286</sup> oppose the incorporation of MDRS into the PDP as they consider that higher density housing is inappropriate for Rolleston and will lead to various adverse effects.

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<sup>280</sup> V1-0024.001, 004 and 005 Robert Claman

<sup>281</sup> V1-0026.001 and 002 Daryl Streat

<sup>282</sup> V1-0027.001 Richard Christie

<sup>283</sup> V1-0038.001 and 002 Jeff Heyl

<sup>284</sup> V1-0040.001 Geoffrey Cooke

<sup>285</sup> V1-0042.002, 003, 008 and 009 Jason Horne

<sup>286</sup> V1-0047.001 Michael and Karen Green

11.55.10 Jeremy Alsop<sup>287</sup> opposes any changes to the district plan based on the Government's medium density housing policy.

11.55.11 Chris Barrett<sup>288</sup> opposes the Variation and consider that any development in accordance with the MDRS will adversely affect the feel and amenity value of the three townships.

11.55.12 Foodstuffs<sup>289</sup> generally supports the MDRS but seeks appropriate recognition for commercial activities (such as supermarkets), and the associated effects that such activities may have on the amenity values of residential activity located near commercial centres and/or operations.

11.56 I recommend that the above submissions point be rejected as I consider that, as central government has mandated, through law, that all Tier 1 local authorities, of which Selwyn is one, must include the MDRS in their PDP, there is no scope to grant the relief requested by the above submitters.

### ***Recommendation***

11.57 I recommend that, for the reasons given above, the Hearing Panel retains the provisions within Variation 1 as notified, except where amendments have been recommended elsewhere within this report.

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

### ***Diagrams***

### ***Submissions***

11.59 One submission point was received seeking that diagrams be included, as appropriate.

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| V1-0092      | SDC            | 015              | Support In Part | Include explanatory diagrams to improve clarity.<br>Or alternative relief to achieve the intended outcome. |

### ***Analysis***

11.60 SDC<sup>290</sup> consider that clarity and ease of use would be improved if diagrams were incorporated, showing how spaces are to be measured. I consider that the diagrams notified are sufficient and therefore recommend that this submission point be rejected.

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<sup>287</sup> V1-0074.024 Jeremy Alsop

<sup>288</sup> V1-0097.001 Chris Barrett

<sup>289</sup> V1-0111.001 and 002 Foodstuffs

<sup>290</sup> V1-0092.015 SDC

### **Recommendation**

- 11.61 I recommend that, for the reasons given above, the Hearing Panel retains the provisions within Variation 1 as notified, except where amendments have been recommended elsewhere within this report.
- 11.62 I recommend that the original submission point is rejected as shown in **Appendix 1**.

## **12. Development Areas**

### **Introduction**

- 12.1 This section addresses all the submission points received in relation to Development Areas, which spatially identify and manage areas where ODPs apply to determine future land use and development.

### **DEV-Lincoln**

### **Submissions**

- 12.2 26 submission points and 117 further submission points were received in relation to DEV-LI1 – DEV-LI8. While the tables below are set out by development area, the analysis provided is set out by submitter, given the similarity of the relief requested.

### **DEV-LI1**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0077      | Ryman              | 081              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS032            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS034            | Oppose   | Reject the submission  |
| V1-0079      | RVA                | 081              | Oppose   | Delete as notified.  |
| V1-0102      | CSI                | FS129            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL               | FS129            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora         | FS115            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL       | FS129            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL               | FS129            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC                | 001              | Oppose   | Amend as follows:<br>Land Use<br>The ODP Area shall achieve a minimum net density of <del>10</del> <u>15</u> households per hectare. Higher density residential uses should be located within areas adjacent to key open space linkages having access to primary and secondary roads to provide increased housing choice for future residents. |

| Submitter ID | Submitter Name     | Submission Point | Position       | Decision Requested  |
|--------------|--------------------|------------------|----------------|---|
| V1-0053      | Four Stars & Gould | FS001            | Oppose In Part | Reject the submission   |
| V1-0070      | BRG                | FS001            | Oppose In Part | Reject the submission   |
| V1-0083      | Waka Kotahi        | FS001            | Support        | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0084      | Applefields        | FS008            | Oppose In Part | Reject the Submission.  |
| V1-0087      | Margaret Springer  | FS001            | Oppose In Part | Reject submission   |
| V1-0102      | CSI                | FS002            | Oppose         | Reject  |
| V1-0103      | CGPL               | FS002            | Oppose         | Reject  |
| V1-0114      | CSI and RWRL       | FS002            | Oppose         | Reject  |
| V1-0115      | RIDL               | FS002            | Oppose         | Reject  |
| V1-0130      | Dally & McIlraith  | FS001            | Oppose In Part | Reject the submission   |

**DEV-LI2**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 082              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS033            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS035            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 082              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS007            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS009            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS130            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                             |
| V1-0103      | CGPL               | FS130            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                             |
| V1-0113      | Kāinga Ora         | FS116            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS130            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                             |
| V1-0115      | RIDL               | FS130            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                             |
| V1-0080      | CCC                | 002              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum net density of <del>10</del> 15 households per hectare. |
| V1-0083      | Waka Kotahi        | FS002            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.               |
| V1-0102      | CSI                | FS003            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS003            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS003            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS003            | Oppose   | Reject  |

**DEV-LI3**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---------------------|
| V1-0077      | Ryman          | 083              | Oppose   | Delete as notified. |



| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0053      | Four Stars & Gould | FS034            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS036            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 083              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS008            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS010            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS131            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL               | FS131            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora         | FS117            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS131            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL               | FS131            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0080      | CCC                | 003              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum net density of <del>10</del> 15 households per hectare.<br>Higher density residential development with smaller sites should be located near proposed open space areas that intersect with primary roads, and in close proximity to walkway / cycleway links to Edward St, which in turn provides access to the town centre. ... |
| V1-0083      | Waka Kotahi        | FS003            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.   |
| V1-0102      | CSI                | FS004            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS004            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS004            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS004            | Oppose   | Reject  |

**DEV-LI4**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 084              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS035            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS037            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 084              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS009            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS011            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS132            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL               | FS132            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora         | FS118            | Oppose   | Disallow  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0114      | CSI and RWRL   | FS132            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS132            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC            | 004              | Oppose   | Amend as follows:<br>Land Use<br>The area will be comprised entirely of conventional residential development in accordance with the Lincoln Structure Plan. The area shall achieve a minimum net density of <del>10</del> 15 households per hectare. ... |
| V1-0083      | Waka Kotahi    | FS004            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.  |
| V1-0102      | CSI            | FS005            | Oppose   | Reject   |
| V1-0103      | CGPL           | FS005            | Oppose   | Reject   |
| V1-0114      | CSI and RWRL   | FS005            | Oppose   | Reject   |
| V1-0115      | RIDL           | FS005            | Oppose   | Reject   |

