

**Section 42A Report**

**Part B of Intensification Planning Instrument –  
Variations to Private Plan Changes**

Report on submissions and further submissions

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19 April 2023

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

| Submitter ID | Submitter Name   | Abbreviation         |
|--------------|--|----------------------|
| PCV1-0003    | Greg Tod   |                      |
| PCV1-0004    | Jo Brady and Stuart Auld   |                      |
| PCV1-0005    | Kathleen Liberty   |                      |
| PCV1-0006    | Jason Horne  |                      |
| PCV1-0007    | Lincoln Voice Incorporated   | Lincoln Voice        |
| PCV1-0008    | Gavin William & Judith Margaret Eastwick   | G and J Eastwick     |
| PCV1-0009    | Urban Estates Limited  | Urban Estates        |
| PCV1-0010    | Four Stars Development and Gould Developments Ltd                                | Four Stars and Gould |
| PCV1-0011    | Dunweavin Ltd  | Dunweavin            |
| PCV1-0012    | Jocelyn Humphreys  |                      |
| PCV1-0013    | Trices Road Residents Group  | TRRG                 |
| PCV1-0014    | Margaret Morrison  |                      |
| PCV1-0015    | Christchurch City Council  | CCC                  |
| PCV1-0016    | Selwyn District Council  | SDC                  |
| PCV1-0017    | Chris Barrett  |                      |
| PCV1-0018    | Canterbury Regional Council  | CRC                  |
| PCV1-0019    | Elene Anderson   |                      |
| PCV1-0022    | Transpower New Zealand Limited   | Transpower           |
| PCV1-0023    | Stephanie Broomhall  |                      |
| PCV1-0024    | CSI Property Limited and Rolleston West Residential Limited                      | CSI and RWRL         |
| PCV1-0025    | Rolleston Industrial Developments Limited  | RIDL                 |
| PCV1-0027    | Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited | Foodstuffs           |
| PCV1-0028    | The New Zealand Transport Agency   | Waka Kotahi          |
| PCV1-0029    | M & A Wright   |                      |
| PCV1-0032    | Manmeet Singh  |                      |
| PCV1-0033    | CSI Property Limited   | CSIPL                |
| PCV1-0034    | Carter Group Property Limited  | CGPL                 |
| PCV1-0036    | Christchurch International Airport Limited                                       | CIAL                 |

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  |
|--------------------|--|
| CON                | Controlled activity status   |
| CRPS               | Canterbury Regional Policy Statement 2013  |
| DIS                | Discretionary activity status  |
| GRZ                | General Residential Zone   |
| GRUZ               | General Rural Zone   |
| ISPP               | Intensification Streamlined Planning Process   |
| LLRZ               | Large Lot Residential Zone   |
| MDRS               | Medium Density Residential Standards   |
| MRZ                | Medium Density Residential Zone  |
| NC                 | Non-complying activity status  |
| NPS-HPL            | National Policy Statement on Highly Productive Land 2022                               |
| NPS-UD             | National Policy Statement on Urban Development 2020                                    |
| ODP                | Outline Development Plan   |
| PC                 | Private Plan Change  |
| PDP                | Proposed Selwyn District Plan  |
| Planning Standards | National Planning Standards  |
| RDIS               | Restricted discretionary activity status   |
| RMA or Act         | Resource Management Act 1991   |
| RMA-EHS            | Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 |
| SDP                | Operative Selwyn District Plan   |
| UGO                | Urban Growth Overlay   |
| Variation 1        | Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan |

## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to Part B of the Intensification Planning Instrument (IPI) – Variations to Private Plan Changes 68, 69, 71, 72, 73, 75, 76 and 78 to the Operative Selwyn District Plan and submissions lodged with respect to these. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on these variations and to make recommendations on either retaining the provisions as notified without amendment or making amendments to the private plan changes in response to those submissions.
- 1.2 The recommendations are informed by the evaluation undertaken by Rachael Carruthers and Jocelyn Lewes as the planning authors. In preparing this report we have had regard to the [Section 32 Report](#) prepared in support of the IPI.
- 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

### Rachael Carruthers

- 2.1 My full name is Rachael Margaret Carruthers. I am employed by the Council as a Policy Planner. My qualifications include Master of Social Science (Hons) and Post Graduate Diploma in Resource and Environmental Planning, both from the University of Waikato. I am an Intermediate member of the New Zealand Planning Institute.
- 2.2 I have 20 years of experience as a planner with Selwyn District Council, with my experience including monitoring and compliance of consent conditions, processing and reporting on resource consent applications for land use and subdivision, private plan change requests and notices of requirement for designations, district plan formulation and policy advice for the Council. I am Topic Lead for the *Natural Hazards, Ecosystems and Indigenous Biodiversity, Public Access, Subdivision, Activities on the Surface of Water and Designations* chapters of the PDP.

### Jocelyn Lewes

- 2.3 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.
- 2.4 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, and have been 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.

## Statement of independence

- 2.5 We each confirm that we have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that we have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic we advise there are no conflicts of interest that would impede us from providing independent advice to the Hearings Panel.
- 2.6 We further confirm that this is a joint report. We each agree with and adopt those parts of the report that we are not the direct author of.

## 3. Scope of report and consideration of submissions

### ***Overview of submissions***

- 3.1 A total of 311 submission points and 101 further submissions were received on Part B of the IPI, being variations to Private Plan Changes 68, 69, 71, 72, 73, 75, 76 and 78 to the Operative Selwyn District Plan (SDP).

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

- 3.2 This report follows the order of the provisions within the SDP. The assessment of submissions generally follows the following format: Submission Information (presented by Plan Change); Analysis; and Recommendation and Amendments. Where an amendment is recommended the applicable s32AA assessment will follow on from the Recommendations section for that issue.
- 3.3 Recommendations are made to either retain provisions in the Variations 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.
- 3.4 Where no amendments are recommended to a provision within Variation 1, submissions points that sought the retention of the provision without amendment are not footnoted.

### ***Procedural issues***

- 3.5 Submission points PCV1-0010.007 and PCV1-0010.008 from Four Stars and Gould, in relation to PC71 have been incorrectly summarised. No Policy 3.4.9B is proposed, and while an amendment is proposed to Policy B3.4.1, the submission does not include reference to this. Rather, referring to the original submission, these submission points should refer to proposed policies B3.4.27A and B3.4.27B, being those that implement Policies 3 and 4 of Schedule 3A in the RMA-EHS. As support for the inclusion of these policies is clearly expressed in the submission, we do not consider that there was no prejudice created by the error. The submission points are addressed in Section 16 of this report.
- 3.6 Submission points PCV1-0016.001 and PCV1-0016.002 from SDC to expand the rezoning to include 184 Hamptons Rd were incorrectly identified in the summary of submissions as being associated with PC72. They in fact relate to PC68. The correct street address is clearly identified in the

summary of submissions, and so the submission points would have been clearly identifiable to anyone who wanted to lodge a further submission. We therefore consider that there was no prejudice created by the error. The submission points are addressed in that part of Sections 21 and 28 of this report that relate to PC68.

- 3.7 The original submission of CSI and RWRL (PCV1-0024) has been withdrawn and has not been considered in this report. No further submissions were received in relation to this original submission.
- 3.8 The further submission points FS002 of CSI and RWRL (PCV1-0024), CSIPL (PCV1-0033), and CGPL (PCV1-0034) have been withdrawn and have not been considered in this report.
- 3.9 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

***Clause 16(2)***

- 3.10 Clause 16(2) of Schedule 1 to the RMA allows a local authority to make an amendment to a change to the SDP, at any time before the approval of the proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. Where a submitter has requested the same or similar changes to a PPC that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

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

- 3.11 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.

## 4. Statutory requirements and planning framework

***Resource Management Act 1991***

- 4.1 The SDP 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, national 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 Part B of the Council's IPI varies each of Private Plan Change Requests 68, 69, 71, 72, 75, 76 and 78, and has been prepared in response to clause 34 of 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 report](#), the purpose of the RMA-EHS is to enable greater housing choice

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<sup>1</sup> Section 74 RMA



within five of the largest urban environments in New Zealand, including Selwyn district. While Private Plan Change 73 is included in Part B of the IPI, no change has been made to this plan as it is considered that qualifying matters make the land inappropriate for MDRS.

- 4.3 This is achieved through Part B of the IPI, by the introduction of a new Living MD1 zone (which implements the mandatory MDRS) to replace the Living Z zone put forward in each plan change request.
- 4.4 The Living MD1 zone differs from the Living MD zone (which has been used for Plan Changes 79, 81 and 82, which are subject to MDRS but not subject to the IPI) only in respect to the setbacks from boundaries for garages and accessory buildings, with the setbacks in the Living MD1 zone not differentiating between built form in this respect.

#### ***National Policy Statement on Urban Development***

- 4.5 The NPS-UD recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While 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 Greater Christchurch, as shown on Map A within Chapter 6 of the CRPS.
- 4.6 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 this Variation 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 this Variation.

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

- 4.7 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 the maps containing the highly productive land of the Canterbury Region are prepared under Clause 3.5(1). The NPS-HPL is specifically relevant to 'urban rezoning', which it defines as a change from a GRUZ (or the SDP equivalent Rural zone) to an 'urban zone'<sup>2</sup>. Clause 3.5(7) identifies that the NPS-HPL applies to all Rural zone land that has a LUC Class 1, 2 and 3 and is not subject to a Council initiated, or adopted, plan change to rezone the land from Rural to urban or rural lifestyle.

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<sup>2</sup> NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - 'Urban rezoning'

- 4.8 Variation 1, including Part B, is a Council-initiated plan change that was notified before the NPS-HPL came into force. As such, pursuant to both clauses 34 of the RMA-EHS and 3.5(7)(b)(ii) of the NPS-HPL, the NPS-HPL does not need to be considered further.

### ***National Planning Standards***

- 4.9 The Planning Standards were introduced to improve the consistency of council plans and policy statements. We do not consider that the Planning Standards apply to the SDP.

## **5. Overview of Private Plan Changes**

- 5.1 To give effect to the direction in clause 34, it is considered that eight PCs must be varied by the Council to implement the MDRS. These PCs are:

- 5.2 A brief description of each PC subject to Part B and their current status subject is as follows:

### [PC68](#) – Prebbleton

- Proposed rezoning of approximately 67ha on the western side of Prebbleton, with frontage to Hamptons Road and Shands Road, from Rural (Inner Plains) to Living Z
- Operative 3 November 2022

### [PC69](#) – Lincoln

- Proposed rezoning of approximately 190ha on the southern side of Lincoln, with frontage to Springs Road and Collins Road, from Rural (Outer Plains) to Living Z
- Approved by Council on 8 June 2022
- Decision appealed on 4 August 2022. Currently subject to proceedings before the Environment Court

### [PC71](#) – Rolleston

- Proposed rezoning of approximately 53ha on the eastern side of Rolleston, with frontage to Levi Road and Lincoln Rolleston Road, from Rural (Inner Plains) to Living Z
- Approved in part by Council 10 August 2022
- Decision appealed on 14 October 2022. Currently subject to proceedings before the Environment Court

### [PC72](#) – Prebbleton

- Proposed rezoning of approximately 28ha on the eastern side of Prebbleton, with frontage to Trices Road and Birches Road, from Rural (Inner Plains) to Living Z
- Approved by Council on 27 April 2022
- Decision appealed on 17 June 2022. Currently subject to proceedings before the Environment Court

PC73 – Rolleston

- Proposed rezoning of approximately 160ha on the western side of Rolleston, with frontage to Dunns Crossing Road, from Living 3 to Living Z
- Declined by Council on 23 March 2022
- Decision appealed on 29 April 2022. Currently subject to proceedings before the Environment Court

PC75 – Rolleston

- Proposed rezoning of approximately 25ha on the eastern edge of Rolleston, with frontage to Lincoln Rolleston Road, from Rural (inner Plains) to Living Z
- Operative 7 September 2022

PC76 – Rolleston

- Proposed rezoning of approximately 13ha on the western side of Rolleston, with frontage to East Maddisons Road, from Rural (Inner Plains) to Living Z
- Operative 7 September 2022

PC78 – Rolleston

- Proposed rezoning of approximately 63ha on the eastern edge of Rolleston, with frontage to Lincoln Rolleston Road and Selwyn Road, from Rural (Inner Plains) to Living Z
- Operative 7 September 2022

## 6. A4.5 Townships and Zones

### ***Submissions***

6.1 One submission point was received in relation to this chapter of the SDP.

PC72

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0013    | TRRG           | 003              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

### ***Analysis***

6.2 TRRG<sup>3</sup> supports the proposed amendment to include the Living MD zone in Table A4.4 – Description of Township Zones. On the basis that no changes are requested, we recommend that this submission point be accepted.

