

# Proposed Selwyn District Plan



## Section 42A Report

Addendum report on submissions and further  
submissions – missed and erroneously recorded  
submission points, Variation 1 - Prebbleton

Rachael Carruthers

12 June 2023

## Contents

List of submitters and further submitters addressed in this report .....	3
1. Purpose of report.....	3
2. Qualifications and experience.....	3
3. Scope of report and topic overview.....	3
4. Procedural matters .....	3
5. V1-0029 G & L Burgess.....	3
6. V1-0076 J Fisher & V1-0130 Dally & McIlraith.....	4
Appendix 1: Updated Table of Submission Points .....	5

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

### Original Submitters and Further Submitters

Submitter ID	Submitter Name	Abbreviation
V1-0029	Gary and Lynda Burgess	G & L Burgess
V1-0049	Transpower New Zealand Ltd	Transpower
V1-0076	Jenny Fisher	J Fisher
V1-0130	Dally Family Trust & Robbie and Julia McIlraith	Dally & McIlraith

Please refer to **Appendix 1** to see where relevant submission points are addressed within this report.

### 1. Purpose of report

- 1.1 This addendum report is prepared under s42A of the RMA in relation to submission points that have been missed or otherwise erroneously recorded during the compilation of the PDP Variation 1 hearing relating to rezoning requests at Prebbleton. The purpose of this addendum report is to provide the Hearing Panel with a summary and analysis of these missed submission points and to make recommendations on either retaining the Variation 1 provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 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 brought before them, by the submitters.

### 2. Procedural matters

- 2.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
- 2.2 It is also noted that while this report addresses submission points that were either missed or erroneously recorded in previous s42A reports, both affected submitters were served a copy of the relevant hearing notice for the topic. As such, the affected submitters have the opportunity to attend the hearing in support of their submission point.

### 3. V1-0029 G & L Burgess

- 3.1 Submission point V1-0029.003 by G & L Burgess was inadvertently not addressed in the primary s42A report, although associated submission points V1-0029.001 and V1-0029.002 were addressed. In point V1-0029.003, the submitter acknowledges that National Grid transmission lines traverse the area at 93 Tosswill Road, but notes that the lines are located within the proposed Stormwater Management Area and therefore considers that they should not be a qualifying matter. There were no associated further submission points.
- 3.2 Should the Panel consider that rezoning the G & L Burgess land is appropriate, then the fact that residential development is not proposed in the immediate vicinity of the transmission lines is not, to my mind, a reason for a qualifying matter covering the whole of the National Grid to not apply to a particular site.

- 3.3 Transpower did not lodge a further submission in relation to the G & L Burgess submission, but in their primary submission<sup>1</sup> notes that the MRZ as notified does not include any land traversed by the National Grid and requests that should the areas subject to the MRZ be amended to include land that is traversed by the National Grid, that the National Grid (including the areas defined as the 'National Grid Yard' and 'National Grid Subdivision Corridor') be identified as a 'qualifying matter' in accordance with s771(e) RMA and that the relevant provisions of the PDP be amended accordingly.
- 3.4 **Appendix 1** of the primary report incorrectly records as 'accept' my recommendations to reject the submission points from G & L Burgess, with corresponding errors to whether I recommend that the associated further submission points should be accepted or rejected. **Appendix 1** has therefore been updated to reflect the recommendations recorded in the body of the primary s42A report.
- 3.5 Consistent with my recommendations on submission points V1-0029.001 and V1-0029.002, I recommend that submission point V1-0029.003 be rejected as shown in the updated **Appendix 1** to this report.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & L Burgess	003	Support	Requests that no qualifying matter be applied to 93 Tosswill Road.

#### 4. V1-0076 J Fisher & V1-0130 Dally & McIlraith

- 4.1 The below submission point V1-0076.006 from J Fisher and associated further submission point V1-0130.FS007 from Dalley & McIlraith were assessed in the primary s42A report, but omitted from **Appendix 1**. As a minor drafting error, no further action is recommended although the recommendation in the body of the primary report is now recorded in **Appendix 1** to this report. No further action or change is recommended.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0076	J Fisher	006	Oppose	Amend the planning maps to include the following properties in the Urban Growth Overlay in Prebbleton: - Lot 1 DP 81701 - Lot 4 DP 81701 - Lot 2 DP 81701 - Lot 3 DP 81701 - Lot 1 DP 52527 - RS 37687
V1-0130	Dally & McIlraith	FS007	Support In Part	Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.

<sup>1</sup> V1-0049.001, addressed in the Variation 1 Residential Hearing

## Appendix 1: Updated Table of Submission Points

Amendments identified in this report are shown highlighted **yellow**.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	Recommendation	Section of Primary Report
V1-0028	A & S Pollard <i>et al</i>	001	MRZ	Oppose	The submitters request that: - The block bound by Hamptons, Shands and Trents Roads be rezoned to MRZ; or - Should this first relief not be granted, that MRZ on all of the land south of Prebbleton bound by Hamptons, Shands and Trents Roads be declined; and - Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out in this submission.	Accept in part	8
V1-0080	CCC	FS002	MRZ	Oppose	Reject the submission	Accept in part	8
V1-0088	Orion	FS005	MRZ	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.	Reject	8
V1-0029	G & L Burgess	001	MRZ	Oppose	Amend zoning at 93 Tosswill Road, Prebbleton (legally described as Lot 4 DP 538252) from General Rural Zone to Medium Density Residential Zone.	Reject	9
V1-0080	CCC	FS027	MRZ	Oppose	Reject the submission	Accept	9
V1-0088	Orion	FS042	MRZ	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.	Accept	9
V1-0029	G & L Burgess	002	New	Support	Insert a new development area, with associated outline development plan and narrative, to guide development at 93 Tosswill Road, Prebbleton.	Reject	9