**DEV-LI5**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 085              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS036            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS038            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 085              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS010            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS012            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS133            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL               | FS133            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora         | FS119            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS133            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL               | FS133            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0080      | CCC                | 005              | Support  | Retain as notified.   |
| V1-0102      | CSI                | FS006            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS006            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS006            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS006            | Oppose   | Reject  |

**DEV-LI6**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 086              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS037            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS039            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 086              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS011            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS013            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS134            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL               | FS134            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora         | FS120            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS134            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL               | FS134            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0080      | CCC                | 006              | Support  | Retain as notified.   |
| V1-0102      | CSI                | FS007            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS007            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS007            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS007            | Oppose   | Reject  |

**DEV-LI7**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 087              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS038            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS040            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 087              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS012            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS014            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS135            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0103      | CGPL               | FS135            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0113      | Kāinga Ora         | FS121            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS135            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0115      | RIDL               | FS135            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0080      | CCC                | 007              | Oppose   | Amend as follows:<br>Land Use<br>The portion of the area included in the General Residential Zone shall achieve a |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | minimum net density of <del>10</del> <u>15</u> households per hectare.                                      |
| V1-0083      | Waka Kotahi    | FS005            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0102      | CSI            | FS008            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS008            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS008            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS008            | Oppose   | Reject  |

**DEV-LI8**

| Submitter ID | Submitter Name      | Submission Point | Position           | Decision Requested   |
|--------------|---------------------|------------------|--------------------|--|
| V1-0021      | Lincoln Voice       | 002              | Oppose             | Delete DEV-LI8 in its entirety.  |
| V1-0068      | Manmeet Singh       | FS003            | Oppose             | Reject submission  |
| V1-0077      | Ryman               | 088              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould  | FS039            | Oppose             | Reject the submission  |
| V1-0084      | Applefields         | FS041            | Oppose             | Reject the submission  |
| V1-0079      | RVA                 | 088              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould  | FS013            | Oppose             | Reject the submission  |
| V1-0084      | Applefields Limited | FS015            | Oppose             | Reject the submission  |
| V1-0102      | CSI                 | FS136            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL                | FS136            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora          | FS122            | Oppose             | Disallow   |
| V1-0114      | CSI and RWRL        | FS136            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL                | FS136            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC                 | 008              | Oppose             | Amend as follows:<br>Land Use<br>The development area shall provide for a maximum of 1710 households beyond which an Integrated Transport Assessment shall be required in association with any resource consent application. In addition, the development area shall achieve a minimum net density of <del>12</del> <u>15</u> household per hectare, averaged over the area. |
| V1-0083      | Waka Kotahi         | FS006            | Support            | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.  |
| V1-0102      | CSI                 | FS009            | Oppose             | Reject   |
| V1-0103      | CGPL                | FS009            | Oppose             | Reject   |
| V1-0114      | CSI and RWRL        | FS009            | Oppose             | Reject   |
| V1-0115      | RIDL                | FS009            | Oppose             | Reject   |
| V1-0115      | RIDL                | 002              | Support<br>In Part | Amend the ODP for land subject to PC69 so that the commercial zone along Springs   |

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested  |
|--------------|----------------------|------------------|-----------------|---|
|              |                      |                  |                 | Road is identified as a LCZ.<br>Refer to original submission for full decision requested.   |
| V1-0021      | Lincoln Voice        | FS004            | Oppose          | Disallowed<br><i>Specifically Private Plan Change 69 is not included in the Variation 1 to the Proposed Selwyn District Plan (Part A)</i> |
| V1-0062      | LDHS                 | FS002            | Support In Part | Continue Heritage Protection (H323) for The Springs Farmhouse/Chudleigh and its surrounds.  |
| V1-0063      | Sam & Denise Carrick | FS008            | Oppose          | Decline submission point 125 in Appendix 3 of submission V1-0115  |

### Analysis

- 12.3 Ryman and RVA<sup>291</sup> opposes “the guiding of future land use and development ... via Outline Development Plans” as they consider that such plans are prepared on the assumption that standard residential development will be established, and they do not take into account the functional and operational needs of retirement villages.
- 12.4 As set out in the Development Areas overview, ODPs provide an overview of how development in an area is to occur. Their inclusion in the PDP is in response to Policy 6.3.3. of the CRPS, which requires that ODPs be prepared for greenfield priority areas or FDAs, to “provide a mechanism for integrating urban development with infrastructure, making the best use of existing infrastructure, and identifying and providing for the additional infrastructure required to meet the needs of incoming residents and businesses. They also provide the mechanism for integrating new development with existing urban areas, and of achieving the type and form of development necessary to accommodate urban growth in a sustainable way”<sup>292</sup>.
- 12.5 Given the purpose of ODPs, I do not consider that they have a requirement to consider the functional and operational needs of retirement villages. Rather, their purpose is to provide a mechanism for integrating existing and future development with infrastructure requirements to ensure that these areas are developed in a coordinated manner that achieves good levels of urban design and connectivity. I consider that within this framework there is sufficient scope for retirement villages to be established and that a process exists within the consenting framework should this not be the case. I therefore recommend that the submission points of Ryman and RVA be rejected.
- 12.6 In relation to DEV-LI1 – DEV-LI4, DEV-LI7 and DEV-LI8, CCC<sup>293</sup> seek an increase to the minimum density – to 15hh/ha – which they consider is the most efficient use of greenfield land and would have regard to the benefits of intensification as per Policy 6(c) of the NPS UD.

<sup>291</sup> V1-0077.081, 082, 083, 084, 085, 086, 087 and 088 Ryman and V1-0079.081, 082, 083, 084, 085, 086, 087 and 088 RVA

<sup>292</sup> CRPS Policy 6.3.3 *Principal reasons and explanation*

<sup>293</sup> V1-0080.001, 002, 003, 004, 007 and 008 CCC

- 12.7 This aligns with a similar request by the submitter in relation to UG-P13, addressed in the Urban Growth S42A report<sup>294</sup> in the following way:

*CCC ... seek an increase to the minimum density in clause 4 of 12hh/ha to 15hh/ha. This is based on the recommendation from the Harrison Grierson Greenfield Density Analysis Technical Report for the Greater Christchurch Partnership<sup>295</sup>, and is also in appendix 3. This stated that 15hh/ha is possible for new greenfield areas through good strategic planning of a development. This report was not finalised until after the PDP was notified and so was not considered in the development of the policies. The report outlines that the use of 12hh/ha is appropriate until the identified issues and constraints are addressed. These constraints include identifying open space and infrastructure, including transport, upgrades with appropriate funding models. The identification of constraints was up to the council to respond to when council zoned new future areas. As the NPS-UD has provided more responsive zoning opportunities, it now falls to developers to respond to the constraints if it is to occur before the council response. Therefore, a change to the minimum density is appropriate but with additional wording that states where a demonstrated constraint then the density shall be no lower than 12hh/ha. Therefore, I recommend that these submission points are accepted in part.*