### ***Recommendation***

6.3 We recommend that, for the reason given above, the Hearings Panel retains Table A4.4 as notified.

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<sup>3</sup> PCV1-0013.003 TRRG

6.4 We recommend that the submission point is accepted, as shown in **Appendix 1**.

## 7. B1.1 Land and Soils

### ***Submissions***

7.1 Five submission points and two further submission points were received in relation to this chapter of the SDP.

#### **PC68**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested    |
|--------------|-------------------|------------------|----------|-----------------------|
| PCV1-0012    | Jocelyn Humphreys | 007              | Oppose   | Decline the Variation |

#### **PC69**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested  |
|--------------|-------------------|------------------|----------|---|
| PCV1-0012    | Jocelyn Humphreys | 012              | Oppose   | Decline the Variation   |
| PCV1-0019    | Elene Anderson    | 002              | Oppose   | Update the PDP to address how Variation 1 will prevent the further loss of farmland to development.   |
| PCV1-0007    | Lincoln Voice     | FS003            | Support  | Allow<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. |
| PCV1-0036    | CIAL              | FS004            | Support  | Accept the submission and consider the direction contained in the NPS-HPL to avoid rezoning of land where exemptions do not apply.  |
| PCV1-0020    | Nicki Turner      | 003              | Oppose   | Lessen the damage to land for food growing by limiting the spread of urban sprawl.  |

#### **PC72**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested    |
|--------------|-------------------|------------------|----------|-----------------------|
| PCV1-0012    | Jocelyn Humphreys | 020              | Oppose   | Decline the Variation |

### ***Analysis***

7.2 Jocelyn Humphrey<sup>4</sup> seeks that the variations to PC68, PC69 and PC72 be declined on the basis that there will be a loss of productive soils.

<sup>4</sup> PCV1-0012.007, 012 and 020 Jocelyn Humphrey

- 7.3 Elene Anderson<sup>5</sup> considers that there is concern in the District over the loss of productive farmland to development, and seeks that the District Plan be updated to address how the further loss of farmland to development will be prevented.
- 7.4 Nicki Turner<sup>6</sup> considers that Council should have acted sooner under variation powers to move to protect highly productive land and versatile soils, so as to lessen the damage to the diminishing food growing resource by limiting the spread of urban sprawl.
- 7.5 As the Variations are considered to be council initiated, in accordance with the requirements of the RMA-EHS, we consider that, as addressed in Section 4 above, pursuant to clause 3.5(7)9b0(ii) the provisions of the NPS-HPL do not apply to this process. As such, we do not consider that there is scope to decline or vary the variations. However, we record that Policy B1.1.8 within SDP required consideration of the impact of rezoning of land which contains versatile soils and consider that, where applicable, this was considered by the relevant hearing commissioner in determining each of the private plan change and we accept their recommendations in this regard. We therefore recommend that these submission points be rejected.

### **Recommendation**

- 7.6 We recommend that, for the reasons given above, the original submission points and the further submission points are rejected as shown in **Appendix 1**.

## **8. B1.2 Water**

### **Submissions**

- 8.1 One submissions point was received in relation to this chapter of the SDP.

### **PC69**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested    |
|--------------|------------------|------------------|----------|-----------------------|
| PCV1-0005    | Kathleen Liberty | 007              | Oppose   | Decline the Variation |

### **Analysis**

- 8.2 Kathleen Liberty<sup>7</sup> considers that PC69 has been through a substantive process which addressed constraints on development in relation to infrastructure and water quality and that tripling the possible density would more than triple the issues identified. The variation to PC69 is a requirement of the RMA-EHS, in order to apply the MDRS to all relevant residential zones, unless there is a valid qualifying matter. In the absence of a s77 evaluation by the submitter of how and why a qualifying matter applies, we consider that there is no basis on which to decline the variation to PC69. We therefore recommend that this submission point be rejected.

<sup>5</sup> PCV1-0019.002 Elene Anderson

<sup>6</sup> PCV1-0020.003 Nicki Turner

<sup>7</sup> PCV1-0005.007 Kathleen Liberty

### Recommendation

8.3 We recommend that, for the reason given above, the original submission point is rejected as shown in **Appendix 1**.

## 9. B2.1 Transport Networks

### Submissions

9.1 43 submission points and two further submission points were received in relation to this chapter of the SDP.

#### PC68

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested   |
|--------------|-------------------|------------------|----------|--|
| PCV1-0006    | Jason Horne       | 009              | Oppose   | Decline the Variation  |
| PCV1-0006    | Jason Horne       | 041              | Oppose   | Decline the Variation  |
| PCV1-0008    | G and J Eastwick  | 009              | Oppose   | Not specified  |
| PCV1-0012    | Jocelyn Humphreys | 004              | Oppose   | Decline the Variation  |
| PCV1-0012    | Jocelyn Humphreys | 006              | Oppose   | Decline the Variation  |
| PCV1-0028    | Waka Kotahi       | 006              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

#### PC69

| Submitter ID | Submitter Name    | Submission Point | Position       | Decision Requested   |
|--------------|-------------------|------------------|----------------|--|
| PCV1-0005    | Kathleen Liberty  | 002              | Oppose         | Decline the Variation  |
| PCV1-0029    | M & A Wright      | FS001            | Support        | Allow the submission point in full   |
| PCV1-0006    | Jason Horne       | 010              | Oppose         | Decline the Variation  |
| PCV1-0006    | Jason Horne       | 042              | Oppose         | Decline the Variation  |
| PCV1-0008    | G and J Eastwick  | 010              | Oppose         | Not specified  |
| PCV1-0012    | Jocelyn Humphreys | 011              | Oppose         | Decline the Variation  |
| PCV1-0021    | Fiona Thirring    | 008              | Oppose         | Decline the Variation  |
| PCV1-0028    | Waka Kotahi       | 023              | Support        | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.   |
| PCV1-0007    | Lincoln Voice     | FS008            | Oppose In Part | Disallowed<br>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided. |

#### PC71

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested    |
|--------------|------------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne      | 011              | Oppose   | Decline the Variation |
| PCV1-0006    | Jason Horne      | 043              | Oppose   | Decline the Variation |
| PCV1-0008    | G and J Eastwick | 011              | Oppose   | Not specified         |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| PCV1-0028    | Waka Kotahi    | 024              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

**PC72**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested   |
|--------------|-------------------|------------------|----------|--|
| PCV1-0006    | Jason Horne       | 012              | Oppose   | Decline the Variation  |
| PCV1-0006    | Jason Horne       | 044              | Oppose   | Decline the Variation  |
| PCV1-0008    | G and J Eastwick  | 012              | Oppose   | Not specified  |
| PCV1-0012    | Jocelyn Humphreys | 017              | Oppose   | Decline the Variation  |
| PCV1-0012    | Jocelyn Humphreys | 019              | Oppose   | Decline the Variation  |
| PCV1-0028    | Waka Kotahi       | 025              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

**PC73**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested  |
|--------------|------------------|------------------|----------|---|
| PCV1-0006    | Jason Horne      | 013              | Oppose   | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 045              | Oppose   | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 066              | Oppose   | Decline the Variation   |
| PCV1-0008    | G and J Eastwick | 013              | Oppose   | Not specified   |
| PCV1-0028    | Waka Kotahi      | 003              | Oppose   | Consideration is given to the consistency between the proposed qualifying matters and the existing provisions in the plan for transport, noise and vibration. |
| PCV1-0028    | Waka Kotahi      | 004              | Oppose   | Remove this qualifying matter from the proposed variation.  |
| PCV1-0028    | Waka Kotahi      | 005              | Oppose   | Remove this qualifying matter from the proposed variation.  |
| PCV1-0028    | Waka Kotahi      | 026              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.  |

**PC75**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested   |
|--------------|------------------|------------------|----------|--|
| PCV1-0006    | Jason Horne      | 014              | Oppose   | Decline the Variation  |
| PCV1-0006    | Jason Horne      | 046              | Oppose   | Decline the Variation  |
| PCV1-0008    | G and J Eastwick | 014              | Oppose   | Not specified  |
| PCV1-0028    | Waka Kotahi      | 027              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 015              | Oppose   | Decline the Variation |

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested   |
|--------------|------------------|------------------|----------|--|
| PCV1-0006    | Jason Horne      | 047              | Oppose   | Decline the Variation  |
| PCV1-0008    | G and J Eastwick | 015              | Oppose   | Not specified  |
| PCV1-0028    | Waka Kotahi      | 028              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

**PC78**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested   |
|--------------|------------------|------------------|----------|--|
| PCV1-0006    | Jason Horne      | 016              | Oppose   | Decline the Variation  |
| PCV1-0006    | Jason Horne      | 048              | Oppose   | Decline the Variation  |
| PCV1-0008    | G and J Eastwick | 016              | Oppose   | Not specified  |
| PCV1-0028    | Waka Kotahi      | 029              | Support  | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |

**Analysis**

- 9.2 Jason Horne<sup>8</sup> considers that the roading system in and around Selwyn is being impacted by population growth; congestion is increasing and roads are not being properly maintained. He also considers that an increase in density, without sufficient public transport, will lead to an increase in carbon emissions.
- 9.3 G and J Eastwick<sup>9</sup> considers that the roading network around Lincoln needs more protection.
- 9.4 Jocelyn Humphreys<sup>10</sup> consider that, in relation to PC68 and PC72, medium density housing will contribute to an increase in greenhouse gas emissions, adding to climate change, through increased traffic movements. She also considers that PC68, PC69 and PC72 do not contribute to a connected community as there is not a direct link between these areas and the relevant township.
- 9.5 Kathleen Liberty<sup>11</sup> considers that PC69 has been through a substantive process which addressed constraints on development in relation to traffic and that tripling the possible density would more than triple the issues identified.
- 9.6 Fiona Thirring<sup>12</sup> considers that strain will be placed on roads due to an increase in residents.
- 9.7 Waka Kotahi<sup>13</sup> has indicated that it supports the use of financial contributions as a financial tool to contribute towards public realm improvement projects, and seeks that consideration be given to initiatives and/or infrastructure that supports mode shift.

<sup>8</sup> PCV1-0006.009, 010, 011, 012, 013, 014, 015, 016, 041, 042, 043, 044, 045, 046, 047, 048 and 066 Jason Horne

<sup>9</sup> PCV1-0008.009, 010, 011, 012, 013, 014, 015 and 016 G and J Eastwick

<sup>10</sup> PCV1-0012.004, 006, 011, 017 and 019 Jocelyn Humphreys

<sup>11</sup> PCV1-0005.007 Kathleen Liberty

<sup>12</sup> PCV1-0021.008 Fiona Thirring

<sup>13</sup> PCV1-0028.006, 023, 024, 026, 027, 028 and 029 Waka Kotahi



9.8 In relation to the submissions from Jason Horne, G and J Eastwick, Jocelyn Humphreys, Kathleen Liberty, Fiona Thirring and Waka Kotahi, we recommend that these submission points be rejected for the following reasons:

9.8.1 The matters raised go beyond the scope of the various Variations, the purpose of which is to give effect to the requirements of the RMA-EHS to incorporate the MDRS into the various private plan changes; and

9.8.2 None of the matters raised by the submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitters to enable a s77 evaluation to be undertaken, therefore there is no basis on which to decline the various variations.

