

Proposed Selwyn District Plan



Section 42A Report – Variation 1

Report on submissions and further submissions

Subdivision

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4 April 2023

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0009	Lincoln University	The University
V1-0021	Lincoln Voice Incorporated	Lincoln Voice
V1-0025	Yoursection Ltd	YourSection
V1-0029	Gary and Lynda Burgess	G & L Burgess
V1-0032	Eliot Sinclair Limited	Eliot Sinclair
V1-0034	Mohammad Rabani	M Rabani
V1-0035	Safeya Rabani	S Rabani
V1-0055	AgResearch Limited	AgResearch
V1-0056	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama Aotearoa
V1-0065	Christchurch International Airport Limited (CIAL)	CIAL
V1-0067	Kevler Development Ltd	Kevler
V1-0068	Manmeet Singh	M Singh
V1-0078	KiwiRail	KiwiRail
V1-0080	Christchurch City Council	CCC
V1-0083	The New Zealand Transport Agency (Waka Kotahi)	Waka Kotahi
V1-0090	Nola Smart on behalf of Fire and Emergency New Zealand	FENZ
V1-0092	Selwyn District Council	The Council
V1-0102	CSI Property Limited (CSI)	CSI
V1-0103	Carter Group Property Limited (CGPL)	CGPL
V1-0112	Hughes Developments Limited	Hughes
V1-0113	Kāinga Ora Homes and Communities (Kāinga Ora)	Kāinga Ora
V1-0114	CSI Property Limited (CSI) and Rolleston West Residential Limited (RWRL)	CSI & RWRL
V1-0115	Rolleston Industrial Developments Limited (RIDL)	RIDL

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
DIS	Discretionary activity status
hh/ha	Households per hectare
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
PDP	Proposed Selwyn District Plan
Planning Standards	National Planning Standards
RDIS	Restricted discretionary activity status
RMA or Act	Resource Management Act 1991

1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to the Variation 1 to the *Subdivision* chapter in the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 In preparing this report I have had regard to the various s42A reports prepared in relation to the PDP, including the right of reply reports and associated recommended amendments, as listed below:

S42A Report	Response to Hearing Panel Questions	Right Of Reply	Current Recommended Amendments
Residential	Response to Panel Questions	Right of Reply	Recommended Amendments 2 Dec 2022
Subdivision	Response to Panel Questions Joint Response to Panel Questions - Subdivision and Residential	Right of Reply	Recommended Amendments 2 Dec 2022

- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

2. Qualifications and experience

- 2.1 My full name is Rachael Margaret Carruthers. I am employed by the Council as a Strategy and 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 19 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 and private plan change requests, district plan formulation and policy advice for the Council. My role as part of the District Plan Review Team includes consultation, research and reporting. I am Topic Lead for the *Natural Hazards, Ecosystems and Indigenous Biodiversity, Subdivision, Public Access* and *Designations* chapters of the PDP.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received on Variation 1 in relation to the *Subdivision* Chapter.
- 3.2 Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision, submissions points that sought the retention of the provision without amendment are not footnoted.
- 3.3 Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website.

4. Statutory requirements and planning framework

Resource Management Act 1991

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

¹ Section 74 RMA

- [General Industrial Zone & Port Zone](#)
- [Special Purpose Dairy Processing Zone](#)
- [Special Purpose Grasmere](#)
- [Special Purpose Knowledge Zone](#)
- [Kāinga Nohoanga](#)
- [Porters Ski and Recreation Area](#)
- [Special Purpose Terrace Downs](#)
- [Rural Existing Development Areas](#)
- [Emergency Services](#)
- [Variation 1](#)

- 4.4 All recommended amendments to provisions since the initial s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report, where required.

National Policy Statements

- 4.5 With the exception of the National Policy Statement on Highly Productive Land 2022 (NPS-HPL), which was released after the s42A report was published, the relevant national policy statements are set out in the s42A report for the *Subdivision* chapter.
- 4.6 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’. 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 an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from Rural to urban or rural lifestyle.
- 4.7 The NPS-HPL is of limited relevance to the amendments to the *Subdivision* chapter arising from Variation 1, as the chapter relates to subdivision within residential zones, rather than to the rezoning of land for residential purposes, or to the subdivision of highly productive land for land-based primary production.

National Planning Standards

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

5. Procedural matters

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

- 5.2 Submission point V1-0112.005 Hughes was incorrectly identified in the notified summary of submissions as being in relation to SUB-REQ9 Water, when it in fact relates to SUB-REQ10 Wastewater. Further submitters making reference to the original submission would have been readily able to identify the error and further submissions were made accordingly. The error has been corrected in this report.