- 12.8 I agree with the conclusions of the Urban Growth s42A Report writer and, should the Panel accept the recommendation of the UG report writer, I recommend the relevant text within DEV-LI1 – DEV-LI4, DEV-LI7 and DEV-LI8 be amended to align with UG-P13, being that a minimum net density of 15hh/ha be achieved, unless there are demonstrated constraints in which case a minimum net density of no less than 12hh/ha shall be achieved. I therefore recommend that these submission points be accepted in part.
- 12.9 I record that, while a number of development areas were once greenfield areas, some of these may have been fully developed<sup>296</sup> since the PDP was notified in October 2020, such that they would no longer be considered as greenfield land. However, if there is land still to be developed within these areas, I consider that it is appropriate that this be developed at a higher minimum net density unless there are demonstrated constraints.
- 12.10 In relation to DEV-LI5 and DEV-LI6, CCC<sup>297</sup> request that these be retained as notified. I recommend that these submission points be accepted.
- 12.11 Lincoln Voice<sup>298</sup> considers that, consistent with their submission point relating to the proposed MRZ for the land contained within DEV-LI8, this provision should be deleted in its entirety, as the suitability of this area residential development is subject to an appeal through other processes. I consider that, as it has been determined through a Schedule 1 process that it is appropriate that

<sup>294</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0006/475476/s42A-Report-Draft-Urban-Growth-Overlay-2.0.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0006/475476/s42A-Report-Draft-Urban-Growth-Overlay-2.0.pdf) paragraph 26.14 and recommendation 26.21

<sup>295</sup> Issued on the 27<sup>th</sup> October 2020

<sup>296</sup> For example, DEV-LI1, DEV-LI4 and DEV-LI7

<sup>297</sup> V1-0080.005 and 006 CCC

<sup>298</sup> V1-0021.002 Lincoln Voice

this area be urban, it is appropriate, and necessary, that an outline development plan be included in the PDP to guide the future development of this land, in accordance with the outcomes of the Schedule 1 process. Should the outcome of any the appeal reach a different conclusion in relation to the suitability of this land or the matters to be included in an outline development plan, then I consider that it will be necessary to revisit this provision, however at this time I recommend that this submission point be rejected.

- 12.12 RIDL<sup>299</sup> requests that DEV-LI8 be amended to include a LCZ along Springs Road, rather than a NCZ as currently indicated. The submitter considers that this is necessary to ensure the increased densities of residential land are appropriately serviced by commercial activities. As no economic evidence has been provided to support this request, at this time I recommend that the submission point be rejected. However, I invite the submitter to provide expert economic evidence to assist in determining whether the proposal is appropriate and what, if any, impact it may have on the role and function of other commercial areas within Lincoln.

#### **Recommendation and amendments**

- 12.13 I recommend that, for the reasons given above, the Hearing Panel:
- a) Amend DEV-LI1 – DEV-LI4, DEV-LI7 and DEV-LI8 to update the minimum density to 15hh/ha and provide wording around demonstrated constraints that could lead to a density of 12hh/ha, as shown in **Appendix 2**.
- 12.14 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**.
- 12.15 The scale of change in relation to minimum density requires a s32AA evaluation, which can be found in [Section 26](#) of the s42A for the *Urban Growth* chapter.

#### **DEV-Prebbleton**

##### **Submissions**

- 12.16 14 submission points and 56 further submission points were received in relation to DEV-PR1 – DEV-PR4. While the tables below are set out by development area, the analysis provided is set out by submitter, given the similarity of the relief requested.

##### **DEV-PR1**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 089              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS040            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS042            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 089              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS014            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS016            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS137            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

<sup>299</sup> V1-0115.002 RIDL



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0103      | CGPL           | FS137            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0113      | Kāinga Ora     | FS123            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL   | FS137            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0115      | RIDL           | FS137            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0080      | CCC            | 009              | Oppose   | Amend to require a minimum net household density of 15 per hectare within DEV-PR1.                          |
| V1-0083      | Waka Kotahi    | FS007            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0102      | CSI            | FS010            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS010            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS010            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS010            | Oppose   | Reject  |

**DEV-PR2**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 090              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS041            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS043            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 090              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS015            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS017            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS138            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL               | FS138            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora         | FS124            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS138            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL               | FS138            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0080      | CCC                | 010              | Oppose   | Amend as follows:<br>Land Use<br>The development area shall achieve a minimum net density of <del>10</del> 15 households per hectare. ... |
| V1-0083      | Waka Kotahi        | FS008            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.                               |
| V1-0102      | CSI                | FS011            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS011            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS011            | Oppose   | Reject  |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|--------------|----------------|------------------|----------|--------------------|
| V1-0115      | RIDL           | FS011            | Oppose   | Reject             |

**DEV-PR3**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0048      | Urban Estates      | 001              | Support  | Retain as notified   |
| V1-0077      | Ryman              | 091              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS042            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS044            | Oppose   | Reject the submission  |
| V1-0079      | RVA                | 091              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS016            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS018            | Oppose   | Reject the submission  |
| V1-0102      | CSI                | FS139            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL               | FS139            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora         | FS125            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL       | FS139            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL               | FS139            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC                | 011              | Oppose   | Amend as follows:<br>Land Use<br>The area is to achieve a minimum of <del>12</del> <u>15</u> households per hectare. It supports a variety of lot sizes within the zone framework to achieve this minimum density. |
| V1-0083      | Waka Kotahi        | FS009            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.  |
| V1-0102      | CSI                | FS012            | Oppose   | Reject   |
| V1-0103      | CGPL               | FS012            | Oppose   | Reject   |
| V1-0114      | CSI and RWRL       | FS012            | Oppose   | Reject   |
| V1-0115      | RIDL               | FS012            | Oppose   | Reject   |

**DEV-PR4**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested    |
|--------------|--------------------|------------------|----------|-----------------------|
| V1-0061      | TRRG               | 002              | Support  | Retain as notified.   |
| V1-0077      | Ryman              | 092              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS043            | Oppose   | Reject the submission |
| V1-0084      | Applefields        | FS045            | Oppose   | Reject the submission |
| V1-0079      | RVA                | 092              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS017            | Oppose   | Reject the submission |
| V1-0084      | Applefields        | FS019            | Oppose   | Reject the submission |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0102      | CSI            | FS140            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL           | FS140            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS126            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL   | FS140            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS140            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC            | 012              | Oppose   | Amend as follows:<br>Land Use<br>A minimum net density of <del>12</del> 15 households per hectare (approximately 320hh) shall be achieved, averaged over the Site. |
| V1-0083      | Waka Kotahi    | FS010            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.  |
| V1-0102      | CSI            | FS013            | Oppose   | Reject   |
| V1-0103      | CGPL           | FS013            | Oppose   | Reject   |
| V1-0114      | CSI and RWRL   | FS013            | Oppose   | Reject   |
| V1-0115      | RIDL           | FS013            | Oppose   | Reject   |