9.9 In relation to PC73, Waka Kotahi<sup>14</sup> also considers that, in relation to the State Highway, there is no need to identify provisions related to transport, noise and vibration as a qualifying matter as there are already rules within the District Plan that are required to be assessed against to ensure compliance. It considers that, when a rule cannot be achieved, then a resource consent will be required for the activity and having these provisions included into a qualifying matter appears to be 'doubling-up' and will not change how they are applied to new developments when in close proximity or accessing the state highway network as these provisions do not seek to limit building heights or density, but rather seek to ensure safe transport outcomes and managing human health effects related to noise and vibration. As it has not been proposed to apply MDRS to the PC73 land, we consider that the above submission point is out of scope and therefore recommend that it be rejected

### **Recommendation**

9.10 We recommend that, for the reasons given above, the original submission points and the further submission points are rejected as shown in **Appendix 1**.

## **10. B2.2 Utilities**

### **Submissions**

10.1 18 submissions points were received in relation to this chapter of the SDP.

### **PC68**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 001              | Oppose   | Decline the Variation   |
| PCV1-0022    | 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). |

<sup>14</sup> PCV1-0028.003, 004 and 005 Waka Kotahi

**PC69**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested  |
|--------------|------------------|------------------|----------|---|
| PCV1-0005    | Kathleen Liberty | 005              | Oppose   | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 002              | Oppose   | Decline the Variation   |
| PCV1-0021    | Fiona Thirring   | 006              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower       | 002              | 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). |

**PC71**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 003              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 003              | 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). |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 004              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 004              | 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). |

**PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 005              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 005              | 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). |

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 006              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 006              | Support  | Retain the location and extent of the proposed MRZ so that the MRZ does not contain, and is |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | not traversed by, the National Grid (including the 'National Grid Yard' and 'National Grid Corridor' as defined in the Proposed District Plan). |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 007              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 007              | 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). |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 008              | Oppose   | Decline the Variation   |
| PCV1-0022    | Transpower     | 008              | 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). |

**Analysis**

- 10.2 Jason Horne<sup>15</sup> considers that the current water supply is stretched and that new developments should be responsible for the cost of putting in place sufficient water supply that does not result in a drain on the current system.
- 10.3 Kathleen Liberty<sup>16</sup> considers that PC69 has been through a substantive process which addressed constraints on development in relation to utilities and that tripling the possible density would more than triple the issues identified.
- 10.4 Fiona Thirring<sup>17</sup> considers that, in relation to PC69, there could be strain placed on the infrastructure (electricity, sewage, stormwater, roads) due to the increase in residents enabled through the Variation.
- 10.5 In relation to the submissions from Jason Horne, Kathleen Liberty, and Fiona Thirring, we recommend that these submission points be rejected for the following reasons:
- 10.5.1 The matters raised go beyond the scope of the various Variations, the purpose of which is to give effect to the requirements of the RMA-EHS to incorporate the MDRS into the various private plan changes; and

<sup>15</sup> PCV1-0006.001, 002, 003, 004, 005, 006, 007 and 008 Jason Horne

<sup>16</sup> PCV1-0005.005 Kathleen Liberty

<sup>17</sup> PCV1-0021.006 Fiona Thirring

10.5.2 None of the matters raised by the above submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitters to enable a s77 evaluation to be undertaken, therefore there is no basis on which to decline the various variations.

10.6 Referring to Transpower's <sup>18</sup> full submission, we record their support for the Variations as the National Grid is not within, and does not traverse, any of the areas within the scope of these variations. We recommend that these submission points be accepted.

### **Recommendation**

10.7 We recommend that, for the reason given above, the original submission points are accepted or rejected as shown in **Appendix 1**.

## **11. B2.3 Community Facilities (and Reserves)**

### **Submissions**

11.1 11 submission points and one further submission point were received in relation to this chapter of the SDP.

#### **PC68**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested    |
|--------------|-------------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne       | 025              | Oppose   | Decline the Variation |
| PCV1-0012    | Jocelyn Humphreys | 003              | Oppose   | Decline the Variation |

#### **PC69**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested                 |
|--------------|------------------|------------------|----------|------------------------------------|
| PCV1-0005    | Kathleen Liberty | 004              | Oppose   | Decline the Variation              |
| PCV1-0006    | Jason Horne      | 026              | Oppose   | Decline the Variation              |
| PCV1-0029    | M & A Wright     | FS003            | Support  | Allow the submission point in full |

#### **PC71**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 027              | Oppose   | Decline the Variation |

#### **PC72**

| Submitter ID | Submitter Name    | Submission Point | Position | Decision Requested    |
|--------------|-------------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne       | 028              | Oppose   | Decline the Variation |
| PCV1-0012    | Jocelyn Humphreys | 016              | Oppose   | Decline the Variation |

#### **PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 029              | Oppose   | Decline the Variation |

<sup>18</sup> PCV1-0022.001, 002, 003, 004, 005, 006, 007 and 008 Transpower

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 030              | Oppose   | Decline the Variation |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 031              | Oppose   | Decline the Variation |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 032              | Oppose   | Decline the Variation |

**Analysis**

- 11.2 Jason Horne<sup>19</sup> is concerned that, as most schools across the district have reached capacity, the proposed variations do not allow additional space for current schools or any additional school to cater for the additional population.
- 11.3 Jocelyn Humphreys<sup>20</sup> consider that, in relation to PC68 and PC72, the effect of the variations will be to add further environmental pressure on existing services and community facilities such as schools that have already reached capacity.
- 11.4 Kathleen Liberty<sup>21</sup> considers that PC69 has been through a substantive process which addressed constraints on development in relation to community facilities and that tripling the possible density would more than triple the issues identified.
- 11.5 In relation to the submissions from Jason Horne, Jocelyn Humphreys, and Kathleen Liberty, we recommend that these submission points be rejected for the following reasons:
- 11.5.1 The matters raised go beyond the scope of the various Variations, the purpose of which is to give effect to the requirements of the RMA-EHS to incorporate the MDRS into the various private plan changes; and
- 11.5.2 None of the matters raised by the above submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitters to enable a s77 evaluation to be undertaken, therefore there is no basis on which to decline the various variations

**Recommendation**

- 11.6 We recommend that, for the reason given above, the original submission points are rejected as shown in **Appendix 1**.

<sup>19</sup> PCV1-0006.025, 026, 027, 028, 029, 030, 031 and 032 Jason Horne

<sup>20</sup> PCV1-0012.003 and 016 Jocelyn Humphreys

<sup>21</sup> PCV1-0005.005 Kathleen Liberty

## 12. B3.1 Natural Hazards

### ***Submissions***

12.1 11 submission points were received in relation to this chapter of the SDP.

#### **PC68**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 033              | Support  | Decline the Variation |

#### **PC69**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested    |
|--------------|------------------|------------------|----------|-----------------------|
| PCV1-0005    | Kathleen Liberty | 006              | Oppose   | Decline the Variation |
| PCV1-0006    | Jason Horne      | 034              | Support  | Decline the Variation |
| PCV1-0021    | Fiona Thirring   | 002              | Oppose   | Decline the Variation |
| PCV1-0021    | Fiona Thirring   | 007              | Oppose   | Decline the Variation |

#### **PC71**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 035              | Support  | Decline the Variation |

#### **PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 036              | Support  | Decline the Variation |

#### **PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 037              | Support  | Decline the Variation |

#### **PC75**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 038              | Support  | Decline the Variation |

#### **PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 039              | Support  | Decline the Variation |

#### **PC78**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 040              | Support  | Decline the Variation |

### Analysis

- 12.2 Jason Horne<sup>22</sup> considers that increased density will decrease the amount of permeable surface area to manage rain water, increasing the risk of flooding as we experience more adverse weather events.
- 12.3 Fiona Thirring<sup>23</sup> considers that, in relation to PC69, there could be strain placed on stormwater and an increase in flooding for neighbouring properties due to the potential increase in residents enabled through the Variation.
- 12.4 Kathleen Liberty<sup>24</sup> considers that tripling the possible density within PC69 would more than triple the issues identified in terms of natural hazards.
- 12.5 In relation to the submissions from Jason Horne, Fiona Thirring, and Kathleen Liberty, we recommend that these submission points be rejected as none of the matters raised by the above submitters would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitters to enable a s77 evaluation to be undertaken., therefore there is no basis on which to decline the various variations.

### Recommendation

- 12.6 We recommend that, for the reasons given above, the original submission point is rejected as shown in **Appendix 1**.

## 13. B3.4 Quality of the Environment – Objectives

### Submissions

- 13.1 Two submission points were received in relation to the inclusion of Objective B3.4.7 within this chapter of the SDP. This section implements the MDRS Objective 1, as set out in Schedule 3A, as required by the RMA.

#### PC71

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested                  |
|--------------|----------------------|------------------|-----------------|-------------------------------------|
| PCV1-0010    | Four Stars and Gould | 003              | Support In Part | Retain Objective B3.4.7 as notified |

#### PC72

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0013    | TRRG           | 004              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

<sup>22</sup> PCV1-0006.033, 034, 035, 036, 037, 038, 039 and 040 Jason Horne

<sup>23</sup> PCV1-0021.002 and 007 Fiona Thirring

<sup>24</sup> PCV1-0005.006 Kathleen Liberty

**Analysis**

- 13.2 Four Stars and Gould<sup>25</sup> requests that Objective B3.4.7 be retained as notified. We recommend that this submission point be accepted.
- 13.3 TRRG<sup>26</sup> supports the inclusion of Objective B3.4.7. On the basis that no changes are requested, we recommend that this submission point be accepted.

**Recommendation**

- 13.4 We recommend that, for the reasons given above, the Hearings Panel retains Objective B3.4.7 as notified.
- 13.5 We recommend that these submission points are accepted, as shown in **Appendix 1**.

**14. B3.4 Quality of the Environment – Zones****Submissions**

- 14.1 Three submission points were received in relation to amendments to policies within this section of the SDP. This section implements the MDRS Policy 2, as set out in Schedule 3A, as required by the RMA.

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested                |
|--------------|----------------------|------------------|-----------------|-----------------------------------|
| PCV1-0010    | Four Stars and Gould | 008              | Support In Part | Retain Policy B3.4.1 as notified  |
| PCV1-0010    | Four Stars and Gould | 006              | Support In Part | Retain Policy B3.4.9A as notified |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0013    | TRRG           | 005              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

**Analysis**

- 14.2 Four Stars and Gould<sup>27</sup> requests that Policies B3.4.1 and B3.4.9A be retained as notified. We recommend that this submission point be accepted.
- 14.3 TRRG<sup>28</sup> supports the proposed amendments to policies within this section of the SDP. On the basis that no changes are requested, we recommend that this submission point be accepted.

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<sup>25</sup> PCV1-0010.003 Four Stars and Gould

<sup>26</sup> PCV1-0013.003 TRRG

<sup>27</sup> PCV1-0010.006 Four Stars and Gould

<sup>28</sup> PCV1-0013.005 TRRG



**Recommendation**

14.4 We recommend that, for the reasons given above, the Hearings Panel retains the amendments to B3.4 Quality of the Environment – Policies Zones as notified.

14.5 We recommend that these submission points are accepted, as shown in **Appendix 1**.

**15. B3.4 Quality of the Environment – Noise****Submissions**

15.1 Eight submissions points were received in relation to this section of the SDP.

**PC68**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 017              | Oppose   | Decline the Variation |

**PC69**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 018              | Oppose   | Decline the Variation |

**PC71**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 019              | Oppose   | Decline the Variation |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 020              | Oppose   | Decline the Variation |

**PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 021              | Oppose   | Decline the Variation |

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 022              | Oppose   | Decline the Variation |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 023              | Oppose   | Decline the Variation |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 024              | Oppose   | Decline the Variation |

**Analysis**

- 15.2 Jason Horne<sup>29</sup> considers that increased density in housing will lead to an increase of environmental noise from transport, lawn mowers and people, for example, which could lead to a decrease in living conditions and potential issues between neighbours/communities. We recommend that these submission points be rejected as none of the matters raised by the submitter would meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitter to enable a s77 evaluation to be undertaken., therefore there is no basis on which to decline the various variations.