V1-0029	G & L Burgess	003	HPW30	Support	Requests that no qualifying matter be applied to 93 Tosswill Road.	Reject	N/A
V1-0066	Birchs Village	001	MRZ	Oppose	Rezone land subject to PC79 from GRUZ to MRZ and provide an appropriately located Commercial Zone.	Reject	10
V1-0011	H & T Fraser	FS001	MRZ	Oppose	Reject proposed amendment	Accept	10
V1-0080	CCC	FS013	MRZ	Oppose	Reject the submission	Accept	10
V1-0088	Orion	FS017	MRZ	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.	Reject	10
V1-0066	Birchs Village	002	New	Support In Part	Amend the township boundaries for Prebbleton to include the proposed rezoning area and new Recreation Reserve.	Reject	10
V1-0011	H & T Fraser	FS002	New	Oppose	Reject proposed amendment	Accept	10
V1-0088	Orion	FS025	New	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.	Reject	10
V1-0066	Birchs Village	003	New	Support	Insert a DEV to support the development of the PC79 area.	Reject	10
V1-0011	H & T Fraser	FS003	New	Oppose	Reject proposed amendment	Accept	10
V1-0070	Ballantrae	001	MRZ	Oppose	Amend the planning maps to rezone the following properties from LLRZ to MRZ in Prebbleton: - 1, 2, 3, 4, 5, 6, 7, 8 & 9 Skara Brae - 3, 4, 5, 6, 7, 8, 9 & 10 Highland Brae - 68, 360, 370, 372, 378, 386 and 394 Trices Road	Accept	11
V1-0088	Orion	FS030	MRZ	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.	Reject	11
V1-0076	J Fisher	001	MRZ	Oppose	Amend the planning maps to rezone the following properties from GRUZ to MRZ in Prebbleton: - Lot 1 DP 81701 - Lot 4 DP 81701 - Lot 2 DP 81701 - Lot 3 DP 81701	Reject	12

					- Lot 1 DP 52527 - RS 37687		
V1-0080	CCC	FS009	MRZ	Oppose	Reject the submission	Accept	12
V1-0088	Orion	FS015	MRZ	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.	Reject	12
V1-0130	Dally & McIlraith	FS002	MRZ	Support In Part	Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.	Reject	12
V1-0076	J Fisher	006	Urban Growth Overlay	Oppose	Amend the planning maps to include the following properties in the Urban Growth Overlay in Prebbleton: - Lot 1 DP 81701 - Lot 4 DP 81701 - Lot 2 DP 81701 - Lot 3 DP 81701 - Lot 1 DP 52527 - RS 37687	Reject	12
V1-0130	Dally & McIlraith	FS007	Urban Growth Overlay	Support In Part	Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.	Reject	12
V1-0087	M Springer	001	MRZ	Oppose	Amend the planning maps to rezone 529 Springs Road, Prebbleton GRUZ to MRZ.	Reject	13
V1-0088	Orion	FS033	MRZ	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.	Reject	13
V1-0087	M Springer	002	Rural Density Overlay	Oppose	Delete the overlay from 529 Springs Road, Prebbleton.	Reject	13
V1-0088	Orion	FS034	Rural Density Overlay	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.	Reject	13

V1-0098	Urban Estates et al	001	MRZ	Oppose	Amend the planning maps to rezone the following properties from GRUZ to MRZ in Prebbleton: - Lot 1 DP 4582 - Lot 2 DP 5857 - Pt RS 2423 - Lot 1 DP 25827 - Lot 3 DP 303244 - Lot 3 DP 25827 - Lot 1 DP 365486 - Lot 1 DP 54000 - Lot 1 DP 68699 - Lot 2 DP 303244 - Lot 2 DP 830 - Lot 2 DP 436797	Reject	14
V1-0011	H & T Fraser	FS001	MRZ	Oppose	Reject the rezoning in full.	Accept	14
V1-0049	Transpower	FS005	MRZ	Oppose	In the absence of the identification of the National Grid as a qualifying matter within the Selwyn District, disallow the submission to the extent that the MRZ applies to land that is traversed by the 'National Grid Yard' and 'National Grid Subdivision Corridor'.	Accept	14
V1-0049	Transpower	FS006	MRZ	Oppose	In the absence of the identification of the National Grid as a qualifying matter within the Selwyn District, disallow the submission to the extent that the MRZ applies to land that is traversed by the 'National Grid Yard' and 'National Grid Subdivision Corridor'.	Accept	14
V1-0080	CCC	FS023	MRZ	Oppose	Reject the submission	Accept	14
V1-0088	Orion	FS036	MRZ	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.	Accept	14
V1-0128	GM & J Drinnan	FS001	MRZ	Support	Allow submission in full including with regard to that portion of land subject to appeal for Plan Change 72 and submitted on in Proposed District Plan Submission DPR 0174.	Reject	14
V1-0098	Urban Estates et al	002	New	Oppose	Insert a new development area, with associated outline development plan and narrative, to guide the development of land between Trices Road, Tosswill Road, Leadleys Road and Hamptons Road, Prebbleton.	Reject	14

V1-0128	GM & J Drinnan	FS002	New	Support	Allow submission in full including with regard to that portion of land subject to appeal for Plan Change 72 and submitted on in Proposed District Plan Submission DPR 0174.	Reject	14
---------	----------------	-------	-----	---------	---	--------	----