### Analysis

- 12.17 Ryman and RVA<sup>300</sup> opposes “the guiding of future land use and development ... via Outline Development Plans” as they consider that such plans are prepared on the assumption that standard residential development will be established, and they do not consider the functional and operational needs of retirement villages. These submission points are the same as that for DEV-Lincoln, therefore the reasons set out in relation to [DEV-Lincoln](#), I recommend that these submission points be rejected.
- 12.18 CCC<sup>301</sup> seek an increase to the minimum density 15hh/ha which they consider is the most efficient use of greenfield land and would have regard to the benefits of intensification as per Policy 6(c) of the NPS UD. These submission points are the same as that for DEV-Lincoln, therefore the reasons set out in relation to [DEV-Lincoln](#), I recommend that these submission points be accepted in part and the text within the relevant provisions be amended to align with UG-P13, being that a minimum net density of 15hh/ha be achieved, unless there are demonstrated constraints in which case a minimum net density of no less than 12hh/ha shall be achieved.
- 12.19 I also record that, while a number of development areas were once greenfield areas, some of these may have been fully developed<sup>302</sup> since the PDP was notified in October 2020, such that they would

<sup>300</sup> V1-0077.089, 090, 091 and 092 Ryman and V1-0079.089, 090, 091 and 092 RVA

<sup>301</sup> V1-0080.009, 010, 011 and 012 CCC

<sup>302</sup> For example, DEV-PR2

no longer be considered as greenfield land. However, if there is land still to be developed within these areas, I consider that it is appropriate that this be developed at a higher minimum net density unless there are demonstrated constraints.

- 12.20 Urban Estates<sup>303</sup> requests that DEV-PR3 be retained as notified. TRRG<sup>304</sup> requests that DEV-PR4 be retained as notified. As I have recommended amendments arising from the consideration of other submission points, I recommend that these submission points be accepted in part.

#### **Recommendation and amendments**

- 12.21 I recommend that, for the reasons given above, the Hearing Panel:
- Amend DEV-PR1, DEV-PR2, DEV-PR3 and DEV-PR4 to update the minimum density to 15 hh/ha and provide wording around demonstrated constraints that could lead to a density of 12hh/ha, as shown in **Appendix 2**.
- 12.22 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**.
- 12.23 The scale of change in relation to minimum density requires a s32AA evaluation, which can be found in [Section 26](#) of the s42A for the *Urban Growth* chapter.

#### **DEV-Rolleston**

##### **Submissions**

- 12.24 51 submission points and 201 further submission points were received in relation to DEV-RO1 – DEV-RO14. While the tables below are set out by development area, the analysis provided is set out by submitter, given the similarity of the relief requested.

##### **DEV-RO1**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 093              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS044            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS046            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 093              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS018            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS020            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS141            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL               | FS141            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora         | FS127            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS141            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

<sup>303</sup> V1-0048.001 Urban Estates

<sup>304</sup> V1-0061.002 TRRG

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0115      | RIDL           | FS141            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>  |
| V1-0080      | CCC            | 013              | Oppose   | Amend as follows:<br>Land Use<br>The development area shall achieve a minimum net density of <del>10</del> <u>15</u> household per hectare, averaged over the area. ...   |
| V1-0065      | CIAL           | FS004            | Oppose   | <i>Reject the submission in so far as it relates to the portion of the PC71 site subject to the Operative Contour.<br/>CIAL seek that the portion of the PC71 site subject to the Operative Contour retains rural zoning in the Proposed Variation.</i> |
| V1-0083      | Waka Kotahi    | FS011            | Support  | <i>Accept the submission related to increase in minimum net density requirements to 15 households per hectare.</i>  |
| V1-0102      | CSI            | FS014            | Oppose   | <i>Reject</i>   |
| V1-0103      | CGPL           | FS014            | Oppose   | <i>Reject</i>   |
| V1-0114      | CSI and RWRL   | FS014            | Oppose   | <i>Reject</i>   |
| V1-0115      | RIDL           | FS014            | Oppose   | <i>Reject</i>   |

**DEV-RO2**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0077      | Ryman              | 094              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS045            | Oppose   | <i>Reject the submission</i>   |
| V1-0084      | Applefields        | FS047            | Oppose   | <i>Reject the submission</i>   |
| V1-0079      | RVA                | 094              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS019            | Oppose   | <i>Reject the submission</i>   |
| V1-0084      | Applefields        | FS021            | Oppose   | <i>Reject the submission</i>   |
| V1-0102      | CSI                | FS142            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0103      | CGPL               | FS142            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0113      | Kāinga Ora         | FS128            | Oppose   | <i>Disallow</i>  |
| V1-0114      | CSI and RWRL       | FS142            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0115      | RIDL               | FS142            | Support  | <i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>   |
| V1-0080      | CCC                | 014              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum of <del>10</del> <u>15</u> households per hectare, averaged over the area. ... |
| V1-0083      | Waka Kotahi        | FS012            | Support  | <i>Accept the submission related to increase in minimum net density requirements to 15 households per hectare.</i>                               |
| V1-0102      | CSI                | FS015            | Oppose   | <i>Reject</i>  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|--------------|----------------|------------------|----------|--------------------|
| V1-0103      | CGPL           | FS015            | Oppose   | Reject             |
| V1-0114      | CSI and RWRL   | FS015            | Oppose   | Reject             |
| V1-0115      | RIDL           | FS015            | Oppose   | Reject             |

**DEV-RO3**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 095              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS046            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS048            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 095              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS020            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS022            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS143            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL               | FS143            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora         | FS129            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS143            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL               | FS143            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0080      | CCC                | 015              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum net density of <del>10</del> 15 households per hectare, averaged over the area. ... |
| V1-0083      | Waka Kotahi        | FS013            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.   |
| V1-0102      | CSI                | FS016            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS016            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS016            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS016            | Oppose   | Reject  |

**DEV-RO4**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 096              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS047            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS049            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 096              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS021            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS023            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS144            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| V1-0103      | CGPL           | FS144            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora     | FS130            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL   | FS144            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL           | FS144            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC            | 016              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum net density of <del>10</del> <u>15</u> households per hectare. ... |
| V1-0083      | Waka Kotahi    | FS014            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.                          |
| V1-0102      | CSI            | FS017            | Oppose   | Reject   |
| V1-0103      | CGPL           | FS017            | Oppose   | Reject   |
| V1-0114      | CSI and RWRL   | FS017            | Oppose   | Reject   |
| V1-0115      | RIDL           | FS017            | Oppose   | Reject   |