**Recommendation**

- 15.3 We recommend that, for the reason given above, the original submission points are rejected as shown in **Appendix 1**.

**16. B3.4 Quality of the Environment – Glare****Submissions**

- 16.1 One submissions point was received in relation to this section of the SDP.

**PC69**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0021    | Fiona Thirring | 005              | Oppose   | Decline the Variation |

**Analysis**

- 16.2 Fiona Thirring<sup>30</sup> considers that, in relation to PC69, light pollution associated with medium density development will affect neighbouring properties. We recommend that this submission point be rejected as the matters raised do not meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitter to enable a s77 evaluation to be undertaken., therefore there is no basis on which to decline the variation.

**Recommendation**

- 16.3 We recommend that, for the reason given above, the original submission point is rejected as shown in **Appendix 1**.

**17. B3.4 Quality of the Environment – Traffic**

- 17.1 Two submission points were received in relation to amendments to policies within this section of the SDP.

<sup>29</sup> PCV1-0006.017, 018, 019, 020, 021, 022, 023 and 024 Jason Horne

<sup>30</sup> PCV1-0021.005 Fiona Thirring

### Submissions

#### PC68

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0003    | Greg Tod       | 001              | Oppose   | Requests Council sets a rule that any new medium density residential housing should be kept in the centre of the subdivision rather than the edges of it. |

#### PC72

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0003    | Greg Tod       | 002              | Oppose   | Requests Council sets a rule that any new medium density residential housing should be kept in the centre of the subdivision rather than the edges of it. |

### Analysis

- 17.2 GreGreg Tod<sup>31</sup> considers that, in relation to PC68 and PC72, medium density residential housing should not be allowed on any existing main roads, or arterial roads as this intensive housing style does not allow for off road car parking and the vehicles will be on parked on the road causing a hazard. We recommend that these submission points be rejected as the matters raised by the submitter do not meet the tests in the RMA-EHS to be able to be considered as a qualifying matter and no substantive evidence has been provided from the submitter to enable a s77 evaluation to be undertaken.

### Recommendation

- 17.3 We recommend that, for the reason given above, the original submission points are rejected as shown in **Appendix 1**.

## 18. B3.4 Quality of the Environment – Building Design

### Submissions

- 18.1 Fifteen submission points were received in relation to amendments to policies within this section of the SDP. This section implements the MDRS Policies 3, 4 and 5, as set out in Schedule 3A, as required by the RMA.

#### PC68

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 067              | Oppose   | Decline the Variation |

#### PC69

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 068              | Oppose   | Decline the Variation |

<sup>31</sup> PCV1-0003.001 and 002 Greg Tod

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| PCV1-0020    | Nicki Turner   | 001              | Oppose   | Urban design rules should be put in place to ensure new homes under medium density meet the light/shade practices required for all house dwellers to have healthy lives. |
| PCV1-0020    | Nicki Turner   | 006              | Oppose   | Urban design rules should be put in place to ensure new homes under medium density meet the light/shade practices required for all house dwellers to have healthy lives. |

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested                 |
|--------------|----------------------|------------------|-----------------|------------------------------------|
| PCV1-0006    | Jason Horne          | 069              | Oppose          | Decline the Variation              |
| PCV1-0010    | Four Stars and Gould | 007              | Support In Part | Retain Policy B3.4.9B as notified  |
| PCV1-0010    | Four Stars and Gould | 008              | Support In Part | Retain Policy B3.4.1 as notified   |
| PCV1-0010    | Four Stars and Gould | 009              | Support In Part | Retain Policy B3.4.27C as notified |
| PCV1-0014    | Margaret Morrison    | 001              | Oppose          | Not specified                      |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0006    | Jason Horne    | 070              | Oppose   | Decline the Variation   |
| PCV1-0013    | TRRG           | 006              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

**PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 071              | Oppose   | Decline the Variation |

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 072              | Oppose   | Decline the Variation |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 073              | Oppose   | Decline the Variation |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 074              | Oppose   | Decline the Variation |

### Analysis

- 18.2 Jason Horne<sup>32</sup> considers that increasing the density of building will have an impact on natural sunlight and unobstructed views.
- 18.3 Nicki Turner<sup>33</sup> considers that, in relation to PC69, provisions should be included to ensure that new homes meet light and shade practices required for all house dwellers to have healthy lives and that are designed that reflect the character and age of the Lincoln town centre.
- 18.4 Margaret Morrison<sup>34</sup> considers that, in relation to PC71, high density housing will result in low quality housing, compromising the safety and integrity of existing communities.
- 18.5 The inclusion of Policies B3.4.27A, B3.4.27B and B3.4.27C within PC71 is a mandatory requirement of the RMA-EHS, as they seek to implement Policies 3, 4 and 5 as set out in clause 6 of Schedule 3A of the Act. As such, we recommend that the submission points of Jason Horne, Nicki Turner and Margaret Morrison be rejected.
- 18.6 Referring to Four Stars and Gould<sup>35</sup> full submission, we record their support for the inclusion of Policies B3.4.27A, B3.4.27B and B3.4.27C. On the basis that no changes are requested, we recommend that these submission points be accepted.
- 18.7 TRRG<sup>36</sup> supports the proposed inclusion of Policies B3.4.27A, B3.4.27B and B3.4.27C. On the basis that no changes are requested, we recommend that this submission point be accepted.

### Recommendation

- 18.8 We recommend that, for the reasons given above, the Hearings Panel retains Policies B3.4.27A, B3.4.27B and B3.4.27C as notified.
- 18.9 We recommend that these submission points are accepted or rejected as shown in **Appendix 1**.

## 19. B3.4 Quality of the Environment – Reverse Sensitivity

### Submissions

- 19.1 Eight submission points and one further submission point were received in relation to this section of the SDP.

### PC68

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 008              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

<sup>32</sup> PCV1-0006.0067, 068, 069, 070, 071, 072, 073 and 074 Jason Horne

<sup>33</sup> PCV1-0020.001 and 006 Nicki Turner

<sup>34</sup> PCV1-0014.001 Margaret Morrison

<sup>35</sup> PCV1-0010.007, 008 and 009 Four Stars and Gould

<sup>36</sup> PCV1-0013.003 TRRG

**PC69**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 009              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested  |
|--------------|----------------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs           | 010              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |
| PCV1-0010    | Four Stars and Gould | FS019            | Oppose          | Reject the submission   |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 011              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**PC73**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 012              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 013              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
|              |                |                  |          | by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 014              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 015              | Support In Part | Amend so that the effects of adjacent commercial activity such as supermarkets are explicitly recognised within the Plan, and that these commercial activities cannot be restricted and opposed in future by new neighbouring MRZ residents expecting an unrealistic residential amenity. |

**Analysis**

- 19.2 Foodstuffs<sup>37</sup> considers that the introduction of medium density housing enables an increase in the density of residential units which will translate to an increase in the number of people exposed to the surrounding environment through the reduced setbacks and increased maximum height provisions; the combination of which could cause existing and currently acceptable effects such as noise, light and traffic to be felt more significantly by newly exposed residents.
- 19.3 In the absence of any specific evidence, planning evaluation or s32AA evaluation from the submitter in relation any of the variations to the private plan changes, we recommend that these submission points be rejected.

**Recommendation**

- 19.4 We recommend that, for the reason given above, the original submission points and the further submission point are accepted or rejected as shown in **Appendix 1**.

**20. B4.1 Residential Density – Objectives****Submissions**

- 20.1 48 submission points and three further submission points were received in relation to this section of the SDP. This section implements the MDRS Objective 2 and Policy 1, as set out in Schedule 3A, as required by the RMA.

<sup>37</sup> PCV1-0027.008, 009, 010, 011, 012, 013, 014 and 015 Foodstuffs

**PC68**

| Submitter ID | Submitter Name    | Submission Point | Position        | Decision Requested  |
|--------------|-------------------|------------------|-----------------|---|
| PCV1-0006    | Jason Horne       | 049              | Support         | Decline the Variation   |
| PCV1-0006    | Jason Horne       | 057              | Oppose          | Decline the Variation   |
| PCV1-0008    | G and J Eastwick  | 001              | Oppose          | Not specified   |
| PCV1-0012    | Jocelyn Humphreys | 001              | Oppose          | Decline the Variation   |
| PCV1-0012    | Jocelyn Humphreys | 002              | Oppose          | Decline the Variation   |
| PCV1-0028    | Waka Kotahi       | 002              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**PC69**

| Submitter ID | Submitter Name    | Submission Point | Position        | Decision Requested   |
|--------------|-------------------|------------------|-----------------|--|
| PCV1-0006    | Jason Horne       | 050              | Support         | Decline the Variation  |
| PCV1-0029    | M & A Wright      | FS004            | Oppose          | <i>I am unclear as the submitter's document says "support" but the wording and relief sort is to decline</i>   |
| PCV1-0006    | Jason Horne       | 058              | Oppose          | Decline the Variation  |
| PCV1-0029    | M & A Wright      | FS005            | Support         | <i>Allow the submission point in full</i>  |
| PCV1-0008    | G and J Eastwick  | 002              | Oppose          | Not specified  |
| PCV1-0012    | Jocelyn Humphreys | 008              | Oppose          | Decline the Variation  |
| PCV1-0012    | Jocelyn Humphreys | 009              | Oppose          | Decline the Variation  |
| PCV1-0019    | Elene Anderson    | 001              | Oppose          | Engage in dialogue with residents and ratepayers and prioritise their needs and wishes in terms of how to apply the intensification directive.                                       |
| PCV1-0027    | Foodstuffs        | 001              | Support In Part | Not specified  |
| PCV1-0028    | Waka Kotahi       | 017              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones.  |
| PCV1-0007    | Lincoln Voice     | FS007            | Oppose In Part  | <i>Disallowed<br/>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.</i> |

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested                  |
|--------------|----------------------|------------------|-----------------|-------------------------------------|
| PCV1-0006    | Jason Horne          | 051              | Support         | Decline the Variation               |
| PCV1-0006    | Jason Horne          | 059              | Oppose          | Decline the Variation               |
| PCV1-0008    | G and J Eastwick     | 003              | Oppose          | Not specified                       |
| PCV1-0010    | Four Stars and Gould | 004              | Support In Part | Retain Objective B4.1.3 as notified |
| PCV1-0010    | Four Stars and Gould | 005              | Support In Part | Retain Policy B4.1.14 as notified   |



| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 002              | Support In Part | Not specified   |
| PCV1-0028    | Waka Kotahi    | 018              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**PC72**

| Submitter ID | Submitter Name    | Submission Point | Position        | Decision Requested  |
|--------------|-------------------|------------------|-----------------|---|
| PCV1-0006    | Jason Horne       | 052              | Support         | Decline the Variation   |
| PCV1-0006    | Jason Horne       | 060              | Oppose          | Decline the Variation   |
| PCV1-0008    | G and J Eastwick  | 004              | Oppose          | Not specified   |
| PCV1-0012    | Jocelyn Humphreys | 014              | Oppose          | Decline the Variation   |
| PCV1-0012    | Jocelyn Humphreys | 015              | Oppose          | Decline the Variation   |
| PCV1-0013    | TRRG              | 007              | Support         | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0027    | Foodstuffs        | 003              | Support In Part | Not specified   |

**PC73**

| Submitter ID | Submitter Name   | Submission Point | Position        | Decision Requested  |
|--------------|------------------|------------------|-----------------|---|
| PCV1-0006    | Jason Horne      | 053              | Support         | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 061              | Oppose          | Decline the Variation   |
| PCV1-0008    | G and J Eastwick | 005              | Oppose          | Not specified   |
| PCV1-0027    | Foodstuffs       | 004              | Support In Part | Not specified   |
| PCV1-0028    | Waka Kotahi      | 019              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**PC75**

| Submitter ID | Submitter Name   | Submission Point | Position        | Decision Requested  |
|--------------|------------------|------------------|-----------------|---|
| PCV1-0006    | Jason Horne      | 054              | Support         | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 062              | Oppose          | Decline the Variation   |
| PCV1-0008    | G and J Eastwick | 006              | Oppose          | Not specified   |
| PCV1-0027    | Foodstuffs       | 005              | Support In Part | Not specified   |
| PCV1-0028    | Waka Kotahi      | 020              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**PC76**

| Submitter ID | Submitter Name   | Submission Point | Position | Decision Requested    |
|--------------|------------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne      | 055              | Support  | Decline the Variation |
| PCV1-0006    | Jason Horne      | 063              | Oppose   | Decline the Variation |
| PCV1-0008    | G and J Eastwick | 007              | Oppose   | Not specified         |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0027    | Foodstuffs     | 006              | Support In Part | Not specified   |
| PCV1-0028    | Waka Kotahi    | 021              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**PC78**

| Submitter ID | Submitter Name   | Submission Point | Position        | Decision Requested  |
|--------------|------------------|------------------|-----------------|---|
| PCV1-0006    | Jason Horne      | 056              | Support         | Decline the Variation   |
| PCV1-0006    | Jason Horne      | 064              | Oppose          | Decline the Variation   |
| PCV1-0008    | G and J Eastwick | 008              | Oppose          | Not specified   |
| PCV1-0027    | Foodstuffs       | 007              | Support In Part | Not specified   |
| PCV1-0028    | Waka Kotahi      | 022              | Support In Part | Seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. |

**Analysis**

- 20.2 Jason Horne<sup>38</sup> considers that higher denser living is not appropriate for satellite towns and that increasing the density will decrease the attraction of living in Selwyn. As such, he seeks that the various variations be declined.
- 20.3 G and J Eastwick<sup>39</sup> consider that medium density housing is not appropriate in rural or provincial townships and therefore they oppose all the variations in full.
- 20.4 Jocelyn Humphreys<sup>40</sup> considers that it is arguable whether housing intensification will increase affordability; rather other factors are likely to influence this, such as the availability of materials and trades people. As such, she seeks that the variations for PC68, PC69 and PC72 be declined.
- 20.5 Elene Anderson<sup>41</sup> considers that, in relation to PC69, there is strong community support in Lincoln against the housing development approved by Council and the loss of productive farmland in the District to development and seeks that Council engages with the community in terms of how the intensification directive is applied.
- 20.6 The inclusion of Objective B4.1.3 and Policy B4.1.14 within the variations is a mandatory requirement of the RMA-EHS. As such, we recommend that the submission points of Jason Horne, G and J Eastwick, Jocelyn Humphreys and Elene Anderson be rejected.
- 20.7 Foodstuffs<sup>42</sup> supports the housing intensification provisions and recognises the need for housing intensification to be located around commercial centres. On the basis that no changes are requested, we recommend that this submission point be accepted.

<sup>38</sup> PCV1-0006.049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063 and 064 Jason Horne

<sup>39</sup> PCV1-0008.001, 002, 003, 004, 005, 006, 007 and 008 G and J Eastwick

<sup>40</sup> PCV1-0012.001, 002, 008, 009, 014 and 015 Jocelyn Humphreys

<sup>41</sup> PCV1-0019.001 Elene Anderson

<sup>42</sup> PCV1-0027.001, 002, 003, 004, 005, 006 and 007 Foodstuffs

- 20.8 Four Stars and Gould<sup>43</sup> requests that Objective B4.1.3 and Policy B4.1.14 be retained as notified. We recommend that this submission point be accepted.
- 20.9 TRRG<sup>44</sup> supports the inclusion of Objective B4.1.3 and Policy B4.1.14. On the basis that no changes are requested, we recommend that this submission point be accepted.
- 20.10 Waka Kotahi<sup>45</sup> seeks the full implementation of the RMA-EHS requirements, including the introduction of the MDRS and related provisions in eligible zones. On the basis that no changes are requested, we recommend that these submission points be accepted.

### **Recommendation**

- 20.11 We recommend that, for the reasons given above, the Hearings Panel retains Objective B4.1.3 and Policy B4.1.14 as notified.
- 20.12 We recommend that these submission points are accepted or rejected as shown in **Appendix 1**.

## **21. B4.3 Residential and Business Development**

### **Submissions**

- 21.1 65 submission points and 27 further submission points were received in relation to this section of the SDP.

### **PC68**

| Submitter ID | Submitter Name      | Submission Point | Position        | Decision Requested   |
|--------------|---------------------|------------------|-----------------|--|
| PCV1-0009    | Urban Estates       | 001              | Support         | Retain as notified   |
| PCV1-0012    | Jocelyn Humphreys   | 005              | Oppose          | Decline the Variation  |
| PCV1-0016    | SDC                 | 001              | Oppose          | Rezone to include 184 Hamptons Road.   |
| PCV1-0017    | Chris Barrett       | 001              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC                 | 001              | Support         | Retain as notified   |
| PCV1-0023    | Stephanie Broomhall | 001              | Oppose In Part  | Decline the Variation. Amend to LLRZ or GRUZ to match existing.  |
| PCV1-0028    | Waka Kotahi         | 001              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |
| PCV1-0028    | Waka Kotahi         | 008              | Support         | Retain as notified   |

### **PC69**

| Submitter ID | Submitter Name           | Submission Point | Position | Decision Requested                 |
|--------------|--------------------------|------------------|----------|------------------------------------|
| PCV1-0004    | Jo Brady and Stuart Auld | 001              | Oppose   | Decline the Variation              |
| PCV1-0005    | Kathleen Liberty         | 001              | Oppose   | Decline the Variation              |
| PCV1-0005    | Kathleen Liberty         | 003              | Oppose   | Decline the Variation              |
| PCV1-0029    | M & A Wright             | FS002            | Support  | Allow the submission point in full |

<sup>43</sup> PCV1-0010.004 and 005 Four Stars and Gould

<sup>44</sup> PCV1-0013.007 TRRG

<sup>45</sup> PCV1-0028.006, 023, 024, 026, 027, 028 and 029 Waka Kotahi

| Submitter ID | Submitter Name    | Submission Point | Position       | Decision Requested  |
|--------------|-------------------|------------------|----------------|---|
| PCV1-0007    | Lincoln Voice     | 001              | Oppose         | Requests that Council do not rezone the area of PC69 until the Environment Court appeal has been heard and decided.   |
| PCV1-0024    | CSI and RWRL      | FS001            | Oppose         | Reject  |
| PCV1-0025    | RIDL              | FS001            | Oppose         | Reject  |
| PCV1-0032    | Manmeet Singh     | FS002            | Oppose         | Reject submission   |
| PCV1-0033    | CSIPL             | FS001            | Oppose         | Reject  |
| PCV1-0034    | CGPL              | FS001            | Oppose         | Reject  |
| PCV1-0012    | Jocelyn Humphreys | 010              | Oppose         | Decline the Variation   |
| PCV1-0012    | Jocelyn Humphreys | 013              | Oppose         | Decline the Variation until the result of the Environment Court proceedings is known  |
| PCV1-0017    | Chris Barrett     | 002              | Oppose         | Decline the Variation   |
| PCV1-0018    | CRC               | 002              | Support        | Retain as notified  |
| PCV1-0007    | Lincoln Voice     | FS001            | Oppose In Part | Disallowed in part.<br>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.   |
| PCV1-0007    | Lincoln Voice     | FS002            | Oppose In Part | 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. |
| PCV1-0029    | M & A Wright      | FS006            | Oppose         | Disallow the submission point in full   |
| PCV1-0020    | Nicki Turner      | 002              | Oppose         | Not specified   |
| PCV1-0020    | Nicki Turner      | 004              | Oppose         | Reduce the extent of medium density coverage, restricting it to the Lincoln Town Centre, between North and South Belts.   |
| PCV1-0020    | Nicki Turner      | 005              | Oppose         | PC69 should be removed from any MD rezoning until the Court process to which it is currently subject has completed.   |
| PCV1-0021    | Fiona Thirring    | 001              | Oppose         | Decline the Variation   |
| PCV1-0021    | Fiona Thirring    | 003              | Oppose         | Decline the Variation   |
| PCV1-0025    | RIDL              | 001              | Support        | Retain as notified, subject to consequential amendments to reflect the relief above sought for Part A of the Proposed Variation, in particular to amend the ODP to provide for the consequential change to include a larger commercial zone along Springs Road equivalent to that which is described as LCZ in the Proposed Plan.   |
| PCV1-0007    | Lincoln Voice     | FS004            | Oppose         | Disallowed in part<br>The Council should recognise that it is   |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
|              |                |                  |                 | <i>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>  |
| PCV1-0007    | Lincoln Voice  | FS005            | Oppose          | <i>Disallowed<br/>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.</i>  |
| PCV1-0007    | Lincoln Voice  | FS011            | 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> |
| PCV1-0029    | M & A Wright   | FS007            | Oppose          | <i>Disallow the submission point in full</i>  |
| PCV1-0029    | M & A Wright   | FS008            | Oppose          | <i>Disallow the submission point in full</i>  |
| PCV1-0032    | Manmeet Singh  | FS010            | Support In Part | <i>As per relief specified in 'reasons for support in part'</i>   |
| PCV1-0026    | Tracey MacLeod | 001              | Oppose          | <i>Decline the Variation</i>  |
| PCV1-0028    | Waka Kotahi    | 010              | Support In Part | <i>Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.</i>   |
| PCV1-0007    | Lincoln Voice  | FS006            | Oppose In Part  | <i>Disallowed<br/>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.</i>  |
| PCV1-0028    | Waka Kotahi    | 035              | Support         | <i>Retain as notified</i>   |
| PCV1-0007    | Lincoln Voice  | FS009            | Oppose In Part  | <i>Disallowed<br/>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.</i>  |

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position       | Decision Requested  |
|--------------|----------------------|------------------|----------------|---|
| PCV1-0010    | Four Stars and Gould | 001              | Oppose In Part | Amend the planning maps to rezone the following land from Rural (Inner Plains) to LMD1:<br><ul style="list-style-type: none"> <li>- Lot 2 DP 322710</li> <li>- Lot 2 DP 416195</li> <li>- Lot 1 DP 67190</li> <li>- Lot 2 DP 67190</li> <li>- Lot 3 DP 67190</li> </ul> |

| Submitter ID | Submitter Name       | Submission Point | Position        | Decision Requested   |
|--------------|----------------------|------------------|-----------------|--|
|              |                      |                  |                 | - Lot 7 DP 483709<br>- Lot 8 DP 483709<br>- Lot 9 DP 483709  |
| PCV1-0036    | 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> |
| PCV1-0017    | Chris Barrett        | 003              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC                  | 003              | Support         | Retain as notified   |
| PCV1-0010    | Four Stars and Gould | FS018            | Support In Part | Accept submission with respect to land outside the CIAL noise contour, and also rezone the land currently under the CIAL noise contour to MDR, consistent with the relief sought in Four Star Developments Ltd and Gould Developments Ltd submission on the Variation (submission 10)  |
| PCV1-0028    | Waka Kotahi          | 007              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi          | 011              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.   |
| PCV1-0028    | Waka Kotahi          | 036              | Support         | Retain as notified   |

**PC72**

| Submitter ID | Submitter Name      | Submission Point | Position        | Decision Requested   |
|--------------|---------------------|------------------|-----------------|--|
| PCV1-0012    | Jocelyn Humphreys   | 018              | Oppose          | Decline the Variation  |
| PCV1-0012    | Jocelyn Humphreys   | 021              | Oppose          | Decline the Variation until the result of the Environment Court proceedings is known   |
| PCV1-0013    | TRRG                | 001              | Support         | Rezone the entirety of the PC72 site Living MD1 in accordance with Prebbleton Outline Development Area 5 – Operative District Plan – Living MD1 Zone Outline Development Plan; |
| PCV1-0016    | SDC                 | 001              | Oppose          | Rezone to include 184 Hamptons Road.   |
| PCV1-0017    | Chris Barrett       | 004              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC                 | 004              | Support         | Retain as notified   |
| PCV1-0023    | Stephanie Broomhall | 002              | Oppose In Part  | Decline the Variation. Amend to LLRZ or GRUZ to match existing.  |
| PCV1-0028    | Waka Kotahi         | 012              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.   |
| PCV1-0028    | Waka Kotahi         | 030              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi         | 037              | Support         | Retain as notified   |