**DEV-RO5**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0077      | Ryman              | 097              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS048            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS050            | Oppose   | Reject the submission  |
| V1-0079      | RVA                | 097              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS022            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS024            | Oppose   | Reject the submission  |
| V1-0102      | CSI                | FS145            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                            |
| V1-0103      | CGPL               | FS145            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                            |
| V1-0113      | Kāinga Ora         | FS131            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL       | FS145            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                            |
| V1-0115      | RIDL               | FS145            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                            |
| V1-0080      | CCC                | 017              | Oppose   | Amend as follows:<br>Land Use<br>The area shall achieve a minimum of <del>10</del> <u>15</u> households per hectare. ... |
| V1-0083      | Waka Kotahi        | FS015            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.              |
| V1-0102      | CSI                | FS018            | Oppose   | Reject   |
| V1-0103      | CGPL               | FS018            | Oppose   | Reject   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|--------------|----------------|------------------|----------|--------------------|
| V1-0114      | CSI and RWRL   | FS018            | Oppose   | Reject             |
| V1-0115      | RIDL           | FS018            | Oppose   | Reject             |

**DEV-RO6**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0077      | Ryman              | 098              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS049            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS051            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 098              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS023            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS025            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS146            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0103      | CGPL               | FS146            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0113      | Kāinga Ora         | FS132            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS146            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL               | FS146            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

**DEV-RO7**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0077      | Ryman              | 099              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS050            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS052            | Oppose   | Reject the submission  |
| V1-0079      | RVA                | 099              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS024            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS026            | Oppose   | Reject the submission  |
| V1-0102      | CSI                | FS147            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL               | FS147            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora         | FS133            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL       | FS147            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL               | FS147            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC                | 018              | Oppose   | Requests that, if the PC 73 spatial extent is to be included in the variation, the minimum residential density is set at 15 households per hectare within DEV-RO7. |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0083      | Waka Kotahi    | FS016            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0102      | CSI            | FS019            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS019            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS019            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS019            | Oppose   | Reject  |

**DEV-RO8**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| V1-0077      | Ryman              | 100              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS051            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS053            | Oppose   | Reject the submission  |
| V1-0079      | RVA                | 100              | Oppose   | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS025            | Oppose   | Reject the submission  |
| V1-0084      | Applefields        | FS027            | Oppose   | Reject the submission  |
| V1-0102      | CSI                | FS148            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL               | FS148            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora         | FS134            | Oppose   | Disallow   |
| V1-0114      | CSI and RWRL       | FS148            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL               | FS148            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0080      | CCC                | 019              | Oppose   | Requests that, if the PC 73 spatial extent is to be included in the variation, the minimum residential density is set at 15 households per hectare within DEV-RO8. |
| V1-0083      | Waka Kotahi        | FS017            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.  |
| V1-0102      | CSI                | FS020            | Oppose   | Reject   |
| V1-0103      | CGPL               | FS020            | Oppose   | Reject   |
| V1-0114      | CSI and RWRL       | FS020            | Oppose   | Reject   |
| V1-0115      | RIDL               | FS020            | Oppose   | Reject   |

**DEV-RO9**

| Submitter ID | Submitter Name     | Submission Point | Position           | Decision Requested   |
|--------------|--------------------|------------------|--------------------|--|
| V1-0059      | Dunweavin          | 002              | Support<br>In Part | Amend DEV-RO9 to realign the roading connection to the west. |
| V1-0077      | Ryman              | 101              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS052            | Oppose             | Reject the submission  |
| V1-0084      | Applefields        | FS054            | Oppose             | Reject the submission  |
| V1-0079      | RVA                | 101              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS026            | Oppose             | Reject the submission  |



| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0084      | Applefields    | FS028            | Oppose   | Reject the submission   |
| V1-0102      | CSI            | FS149            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0103      | CGPL           | FS149            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0113      | Kāinga Ora     | FS135            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL   | FS149            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0115      | RIDL           | FS149            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.   |
| V1-0080      | CCC            | 020              | Oppose   | Amend as follows:<br>Land Use<br>The development area shall achieve a minimum net density of <del>12</del> 15 households per hectare, averaged over the area. ... |
| V1-0083      | Waka Kotahi    | FS018            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.   |
| V1-0102      | CSI            | FS021            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS021            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS021            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS021            | Oppose   | Reject  |

**DEV-RO10**

| Submitter ID | Submitter Name     | Submission Point | Position           | Decision Requested   |
|--------------|--------------------|------------------|--------------------|--|
| V1-0025      | Yoursection        | 005              | Support<br>In Part | Amend to make it clear that there is a need for a consent notice mechanism to be applied to specify that NCZ rules will apply to the Certificate of Title that is issued for the neighbourhood centre site.  |
| V1-0054      | MON Group Ltd      | 002              | Support<br>In Part | If possible, the submitter would prefer that the proposed Neighbourhood Centre was shown on the Planning maps. In any case, the ODP included in Variation 1 is supported as it retains the Neighbourhood Centre in the location approved through PC75 and is consistent with the Rolleston Structure Plan. Proposed District Plan. However, any such zoning should include a Neighbourhood Centre for the reasons set out in the various evidence and Commissioner's recommendation on PC75. |
| V1-0025      | Yoursection        | FS004            | Oppose<br>In Part  | Reject   |
| V1-0077      | Ryman              | 102              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS053            | Oppose             | Reject the submission  |
| V1-0084      | Applefields        | FS055            | Oppose             | Reject the submission  |
| V1-0079      | RVA                | 102              | Oppose             | Delete as notified.  |

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0053      | Four Stars & Gould | FS027            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS029            | Oppose   | Reject the submission   |
| V1-0102      | CSI                | FS150            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                 |
| V1-0103      | CGPL               | FS150            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                 |
| V1-0113      | Kāinga Ora         | FS136            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL       | FS150            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                 |
| V1-0115      | RIDL               | FS150            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                                 |
| V1-0080      | CCC                | 021              | Oppose   | Amend as follows:<br>Land Use<br>The development area shall achieve a minimum of <del>12</del> 15 household lots per hectare. |
| V1-0025      | Yoursection        | FS007            | Oppose   | Reject  |
| V1-0083      | Waka Kotahi        | FS019            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.                   |
| V1-0102      | CSI                | FS022            | Oppose   | Reject  |
| V1-0103      | CGPL               | FS022            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL       | FS022            | Oppose   | Reject  |
| V1-0115      | RIDL               | FS022            | Oppose   | Reject  |