**PC73**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested    |
|--------------|----------------|------------------|----------|-----------------------|
| PCV1-0006    | Jason Horne    | 065              | Oppose   | Decline the Variation |

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| PCV1-0015    | CCC            | 001              | Oppose          | If the PC 73 spatial extent is to be included in the variation then the minimum residential density should set at 15 households per hectare. |
| PCV1-0024    | CSI and RWRL   | FS003            | Oppose          | Reject   |
| PCV1-0025    | RIDL           | FS003            | Oppose          | Reject   |
| PCV1-0033    | CSIPL          | FS003            | Oppose          | Reject   |
| PCV1-0034    | CGPL           | FS003            | Oppose          | Reject   |
| PCV1-0017    | Chris Barrett  | 005              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC            | 008              | Oppose          | Decline the Variation  |
| PCV1-0025    | RIDL           | FS002            | Oppose          | Reject   |
| PCV1-0028    | Waka Kotahi    | 013              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.                           |
| PCV1-0028    | Waka Kotahi    | 031              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi    | 038              | Support         | Retain as notified   |

**PC75**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| PCV1-0017    | Chris Barrett  | 006              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC            | 005              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi    | 014              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |
| PCV1-0028    | Waka Kotahi    | 032              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi    | 039              | Support         | Retain as notified   |

**PC76**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| PCV1-0011    | Dunweavin      | 001              | Support         | Adopt the proposed amendments in Appendix 6 Variation to Private Plan Change 76 – Rolleston, including rezoning the land MD1. Incorporate any consequential, further or alternative amendments to be consistent with the above and to give effect to the intent of this submission. |
| PCV1-0017    | Chris Barrett  | 007              | Oppose          | Decline the Variation   |
| PCV1-0018    | CRC            | 006              | Support         | Retain as notified  |
| PCV1-0028    | Waka Kotahi    | 015              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.  |
| PCV1-0028    | Waka Kotahi    | 033              | Support         | Retain as notified  |
| PCV1-0028    | Waka Kotahi    | 040              | Support         | Retain as notified  |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested   |
|--------------|----------------|------------------|-----------------|--|
| PCV1-0009    | Urban Estates  | 002              | Support         | Retain as notified   |
| PCV1-0017    | Chris Barrett  | 008              | Oppose          | Decline the Variation  |
| PCV1-0018    | CRC            | 007              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi    | 016              | Support In Part | Seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas. |
| PCV1-0028    | Waka Kotahi    | 034              | Support         | Retain as notified   |
| PCV1-0028    | Waka Kotahi    | 041              | Support         | Retain as notified   |

**Analysis****21.2 In relation to PC68:**

- 21.2.1 Jocelyn Humphreys<sup>46</sup> opposes the variation as she considers that the land has not been identified for urban growth. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.
- 21.2.2 Chris Barrett<sup>47</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.
- 21.2.3 Stephanie Broomhall<sup>48</sup> considers that the variation does not match the existing form of development or the needs of the community and that the use of the land for medium density will impact on the use of her land. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.
- 21.2.4 Waka Kotahi<sup>49</sup> seeks that Council utilises all of the tools available to Council to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.
- 21.2.5 SDC<sup>50</sup> requests that the rezoning be extended to include 184 Hamptons Road. The site is a 1,612m<sup>2</sup> sliver of land that was excluded from PC68, and is shown outlined red in Figure 1 below. We recommend that the submission point be rejected as we do not consider that there is scope within this process to include additional land. We record that, in relation to Part A, a similar submission has been received from other parties and a different recommendation may be made in this regard.

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<sup>46</sup> PCV1-0012.005 Jocelyn Humphreys

<sup>47</sup> PCV1-0017.001 Chris Barrett

<sup>48</sup> PCV1-0023.001 Stephanie Broomhall

<sup>49</sup> PCV1-0028.001 and 008 Waka Kotahi

<sup>50</sup> PCV1-0016.001 SDC





**Figure 1 184 Hamptons Road, Prebbleton**

21.2.6 Urban Estates<sup>51</sup> and CRC<sup>52</sup> request that the variation be retained as notified. We recommend that these submission points be accepted.

21.3 In relation to PC69:

21.3.1 Jo Brady and Stuart Auld<sup>53</sup> consider that this private plan change should not be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.

21.3.2 Kathleen Liberty<sup>54</sup> considers that the variation should be declined as increasing the density of PC69 would compound the miscalculation made by the Commissioner in accepting the argument of the developer that more housing was needed and that, rather than rezoning the land for more intensive housing, it should be rezoned to a lesser density to protect any further encroachment on productive farmlands beyond the boundary of PC69. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected, unless it can be demonstrated that qualifying matters apply.

21.3.3 Lincoln Voice<sup>55</sup> considers that this private plan change should not be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.

21.3.4 Jocelyn Humphreys<sup>56</sup> opposes the variation as she considers that the land has not been identified for urban growth. She also considers that this private plan change should not

<sup>51</sup> PCV1-0009.001 Urban Estates

<sup>52</sup> PCV1-0018.001 CRC

<sup>53</sup> PCV1-0004.001 Jo Brady and Stuart Auld

<sup>54</sup> PCV1-0005.001 and 003 Kathleen Liberty

<sup>55</sup> PCV1-0007.001 Lincoln Voice

<sup>56</sup> PCV1-0012.010 and 013 Jocelyn Humphreys

be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.

- 21.3.5 Chris Barrett<sup>57</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 21.3.6 CRC<sup>58</sup> requests that the variation be retained as notified. We recommend that this submission point be accepted.
- 21.3.7 Nicki Turner<sup>59</sup> opposes the variation and considers that Lincoln is not comparable to other urban centres and the one-size-fits-all approach is not appropriate, and that Rolleston is better suited to this form of development. She also considers that this private plan change should not be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.
- 21.3.8 Fiona Thirring<sup>60</sup> opposes the variation and considers that there is no demand for this type of housing in Lincoln. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.
- 21.3.9 RIDL<sup>61</sup> supports the variation but seeks consequential amendments to reflect the relief sought in relation to Part A of the Proposed Variation (being in relation to the PDP), as well as an amendment to the ODP to enable a larger commercial zone along Springs Road. As there are no limits on land and/or building area associated with development in the Business 1 zone within the SDP<sup>62</sup>, we do not consider that there is a need to amend the ODP as requested. Rather, scope exists within the SDP and the proposed ODP to identify the size of the commercial area at the time of subdivision. We recommend that this submission point be accepted in part.
- 21.3.10 Tracey MacLeod<sup>63</sup> considers that this private plan change should not be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.
- 21.3.11 Waka Kotahi<sup>64</sup> seeks that Council utilises all of the tools available to Council to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.

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<sup>57</sup> PCV1-0017.002 Chris Barrett

<sup>58</sup> PCV1-0018.002 CRC

<sup>59</sup> PCV1-0020.002, 004 and 005 Nicki Turner

<sup>60</sup> PCV1-0021.001 and 003 Fiona Thirring

<sup>61</sup> PCV1-0025.001 RIDL

<sup>62</sup> Refer C 16.9 and C 16.10 Commercial Developments

<sup>63</sup> PCV1-0026.001 Tracey MacLeod

<sup>64</sup> PCV1-0028.010 and 035 Waka Kotahi

## 21.4 In relation to PC71:

- 21.4.1 Four Stars and Gould<sup>65</sup> considers that the entirety of the site that was requested in PC71, including the land under the 50 dBA Ldn Noise Contour associated with Christchurch International Airport, be included in the variation. The appropriateness of residential activity under the noise contour was considered by the Commissioner who heard the initial plan change request and rejected. No new argument has been put forward to justify a different conclusion, and so we recommend that the submission point be rejected.
- 21.4.2 Chris Barrett<sup>66</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 21.4.3 CRC<sup>67</sup> request that the variation be retained as notified. We recommend that this submission point be accepted.
- 21.4.4 Waka Kotahi<sup>68</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.

## 21.5 In relation to PC72:

- 21.5.1 Jocelyn Humphreys<sup>69</sup> oppose the variation as she considers that the land has not been identified for urban growth. She also considers that this private plan change should not be subject to variation as it is currently subject to appeal. As the variation is a mandatory requirement of the RMA-EHS, we recommend that these submission points be rejected.
- 21.5.2 TRRG<sup>70</sup> request that the variation be retained as notified. We recommend that this submission point be accepted.
- 21.5.3 Chris Barrett<sup>71</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.
- 21.5.4 CRC<sup>72</sup> request that the variation be retained as notified. We recommend that this submission point be accepted.

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<sup>65</sup> PCV1-0010.001 Fours Stars and Gould

<sup>66</sup> PCV1-0017.003 Chris Barrett

<sup>67</sup> PCV1-0018.003 CRC

<sup>68</sup> PCV1-0028.007, 011 and 036 Waka Kotahi

<sup>69</sup> PCV1-0012.018 and 021 Jocelyn Humphreys

<sup>70</sup> PCV1-0013.001 TRRG

<sup>71</sup> PCV1-0017.004 Chris Barrett

<sup>72</sup> PCV1-0018.004 CRC

- 21.5.5 Stephanie Broomhall<sup>73</sup> considers that the variation does not match the existing form of development or the needs of the community and that the use of the land for medium density will impact on the use of her land. As the variation is a mandatory requirement of the RMA, we recommend that this submission point be rejected.
- 21.5.6 Waka Kotahi<sup>74</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.
- 21.6 In relation to PC73:
- 21.6.1 Jason Horne<sup>75</sup> considers that this private plan change should not be subject to variation as it is currently subject to appeal.
- 21.6.2 Chris Barrett<sup>76</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing.
- 21.6.3 CRC<sup>77</sup> considers that, as PC73 was declined by Council on 23 March 2022, it is inappropriate to vary this within the SDP.
- 21.6.4 As the MDRS have not been applied to the PC73 land, on the grounds that urban form connectivity and reverse sensitivity matters form the basis of a qualifying matter, the analysis of which is set out in section 5 of the [Section 32 Report](#), we recommend that the above submission points of Jason Horne, Chris Barrett and CRC should be accepted.
- 21.6.5 CCC<sup>78</sup> considers that, if the PC73 spatial extent is to be included in the variation, the minimum residential density is set at 15 households per hectare. As PC73 has not been included in the variation, we recommend that this submission point be rejected.
- 21.6.6 Waka Kotahi<sup>79</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be rejected as the private plan change was declined.

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<sup>73</sup> PCV1-0023.002 Stephanie Broomhall

<sup>74</sup> PCV1-0028.012, 030 and 037 Waka Kotahi

<sup>75</sup> PCV1-0006.065 Jason Horne

<sup>76</sup> PCV1-0017.005 Chris Barrett

<sup>77</sup> PCV1-0018.008 CRC

<sup>78</sup> PCV1-0015.001 CCC

<sup>79</sup> PCV1-0028.013, 031 and 038 Waka Kotahi

## 21.7 In relation to PC75:

- 21.7.1 Chris Barrett<sup>80</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 21.7.2 Waka Kotahi<sup>81</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.
- 21.7.3 CRC<sup>82</sup> request that the variation be retained as notified. We recommend that these submission points be accepted.

## 21.8 In relation to PC76:

- 21.8.1 Chris Barrett<sup>83</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 21.8.2 Waka Kotahi<sup>84</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.
- 21.8.3 Dunweavin<sup>85</sup> and CRC<sup>86</sup> request that the variation be retained as notified. We recommend that these submission points be accepted.

## 21.9 In relation to PC78:

- 21.9.1 Chris Barrett<sup>87</sup> opposes the variation as they consider that development will adversely affect the feel and amenity value of Selwyn towns, as well as the property value of established housing. As the variation is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 21.9.2 Waka Kotahi<sup>88</sup> considers that, as the private plan change has gone through a comprehensive process to ensure that it is appropriate to be rezoned from rural to residential, it is appropriate that the MDRS be applied to enable development in the most

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<sup>80</sup> PCV1-0017.006 Chris Barrett

<sup>81</sup> PCV1-0028.014, 032 and 039 Waka Kotahi

<sup>82</sup> PCV1-0018.005 CRC

<sup>83</sup> PCV1-0017.007 Chris Barrett

<sup>84</sup> PCV1-0028.015, 033 and 040 Waka Kotahi

<sup>85</sup> PCV1-0011.001 Dunweavin

<sup>86</sup> PCV1-0018.006 CRC

<sup>87</sup> PCV1-0017.008 Chris Barrett

<sup>88</sup> PCV1-0028.016, 034 and 041 Waka Kotahi

accessible urban areas and therefore seeks that the variation be retained as notified. We recommend that these submission points be accepted.

- 21.9.3 Urban Estates<sup>89</sup> and CRC<sup>90</sup> request that the variation be retained as notified. We recommend that these submission points be accepted.

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

- 21.10 We recommend that, for the reasons given above, the Hearings Panel retains Policies B4.3.7 and B4.3.8 as notified.

- 21.11 The recommended amendments are shown in a consolidated manner in **Appendix 2**.

- 21.12 We recommend that these submission points are accepted or rejected as shown in **Appendix 1**.

## **22. C4 Living Zone Rules – Building**

### ***Submissions***

- 22.1 Seven submission points were received in relation to proposed amendments to various rules within the C4 LZ Buildings Rules chapter of the SDP.

### **PC72**

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested  |
|--------------|----------------|------------------|----------------|----------|---|
| PCV1-0013    | TRRG           | 008              | Rule 4.2       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 009              | Rule 4.6       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 010              | Rule 4.7       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 011              | Rule 4.8       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 012              | Rule 4.9       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 013              | Rule 4.9       | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 014              | Rule 4.13      | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

<sup>89</sup> PCV1-0009.002 Urban Estates

<sup>90</sup> PCV1-0018.007 CRC

### **Analysis**

22.2 TRRG<sup>91</sup> supports the proposed amendments to Rule 4.2 Buildings and Landscaping, Rule 4.6 Buildings and Building Density, Rule 4.7 Buildings and Site Coverage, Rule 4.8 Buildings and Building Height, Rule 4.9 Buildings and Building Position and Rule 4.13 Buildings and Streetscene. On the basis that no changes are requested, we recommend that this submission point be accepted.

### **Recommendation**

22.3 We recommend that, for the reason given above, the Hearings Panel retains Rules 4.2, 4.6, 4.7, 4.8, 4.9 and 4.13 as notified.

22.4 We recommend that the submission points are accepted, as shown in **Appendix 1**.

## **23. Proposed Living MD Rules (Rule 4.19)**

### **Submissions**

23.1 32 submission points were received in relation to the inclusion of Rule 4.19 in the SDP. This rule implements all the density standards, as set out in Schedule 3A, as required by the RMA.

### **PC69**

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested    |
|--------------|----------------|------------------|----------------|----------|-----------------------|
| PCV1-0021    | Fiona Thirring | 004              | Rule 4.19.2    | Oppose   | Decline the Variation |

### **PC71**

| Submitter ID | Submitter Name       | Submission Point | Plan Reference | Position        | Decision Requested |
|--------------|----------------------|------------------|----------------|-----------------|--------------------|
| PCV1-0010    | Four Stars and Gould | 010              | Rule 4.19.1    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 011              | Rule 4.19.2    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 012              | Rule 4.19.4    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 013              | Rule 4.19.5    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 014              | Rule 4.19.7    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 015              | Rule 4.19.8    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 016              | Rule 4.19.9    | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 017              | Rule 4.19.10   | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 018              | Rule 4.19.11   | Support In Part | Retain as notified |
| PCV1-0010    | Four Stars and Gould | 019              | Rule 4.19.6    | Support In Part | Retain as notified |

<sup>91</sup> PCV1-0013.003 TRRG

**PC72**

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested  |
|--------------|----------------|------------------|----------------|----------|---|
| PCV1-0013    | TRRG           | 015              | Rule 4.19.1    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 016              | Rule 4.19.2    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 017              | Rule 4.19.3    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 018              | Rule 4.19.4    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 019              | Rule 4.19.5    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 020              | Rule 4.19.6    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 021              | Rule 4.19.7    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 022              | Rule 4.19.8    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 023              | Rule 4.19.9    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 024              | Rule 4.19.10   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 025              | Rule 4.19.11   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 026              | Rule 4.19.12   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 027              | Rule 4.19.13   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 028              | Rule 4.19.14   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 029              | Rule 4.19.15   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 030              | Rule 4.19.16   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 031              | Rule 4.19.17   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |



| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested  |
|--------------|----------------|------------------|----------------|----------|---|
| PCV1-0013    | TRRG           | 032              | Rule 4.19.18   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 033              | Rule 4.19.19   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 034              | Rule 4.19.20   | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

### Analysis

- 23.2 Fiona Thirring<sup>92</sup>, in relation to PC69, considers that Rule 4.9.2 (Height) will block sun to neighbouring properties and lower the quality of life for neighbours. As the inclusion of this rule within PC69 is a mandatory requirement of the RMA-EHS, we recommend that this submission point be rejected.
- 23.3 Four Stars and Gould<sup>93</sup> requests that Rules 4.19.1, 4.19.2, 4.19.4, 4.19.5, 4.19.6, 4.19.7, 4.19.8, 4.19.9, 4.19.10 and 4.19.11 be retained as notified. We recommend that these submission points be accepted.
- 23.4 TRRG<sup>94</sup>, in relation to PC72, supports the inclusion of Rules 4.19.1 – 4.19.20 in the SDP. On the basis that no changes are requested, we recommend that these submission points be accepted.

### Recommendation

- 23.5 We recommend that, for the reasons given above, the Hearings Panel retains Rule 4.19 as notified.
- 23.6 We recommend that these submission points are accepted or rejected as shown in **Appendix 1**.

## 24. C12 Living Zone Rules – Subdivision

### Rule 12.1.3

#### Submissions

- 24.1 Nine submission points and 48 further submission points were received in relation to the proposed amendments to Rule 12.1.3.

#### PC68

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0015    | CCC            | 002              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a</u> |

<sup>92</sup> PCV1-0021.004 Fiona Thirring

<sup>93</sup> PCV1-0010.010, 011, 012, 013, 014, 015, 016, 017, 018 and 019 Four Stars and Gould

<sup>94</sup> PCV1-0013.019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033 and 034 TRRG

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
|              |                      |                  |          | <u>minimum net density of 15 households per ha.</u>  |
| PCV1-0009    | Urban Estates        | FS001            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density. |
| PCV1-0010    | Four Stars and Gould | FS001            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS004            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS004            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS004            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS004            | Oppose   | Reject   |

**PC69**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 003              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS002            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS002            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS005            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS005            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS005            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS005            | Oppose   | Reject   |

**PC71**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 004              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS003            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS003            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS006            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS006            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS006            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS006            | Oppose   | Reject   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0036    | CIAL           | FS003            | Oppose   | 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. |

**PC72**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0013    | TRRG                 | 036              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton  |
| PCV1-0015    | CCC                  | 005              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS004            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS004            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS007            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS007            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS007            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS007            | Oppose   | Reject   |

**PC73**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 006              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS005            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS005            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS008            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS008            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS008            | Oppose   | Reject   |

**PC75**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 007              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS006            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS006            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS009            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS009            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS009            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS009            | Oppose   | Reject   |

**PC76**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 008              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS007            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS007            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS010            | Oppose   | Reject   |
| PCV1-0025    | RIDL                 | FS010            | Oppose   | Reject   |
| PCV1-0033    | CSIPL                | FS010            | Oppose   | Reject   |
| PCV1-0034    | CGPL                 | FS010            | Oppose   | Reject   |

**PC78**

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
| PCV1-0015    | CCC                  | 009              | Oppose   | That a rule be inserted into the subdivision chapter as follows:<br><u>Subdivision of a site within any residential zone subject to an Outline Development Plan shall provide for a minimum net density of 15 households per ha.</u> |
| PCV1-0009    | Urban Estates        | FS008            | Oppose   | Seeks that the Submission of Christchurch City Council be rejected with regard to the requested increase in residential density.   |
| PCV1-0010    | Four Stars and Gould | FS008            | Oppose   | Reject the submission  |
| PCV1-0024    | CSI and RWRL         | FS011            | Oppose   | Reject   |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|--------------|----------------|------------------|----------|--------------------|
| PCV1-0025    | RIDL           | FS011            | Oppose   | Reject             |
| PCV1-0033    | CSIPL          | FS011            | Oppose   | Reject             |
| PCV1-0034    | CGPL           | FS011            | Oppose   | Reject             |

### **Analysis**

- 24.2 CCC<sup>95</sup> requests that a rule be inserted into the Subdivision chapter, such that any subdivision of a residential site where an ODP applies provides a residential density not less than 15 households per hectare. While we consider that this outcome would be an appropriate response to the intent of the RMA-EHS in the Living MD1 zone, applying this standard to all residential zones where an ODP applies, in all townships in the district, would go beyond the scope of the RMA-EHS. We therefore recommend that the submission point be accepted in part, with the ODP text for each plan change being amended as shown in **Appendix 2**, rather than amending Rule 12.1.3. This approach would be consistent with the existing structure of the SDP. A failure to achieve 15 households per hectare would not comply with Rule 12.1.3.58 and so would continue to result in NC activity status through Rule 12.1.7.10.
- 24.3 TRRG<sup>96</sup> requests that the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton be adopted. On the basis of our recommended amendments above, we recommend that the submission point be accepted in part.

### **Recommendation and amendments**

- 24.4 We recommend, for the reasons given above, that the Hearings Panel:
- amend the ODPs for PC68, PC69, PC71, PC72, PC74, PC76, and PC78 as shown in **Appendix 2** by introducing a new requirement to achieve a minimum net density of 15 households/ha in the Living MD1 zone, in order to better achieve the intent of the RMA-EHS.
- 24.5 It is recommended that submissions are accepted in part as shown in **Appendix 1**.

### **Section 32AA evaluation**

- 24.6 The following points evaluate the recommended changes under Section 32AA of the RMA.

#### Effectiveness and efficiency

- 24.7 The recommended amendment increases the density of future greenfield, which aligns with the intention of the RMA-EHS.

#### Costs and benefits

- 24.8 Making the recommended amendment would have the benefit of ensuring that development in these areas is of a sufficiently high density that a well-functioning urban environment, as defined by the NPS-UD, can be achieved.

<sup>95</sup> PCV1-0015.002, 003, 004, 005, 006, 007, 008 and 009 CCC

<sup>96</sup> PCV1-0013.036 TRRG

### Risk of acting or not acting

- 24.9 Not acting in the recommended manner would result in the potential for development to occur at a much lower density than anticipated, with resulting diseconomies of scale.

### Conclusion as to the most appropriate option

- 24.10 We consider that the recommended change would give better effect to the objectives and policies of the SDP relating to *Residential Density* and *Residential and Business Development*.

### Balance of Subdivision Rules

### **Submissions**

- 24.11 Five submission points were received in relation to proposed amendments to various rules within the C12 LZ Subdivision Rules chapter of the SDP.

### **PC72**

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested  |
|--------------|----------------|------------------|----------------|----------|---|
| PCV1-0013    | TRRG           | 035              | Rule 12.1.A    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 037              | Rule 12.1.4    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 038              | Rule 12.1.5    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 039              | Rule 12.1.6    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |
| PCV1-0013    | TRRG           | 040              | Rule 12.1.7    | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

### **Analysis**

- 24.12 TRRG<sup>97</sup> supports the proposed amendments to Rule 12 Subdivision. On the basis that no changes are requested, we recommend that this submission point be accepted.