**DEV-RO11**

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested  |
|--------------|--------------------|------------------|----------|---|
| V1-0048      | Urban Estates      | 003              | Support  | Amend as follows:<br>Access and Transport<br>...<br>Access to the site is provided for from the existing frontage roads of Lincoln Rolleston Road and Selwyn Road. <del>In addition</del> There is also provision for connections to neighbouring developments. These include Acland Park to the west which has roads extending to the shared boundary. <del>In addition</del> <u>Additional</u> linkages are provided for to the area to the north known as DEVRO11 being a southern extension of the Falcons Landing residential development. |
| V1-0077      | Ryman              | 103              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS054            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS056            | Oppose   | Reject the submission   |
| V1-0079      | RVA                | 103              | Oppose   | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS028            | Oppose   | Reject the submission   |
| V1-0084      | Applefields        | FS030            | Oppose   | Reject the submission   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0102      | CSI            | FS151            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0103      | CGPL           | FS151            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0113      | Kāinga Ora     | FS137            | Oppose   | Disallow  |
| V1-0114      | CSI and RWRL   | FS151            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0115      | RIDL           | FS151            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                     |
| V1-0080      | CCC            | 022              | Oppose   | Amend as follows:<br>Land Use<br>The area is to achieve a minimum of <del>12</del> 15 households per hectare. ... |
| V1-0083      | Waka Kotahi    | FS020            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.       |
| V1-0102      | CSI            | FS023            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS023            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS023            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS023            | Oppose   | Reject  |

**DEV-RO12**

| Submitter ID | Submitter Name     | Submission Point | Position           | Decision Requested   |
|--------------|--------------------|------------------|--------------------|--|
| V1-0053      | Four Stars & Gould | 002              | Support<br>In Part | Amend DEV-RO12 to include the land which is within the 50Ldn Noise Contour.                                    |
| V1-0077      | Ryman              | 104              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS055            | Oppose             | Reject the submission  |
| V1-0084      | Applefields        | FS057            | Oppose             | Reject the submission  |
| V1-0079      | RVA                | 104              | Oppose             | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS029            | Oppose             | Reject the submission  |
| V1-0084      | Applefields        | FS031            | Oppose             | Reject the submission  |
| V1-0102      | CSI                | FS152            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                  |
| V1-0103      | CGPL               | FS152            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                  |
| V1-0113      | Kāinga Ora         | FS138            | Oppose             | Disallow   |
| V1-0114      | CSI and RWRL       | FS152            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                  |
| V1-0115      | RIDL               | FS152            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.                  |
| V1-0080      | CCC                | 023              | Oppose             | Amend as follows:<br>Land Use<br>The development area shall achieve a minimum net density of 15 households per |

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
|              |                |                  |                | hectare, averaged over the northern portion area; and 12 households per hectare averaged over the southern portion of the area.   |
| V1-0065      | CIAL           | FS002            | Oppose In Part | Reject the submission in so far as it relates to the portion of the PC71 site subject to the Operative Contour.<br>CIAL seek that the portion of the PC71 site subject to the Operative Contour retains rural zoning in the Proposed Variation. |
| V1-0083      | Waka Kotahi    | FS021            | Support        | Accept the submission related to increase in minimum net density requirements to 15 households per hectare.   |
| V1-0102      | CSI            | FS024            | Oppose         | Reject  |
| V1-0103      | CGPL           | FS024            | Oppose         | Reject  |
| V1-0114      | CSI and RWRL   | FS024            | Oppose         | Reject  |
| V1-0115      | RIDL           | FS024            | Oppose         | Reject  |

**DEV-RO13**

| Submitter ID | Submitter Name     | Submission Point | Position        | Decision Requested   |
|--------------|--------------------|------------------|-----------------|--|
| V1-0072      | Hill Street        | 002              | Support In Part | Amend ODP to:<br>- Remove the need for a road link to the northwest and replace it with a second connection out to East Maddisons Road,<br>- Remove the need for a pedestrian/ cycle link to the southwest<br>or alternatively, retain the ODP as notified provided it includes an explanatory note that the two links only need to be provided in the event that transport connections are also provided on the adjoining land.<br>Refer to original submission for map |
| V1-0077      | Ryman              | FS061            | Oppose In Part  | Disallow the submission and grant the relief sought in Ryman's primary submission.   |
| V1-0077      | Ryman              | 105              | Oppose          | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS056            | Oppose          | Reject the submission  |
| V1-0084      | Applefields        | FS058            | Oppose          | Reject the submission  |
| V1-0079      | RVA                | 105              | Oppose          | Delete as notified.  |
| V1-0053      | Four Stars & Gould | FS030            | Oppose          | Reject the submission  |
| V1-0084      | Applefields        | FS032            | Oppose          | Reject the submission  |
| V1-0102      | CSI                | FS153            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0103      | CGPL               | FS153            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0113      | Kāinga Ora         | FS139            | Oppose          | Disallow   |
| V1-0114      | CSI and RWRL       | FS153            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |
| V1-0115      | RIDL               | FS153            | Support         | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0080      | CCC            | 024              | Oppose   | Amend to require a minimum net household density of 15 per hectare within DEV-RO13.                         |
| V1-0077      | Ryman          | FS060            | Oppose   | Disallow the submission and grant the relief sought in Ryman's primary submission.                          |
| V1-0083      | Waka Kotahi    | FS022            | Support  | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0102      | CSI            | FS025            | Oppose   | Reject  |
| V1-0103      | CGPL           | FS025            | Oppose   | Reject  |
| V1-0114      | CSI and RWRL   | FS025            | Oppose   | Reject  |
| V1-0115      | RIDL           | FS025            | Oppose   | Reject  |

**DEV-RO14**

| Submitter ID | Submitter Name     | Submission Point | Position           | Decision Requested  |
|--------------|--------------------|------------------|--------------------|---|
| V1-0067      | Kevler             | 002              | Support<br>In Part | Delete as notified and replace with outline development plan, as included in submission.                    |
| V1-0077      | Ryman              | 106              | Oppose             | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS057            | Oppose             | Reject the submission   |
| V1-0084      | Applefields        | FS059            | Oppose             | Reject the submission   |
| V1-0079      | RVA                | 106              | Oppose             | Delete as notified.   |
| V1-0053      | Four Stars & Gould | FS031            | Oppose             | Reject the submission   |
| V1-0084      | Applefields        | FS033            | Oppose             | Reject the submission   |
| V1-0102      | CSI                | FS154            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0103      | CGPL               | FS154            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0113      | Kāinga Ora         | FS140            | Oppose             | Disallow  |
| V1-0114      | CSI and RWRL       | FS154            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0115      | RIDL               | FS154            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0080      | CCC                | 025              | Oppose             | Amend to require a minimum net household density of 15 per hectare within DEV-RO14.                         |
| V1-0083      | Waka Kotahi        | FS023            | Support            | Accept the submission related to increase in minimum net density requirements to 15 households per hectare. |
| V1-0102      | CSI                | FS026            | Oppose             | Reject  |
| V1-0103      | CGPL               | FS026            | Oppose             | Reject  |
| V1-0114      | CSI and RWRL       | FS026            | Oppose             | Reject  |
| V1-0115      | RIDL               | FS026            | Oppose             | Reject  |
| V1-0112      | Hughes             | 012              | Support<br>In Part | Retain the connections to the existing Faringdon development as notified.                                   |
| V1-0102      | CSI                | FS040            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |
| V1-0103      | CGPL               | FS040            | Support            | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.               |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| V1-0114      | CSI and RWRL   | FS040            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |
| V1-0115      | RIDL           | FS040            | Support  | Adopt to the extent the relief sought is consistent with the relief sought by the Submitters. |

### Analysis

- 12.25 Ryman and RVA<sup>305</sup> opposes “the guiding of future land use and development ... via Outline Development Plans” as they consider that such plans are prepared on the assumption that standard residential development will be established, and they do not consider the functional and operational needs of retirement villages. These submission points are the same as that for DEV-Lincoln, therefore the reasons set out in relation to [DEV-Lincoln](#), I recommend that these submission points be rejected.
- 12.26 CCC<sup>306</sup> seek an increase to the minimum density 15hh/ha which they consider is the most efficient use of greenfield land and would have regard to the benefits of intensification as per Policy 6(c) of the NPS UD. These submission points are the same as that for DEV-Lincoln, therefore the reasons set out in relation to [DEV-Lincoln](#), I recommend that the submission points in relation to DEV-RO1 – DEV-RO5, DEV-RO9 – DEV-RO14 be accepted in part and the text within the relevant provisions be amended to align with UG-P13, being that a minimum net density of 15hh/ha be achieved, unless there are demonstrated constraints in which case a minimum net density of no less than 12hh/ha shall be achieved. However, as DEV-RO7 and DEV-RO8 are zoned LLRZ, I do not consider that the relief sought by the submitter is consistent with the underlying zone and therefore recommend that these submission points be rejected. I also record that the submitter did not make a submission in relation to DEV-RO6.
- 12.27 I also record that, while a number of development areas were once greenfield areas, some of these may have been fully developed<sup>307</sup> since the PDP was notified in October 2020, such that they would no longer be considered as greenfield land. However, if there is land still to be developed within these areas, I consider that it is appropriate that this be developed at a higher minimum net density unless there are demonstrated constraints.
- 12.28 In relation to DEV-RO9, Dunweavin<sup>308</sup> considers that the ODP should be replaced to ensure consistency with the ODP approved through the processes associated with PC76<sup>309</sup>, and incorporated into the SDP. I consider that the ODP included Variation 1 is the same as that approved through the PC76 process and therefore do not consider it necessary that it be amended.

<sup>305</sup> V1-0077.093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105 and 106 Ryman and V1-0079.093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105 and 106 RVA

<sup>306</sup> V1-0080.013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024 and 025 CCC

<sup>307</sup> For example, DEV-RO3, DEV-RO4 and DEV-RO5

<sup>308</sup> V1-0059.002 Dunweavin

<sup>309</sup> [https://www.selwyn.govt.nz/data/assets/pdf\\_file/0005/749822/PC76-Commissioner-Recommendation-Appendix-A-Plan-Amendments.pdf](https://www.selwyn.govt.nz/data/assets/pdf_file/0005/749822/PC76-Commissioner-Recommendation-Appendix-A-Plan-Amendments.pdf)

I note that that a process exists within the consenting framework should developers wish to deviate from an ODP. I therefore recommend that this submission point be rejected.

- 12.29 In relation to DEV-RO10, Yoursection and MON Group Ltd<sup>310</sup> both request that a mechanism be included in the PDP to ensure that development within the neighbourhood centre, accepted through Plan Change 75 to the Operative District Plan and shown on the ODP, be developed in accordance with the NCZ rules, rather than the MRZ rules. Yoursection proposes that this be secured through the inclusion of additional text within SUB-REQ3 Outline Development Plans, while MON Group Ltd requests that the area be zoned NCZ. Given the undeveloped nature of the development area at this time, I do not consider that there is sufficient certainty to determine the boundaries of a NCZ. However, I do agree with the submitters that there is a need to provide more certainty within the PDP that the NCZ rules should apply to the eventual area, particularly as MRZ-R11 states that commercial activities in the MRZ are non-complying. I therefore recommend that the submission point of Yoursection should be accepted and the submission point of MON Group Ltd should be accepted in part and that SUB-REQ3 be amended to make it clear that there is a need for a consent notice mechanism to be applied in relation to DEV-RO10. A similar recommendation has recently been proposed through the Eastern Selwyn CMUZ and GIZ Rezoning hearing<sup>311</sup>.
- 12.30 In relation to DEV-RO11, Urban Estates<sup>312</sup> request a minor amendment of the development area text to avoid confusion over the term *addition*, which is defined as relating to a building. In the context of the text, I do not consider that there would be any confusion and therefore recommend that the submission point be rejected.
- 12.31 In relation to DEV-RO12, Four Stars & Gould<sup>313</sup> request that the development area be amended to include the land that is subject to the current 50Ldn Airport Noise Contour. I do not consider that the additional area requested by the submitter can be rezoned to residential through this process as it is subject to a qualifying matter and would be inconsistent with the CRPS. I also record that residential development within the area in question has been subject to a First Schedule process (PC71), and that the decision reached in that process was that, as the air noise contour and its location are not matters within the control of the Council, and are subject to a prescribed process which could take many years to resolved and be incorporated into the relevant planning documents, there is no certainty at all as to what the ultimate outcome will be, therefore it was not appropriate to rezone the area at this time. I consider that the conclusions recorded in relation to the previous First Schedule process still hold. I therefore recommend that this submission point be rejected.
- 12.32 In relation to DEV-RO13, HSL<sup>314</sup> seeks that the ODP be amended to remove the need for a road link to the northwest, replacing it with a second connection out to East Maddisons Road, and to remove the need for a pedestrian/cycle link to the southwest, as they consider that, due to the likely development of adjacent land as a retirement village, these will not be required, or able to

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<sup>310</sup> V1-0025.005 Yoursection and V1-0054.002 MON Group Ltd

<sup>311</sup> [Addendum to the s42A Report for Hearing 30.8 Eastern Selwyn CMUZ and GIZ Rezoning](#)

<sup>312</sup> V1-0048.003 Urban Estates

<sup>313</sup> V1-0053.002 Four Stars & Gould

<sup>314</sup> V1-0072.002 Hill Street Limited



be facilitated. As an alternative, the submitter requests that the accompanying text be amended to indicate that the links only need to be provided if connections are also provided on the adjoining land. I recommend that this submission point be rejected as the PDP as notified provides a pathway for consideration of a subdivision that does not comply with the development area requirements<sup>315</sup>, including an ODP, albeit through a discretionary resource consent application.