### **Recommendation**

- 24.13 We recommend that, for the reason given above, the Hearings Panel retains Rules 12.1.A1, 12.1.A2, 12.1.4, 12.1.5, 12.1.6 and 12.1.7 as notified.
- 24.14 We recommend that the submission points are accepted, as shown in **Appendix 1**.

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<sup>97</sup> PCV1-0013.003 TRRG

## 25. Appendix E11

### ***Submissions***

- 25.1 One submission point was received in relation to Appendix E11 of the SDP. This appendix sets out the measurement of recession planes.

### **PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0013    | TRRG           | 042              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton |

### ***Analysis***

- 25.2 TRRG<sup>98</sup> supports the proposed amendments to Appendix E11 Recession Planes. On the basis that no changes are requested, we recommend that this submission point be accepted.

### ***Recommendation***

- 25.3 We recommend that, for the reasons given above, the Hearings Panel retains Appendix E11 – Recession Planes as notified.
- 25.4 We recommend that the submission point is accepted, as shown in **Appendix 1**.

## 26. Appendix E37

### ***Submissions***

- 26.1 One submission point was received in relation to Appendix E37 of the SDP. This appendix contains the ODPs related to Lincoln, and more specifically PC69.

### **PC68**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0016    | SDC            | 003              | Oppose   | Replace "Households" with either "Sites" or "Residential Units" as appropriate. |

### ***Analysis***

- 26.2 SDC<sup>99</sup> seeks that terminology within the ODP narrative be amended for consistency with the language of the MDRS. We consider that, having regard to the MDRS, it is appropriate that the ODP narrative be amended for consistency. We therefore recommend that the submission point be accepted.

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

- 26.3 We recommend that, for the reasons given above, the Hearing Panel:

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<sup>98</sup> PCV1-0013.003 TRRG

<sup>99</sup> PCV1-0016.003 SDC

- a) amend the narrative of ODP Area 9 in Appendix E37 to ensure consistency of terminology, as shown in **Appendix 2**.

26.4 It is recommended that the submission point is accepted as shown in **Appendix 1**.

## 27. Appendix E38

### Submissions

27.1 Three submission points and one further submission point were received in relation to Appendix E38 of the SDP. This appendix contains the ODPs related to Rolleston, and more specifically PC71, PC76 and PC78.

#### PC71

| Submitter ID | Submitter Name       | Submission Point | Position       | Decision Requested   |
|--------------|----------------------|------------------|----------------|--|
| PCV1-0010    | Four Stars and Gould | 002              | Oppose In Part | Amend the ODP approved for PC71 to incorporate the land under the current 50Ldn Airport Noise Contour  |
| PCV1-0036    | CIAL                 | FS002            | 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> |

#### PC76

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| PCV1-0011    | Dunweavin      | 002              | Support  | Adopt the proposed amendments in Appendix 6 Variation to Private Plan Change 76 – Rolleston, including amendments to Rolleston ODP Area 14 (East Maddisons)<br>Incorporate any consequential, further or alternative amendments to be consistent with the above and to give effect to the intent of this submission. |

#### PC78

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|--------------|----------------|------------------|----------|--------------------|
| PCV1-0009    | Urban Estates  | 004              | Support  | Retain as notified |

### Analysis

27.2 Four Stars and Gould<sup>100</sup> request that the ODP for PC71 be amended to incorporate the land under the current 50Ldn Airport Noise Contour. The appropriateness of residential development in this area has already been considered by Council and declined on the basis that the 50Ldn Airport Noise

<sup>100</sup> PCV1-0010.002 Four Stars and Gould



Contour remains over the subject land in the CRPS. Until the remodelling process is completed, we recommend that the submission point be rejected.

27.3 Referring to Dunweavin's<sup>101</sup> full submission, we record their support for the ODP as notified. We therefore recommend that this submission point be accepted.

27.4 Urban Estates<sup>102</sup> requests that the ODP for PC78 be retained as notified. We recommend that this submission point be accepted.

### **Recommendation**

27.5 We recommend, for the reasons given above, that the Hearings Panel retain the variation provisions as notified, except where discussed elsewhere in this report.

27.6 It is recommended that submissions are accepted in part as shown in **Appendix 1**.

## **28. Appendix E42**

### **Submissions**

28.1 Three submission points were received in relation to Appendix E42 of the SDP. This appendix contains ODPs related to Prebbleton, and more specifically PC68 and PC72.

#### **PC68**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| PCV1-0009    | Urban Estates  | 003              | Support  | Retain as notified   |
| PCV1-0016    | SDC            | 002              | Oppose   | Rezone 184 Hamptons Road to MRZ subsequent to inclusion within outline development plan. |

#### **PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| PCV1-0013    | TRRG           | 002              | Support  | Rezone the entirety of the PC72 site Living MD1 in accordance with Prebbleton Outline Development Area 5 – Operative District Plan – Living MD1 Zone Outline Development Plan |

### **Analysis**

28.2 SDC<sup>103</sup> requests that the ODP for PC68 be amended to include 184 Hamptons Road. We disagree, for the reasons set out in Section 21 of this report, and therefore recommend that the submission point be rejected.

28.3 Urban Estates<sup>104</sup> requests that the ODP for PC68 be retained as notified. On the basis of the recommendation above, we recommend that this submission point be accepted in part.

<sup>101</sup> PCV1-0011.002 Dunweavin

<sup>102</sup> PCV1-0009.004 Urban Estates

<sup>103</sup> PCV1-0016.002 SDC

<sup>104</sup> PCV1-0009.003 Urban Estates

- 28.4 TRRG<sup>105</sup> supports the inclusion of the notified ODP for PC72. On the basis that no change is requested, we recommend that the submission point be accepted.

### **Recommendation**

- 28.5 We recommend that, for the reasons given above, the Hearings Panel amend the ODP for PC68, as set out in **Appendix 2**, in order to support the recommended rezoning of 184 Hamptons Road.
- 28.6 We recommend that submission points are accepted or accepted in part as set out in **Appendix 1**.
- 28.7 The s32AA assessment for the recommended rezoning of 184 Hamptons Road is set out in Section 21 of this report.

## 29. Definitions

### **Submissions**

- 29.1 One submission point was received in relation to the proposed amendments to definitions within the SDP.

### **PC72**

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested   |
|--------------|----------------|------------------|----------|--|
| PCV1-0013    | TRRG           | 041              | Support  | Adopt the proposed amendments in Appendix 4: Variation to Private Plan Change 72 – Prebbleton. |

### **Analysis**

- 29.2 TRRG<sup>106</sup> supports the proposed amendments to the definitions of *building*, *building coverage*, *building footprint*, and *height* within the SDP. On the basis that no changes are requested, we recommend that this submission point be accepted.

### **Recommendation**

- 29.3 We recommend that, for the reasons given above, the Hearings Panel retains the definitions as notified.
- 29.4 We recommend that the submission point is accepted as shown in **Appendix 1**.

## 30. Non District Plan Matters

### **Submissions**

- 30.1 Eight submission points and 16 further submission points were received in relation to restrictive building covenants.

<sup>105</sup> PCV1-0013.002 TRRG

<sup>106</sup> PCV1-0013.003 TRRG

**PC68**

| Submitter ID     | Submitter Name              | Submission Point | Position                   | Decision Requested  |
|------------------|-----------------------------|------------------|----------------------------|---|
| PCV1-0028        | Waka Kotahi                 | 009              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| <i>PCV1-0010</i> | <i>Four Stars and Gould</i> | <i>FS008</i>     | <i>Oppose</i>              | <i>Reject submission</i>  |

**PC69**

| Submitter ID     | Submitter Name              | Submission Point | Position                   | Decision Requested  |
|------------------|-----------------------------|------------------|----------------------------|---|
| PCV1-0028        | Waka Kotahi                 | 042              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| <i>PCV1-0007</i> | <i>Lincoln Voice</i>        | <i>FS010</i>     | <i>Oppose In Part</i>      | <i>Disallowed<br/>Selwyn District Council should not be rezoning the entirety of the PC69 site to Living MD1 until the PC69 Environment Court appeal has been heard and decided.</i>  |
| <i>PCV1-0010</i> | <i>Four Stars and Gould</i> | <i>FS010</i>     | <i>Oppose</i>              | <i>Reject submission</i>  |
| <i>PCV1-0032</i> | <i>Manmeet Singh</i>        | <i>FS003</i>     | <i>Oppose</i>              | <i>Reject submission</i>  |

**PC71**

| Submitter ID     | Submitter Name              | Submission Point | Position                   | Decision Requested  |
|------------------|-----------------------------|------------------|----------------------------|---|
| PCV1-0028        | Waka Kotahi                 | 043              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| <i>PCV1-0010</i> | <i>Four Stars and Gould</i> | <i>FS011</i>     | <i>Oppose</i>              | <i>Reject submission</i>  |
| <i>PCV1-0032</i> | <i>Manmeet Singh</i>        | <i>FS004</i>     | <i>Oppose</i>              | <i>Reject submission</i>  |

**PC72**

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested  |
|--------------|----------------|------------------|----------------------------|---|
| PCV1-0028    | Waka Kotahi    | 044              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested |
|--------------|----------------------|------------------|----------|--------------------|
| PCV1-0010    | Four Stars and Gould | FS013            | Oppose   | Reject submission  |
| PCV1-0032    | Manmeet Singh        | FS005            | Oppose   | Reject submission  |

**PC73**

| Submitter ID | Submitter Name       | Submission Point | Position                   | Decision Requested  |
|--------------|----------------------|------------------|----------------------------|---|
| PCV1-0028    | Waka Kotahi          | 045              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| PCV1-0010    | Four Stars and Gould | FS014            | Oppose                     | Reject submission   |
| PCV1-0032    | Manmeet Singh        | FS006            | Oppose                     | Reject submission   |

**PC75**

| Submitter ID | Submitter Name       | Submission Point | Position                   | Decision Requested  |
|--------------|----------------------|------------------|----------------------------|---|
| PCV1-0028    | Waka Kotahi          | 046              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| PCV1-0010    | Four Stars and Gould | FS015            | Oppose                     | Reject submission   |
| PCV1-0032    | Manmeet Singh        | FS007            | Oppose                     | Reject submission   |

**PC76**

| Submitter ID | Submitter Name       | Submission Point | Position                   | Decision Requested  |
|--------------|----------------------|------------------|----------------------------|---|
| PCV1-0028    | Waka Kotahi          | 047              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| PCV1-0010    | Four Stars and Gould | FS016            | Oppose                     | Reject submission   |
| PCV1-0032    | Manmeet Singh        | FS008            | Oppose                     | Reject submission   |

**PC78**

| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| PCV1-0028    | Waka Kotahi    | 048              | Neither Support Nor Oppose | Consideration should be given to how the Council will manage restrictive building covenants on properties within new |

| Submitter ID | Submitter Name       | Submission Point | Position | Decision Requested   |
|--------------|----------------------|------------------|----------|--|
|              |                      |                  |          | subdivisions so that they can be consistent with the proposed objectives and policies of the residential chapters. |
| PCV1-0010    | Four Stars and Gould | FS017            | Oppose   | Reject submission  |
| PCV1-0032    | Manmeet Singh        | FS009            | Oppose   | Reject submission  |

### Analysis

- 30.2 Waka Kotahi<sup>107</sup> seeks that consideration be given to how Council might manage restrictive building covenants on properties within new subdivisions, such that they are consistent with the proposed objectives and policies of the residential chapters.
- 30.3 We recommend that these submission points be rejected for the following reasons:
- 30.3.1 The above submission points are out of scope of this process;
  - 30.3.2 Council does not utilise covenants to vary the provisions of the SDP;
  - 30.3.3 Council is unable to control the use of covenants by developers of new subdivisions as these are a private legal mechanism.

### Recommendation

- 30.4 We recommend that, for the reasons given above, the original submission points and the further submission points are rejected as shown in **Appendix 1**.

## 31. Conclusion

- 31.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, we consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

<sup>107</sup> PCV1-0028.009, 042, 043, 044, 045, 046, 047 and 048 Waka Kotahi