12.33 In relation to DEV-RO14:

12.33.1 Kevler<sup>316</sup> seeks the deletion of the ODP as notified and that it be replaced with an amended plan that reflects their desired development plans for a site within DEV-RO14. The transport report (in **Appendix 3**) concluded that, while the proposed relocation of the north/south road was acceptable, the realignment of the northern east/west road was not, and that the alignment as notified provided for greater connectivity of the transport network, enabling safer and more efficient east/west movements for all transport modes, including future public transport. I therefore recommend that this submission point be accepted in part.

12.33.2 Hughes<sup>317</sup> supports the indicative road connections and reserve links to the surrounding Faringdon development and requests that DEV-RO14 be retained as notified. I recommend that this submission point be accepted in part, for the reasons above.

***Recommendation and amendments***

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

- a) Amend DEV-RO1, DEV-RO2, DEV-RO3, DEV-RO4, DEV-RO5, DEV-RO9, DEV-RO10, DEV-RO11, DEV-RO12, DEV-RO13 and DEV-RO14 to update the minimum density to 15hh/ha and provide wording around demonstrated constraints that could lead to a density of 12hh/ha, as shown in **Appendix 2**.
- b) Amend SUB-REQ3 to make it clear that there is a need for a consent notice mechanism to be applied in relation to DEV-RO10, as shown in **Appendix 2**.
- c) Amend the ODP in DEV-RO14 to show the realignment of a north/south road, as shown in **Appendix 2**.

12.35 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**.

12.36 The scale of change proposed to DEV-RO14 requires a s32AA evaluation. A s32AA evaluation in relation to minimum density requires a s32AA evaluation can be found in [Section 26](#) of the s42A for the *Urban Growth* chapter. The change to SUB-REQ3 has been proposed through earlier hearing proceedings so is not evaluated here.

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<sup>315</sup> SUB-REQ3.1

<sup>316</sup> V1-0067.002 Kevler

<sup>317</sup> V1-0112.012 Hughes



## DEV-Generally

### **Submissions**

- 12.37 One submission point was received in relation to Development Areas generally.

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested |
|--------------|----------------|------------------|-----------------|--------------------|
| V1-0083      | Waka Kotahi    | 014              | Support In Part | Not specified.     |

### **Analysis**

- 12.38 Referring to Waka Kotahi's<sup>318</sup> full submission, I record their support for the Development Areas chapter generally, as they consider that these appropriately provide for the up-zoning that is consistent with the MDRS by the NPS-UD. Based on my recommendations above, I recommend that the submission point be accepted in part.

### **Recommendation**

- 12.39 I recommend that, for the reasons given above, the original submission point be accepted in part as shown in **Appendix 1**.

## 13. s32AA Evaluations

### Retirement Villages

- 13.1 The following points evaluate the recommended changes in relation to retirement villages, discussed in [Section 10](#), under Section 32AA of the RMA.

### **Effectiveness and efficiency**

- 13.2 The proposal to manage retirement villages specifically is the most effective means of achieving the intent of RESZ-O1, RESZ-O3 and RESZ-O5 as it provides greater visibility of this form of residential activity with the MRZ.

### **Costs and Benefits**

- 13.3 The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions, as such there is no cost of acting in the manner proposed. Rather, there will be benefits from improved plan interpretation and more efficient plan administration by specifically identifying retirement villages as a form of development envisaged in the MRZ.

### **Risk of acting or not acting**

- 13.4 The proposed amendments do not alter the density standards, merely restate them in relation to retirement villages, therefore there is little risk in acting in the manner proposed.

### **Conclusion**

- 13.5 The proposed amendments are more appropriate in terms of achieving the intent of the objectives in the PDP and the objectives and policies set out in clause 6 to Schedule 3A of the RMA-EHS.

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<sup>318</sup> V1-0083.014 Waka Kotahi

### New rule requirements

- 13.6 The following points evaluate the recommended inclusion of new rule requirements related to garages, accessory buildings and/or structures, and the consequential amendments to [MRZ-R2](#), [MRZ-R3](#) and [MRZ-R4](#), under Section 32AA of the RMA.

#### ***Effectiveness and efficiency***

- 13.7 Providing for consideration of the dominance of garages, accessory buildings and/or structures within the MRZ implements RESZ-PA, which is required to be inserted in the PDP in accordance with the requirements of the RMA-EHS, and RESZ-O1 by ensuring that passive surveillance opportunities, as sought by MRZ-REQ7, are not lost through the placement of such forms of development. The proposed provisions do not make development less enabling in terms of the relevant building height or density standards as they are only applicable should someone wish to establish a garage, an accessory building or other structures on a site.

#### ***Costs and Benefits***

- 13.8 It is possible that a small number of developments may require resource consent, but this would only be if someone wishes to establish a garage, accessory building or similar structure on their site. However, I consider that this does not outweigh the negative effect on the wider environment in terms of impacts on the safety and amenity of streets and open public spaces.

#### ***Risk of acting or not acting***

- 13.9 The risk of not acting is that such development could decrease the safety and security of the MRZ.

#### ***Conclusion***

- 13.10 In my view, the changes proposed better align with the intent of the RMA-EHS, as they further articulate how development is to give effect to the requirement to achieve attractive and safe streets and open public spaces.

### Amendments to MRZ-REQ7, MRZ-REQ8 and MRZ-REQ9

- 13.11 The following points evaluate the recommended amendments to [MRZ-REQ7](#), [MRZ-REQ8](#), and [MRZ-REQ9](#), under Section 32AA of the RMA.

#### ***Effectiveness and efficiency***

- 13.12 The proposed amendments do not change the intent, or outcome, of these provisions; rather the amendments proposed seek to clarify the provisions and provide information about how the provisions are to be administered. These amendments will assist in implementing RESZ-PA and achieving the intent of RESZ-O1.

#### ***Costs and Benefits***

- 13.13 It is possible that a small number of developments may require resource consent should development not be able to comply with the relevant provision, however I consider that greater benefits will be achieved in terms of the safety and amenity of streets and open public spaces and improved plan interpretation and efficient plan administration.

***Risk of acting or not acting***

- 13.14 The risks of not acting are that development could decrease the safety and security of activities in the MRZ and there could be a level of confusion as to how these provisions are to be interpreted.

***Conclusion***

- 13.15 The amendments to the provisions are necessary to ensure that they implement the policy direction and to assist plan users by providing clear information about how the provisions are to be applied.

**14. Conclusion**

- 14.1 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 recommended changes, be accepted in part or in full, and that all other submissions be rejected.
- 14.2 For the reasons set out in this report, including the above Section 32AA evaluations, I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the RMA-EHS, the relevant objectives of this plan and other relevant statutory documents.