6. Consideration of submissions

Overview of submissions

- 6.1 A total of 120 submission points and 276 further submissions were received on Variation 1 to the *Subdivision* chapter. The majority of submissions relate so SUB-R1 Subdivision in the Residential Zones and to SUB-REQ1 Site Area.

Structure of this report

- 6.2 This report relies on the recommendations in the s42A report, including the Reply Report, for the Subdivision chapter in relation to definitions, and the higher order framework that affects the whole chapter.
- 6.3 This report follows the order of the provisions within the PDP. The assessment of submissions generally follows the following format: Submission Information; Analysis; and Recommendation and Amendments. Where an amendment is recommended the applicable s32AA assessment will follow on from the Recommendations section for that issue.

7. The Subdivision chapter, generally

Introduction

- 7.1 This section responds to the submission points relating to the *Subdivision* chapter, as a whole.

Submissions

- 7.2 Three submission points were received in relation to the *Subdivision* chapter as a whole.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0034	M Rabani	002	Support	Retain variation as notified.
V1-0035	S Rabani	002	Support	Retain variation as notified.
V1-0083	Waka Kotahi	012	Support In Part	Not specified.

Analysis

- 7.3 M Rabani and S Rabani² each request that the variation be retained as notified. On the basis of my recommendations in later parts of this report, I recommend that these submission points each be accepted in part.
- 7.4 Waka Kotahi³ consider that the proposed amendments appropriately provide for the up-zoning that is consistent with the MDRS by the NPS-UD, and that the amendments to the policies and objectives

² V1-0034.002 M Rabani, V1-0035.002 S Rabani

³ V1-0083.012 Waka Kotahi

appropriately provide for the character of the development anticipated in the zone, as opposed to retaining the existing character of a residential zone. On the basis of my recommendations in later parts of this report, I recommend that the submission point be accepted in part.

Recommendation

- 7.5 I recommend, for the reasons given above, that the Hearings Panel retain the provisions as notified, except where discussed in later sections of this report.
- 7.6 It is recommended that submissions are accepted in part as shown in **Appendix 1**.

8. SUB-R1 Subdivision in the Residential Zones

Introduction

- 8.1 This section responds to the submission points relating to SUB-R1 Subdivision in the Residential Zones.

Submissions

- 8.2 Fourteen submission points and 38 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	004	Support	Not specified.
V1-0032	Eliot Sinclair	001	Support In Part	Retain status as notified
V1-0032	Eliot Sinclair	FS019	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS158	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS158	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI & RWRL	FS158	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS158	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0032	Eliot Sinclair	011	Oppose In Part	Amend as follows: Activity status: RDS <u>CON</u> 1. Subdivision not subject to any of SUB-R12, SUB-R13, SUB-R14, or SUB-R15. ...
V1-0032	Eliot Sinclair	FS029	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS168	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS168	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS168	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS168	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch	002	Support In Part	Retain the CON activity status for subdivision in the MRZ
V1-0009	The University	FS002	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.
V1-0032	Eliot Sinclair	FS037	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS248	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS248	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS248	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS248	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	019	Support In Part	Amend Rule SUB-R1.5 as follows : Activity status: CON 5. Subdivision not subject to any of <u>SUB-RX</u> , SUB-R12, SUB-R13, SUB-R14, or SUB-R15. ...
V1-0009	The University	FS019	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments /inclusions to provide for re-development of the site.</i>
V1-0102	CSI	FS265	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS265	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS265	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS265	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0056	Ara Poutama Aotearoa	004	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0090	FENZ	011	Support In Part	Amend so that SUB-R1 is subject to SUB-REQX Firefighting Water Supply.
V1-0113	Kāinga Ora	019	Support In Part	Amend as follows: <u>Vacant Site</u> Subdivision in the Residential Zone
V1-0032	Eliot Sinclair	FS001	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS284	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS284	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS284	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS284	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	020	Support In Part	Amend SUB-R1.1 as follows: ... Where this activity complies with the following rule requirements: ... SUB-REQ4 Road Frontage Widths ...
V1-0032	Eliot Sinclair	FS002	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS285	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS285	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS285	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS285	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	021	Support In Part	Amend SUB-R1.5 as follows: ... Where this activity complies with the following rule requirements: ... SUB-REQ4 Road Frontage Widths ...
V1-0032	Eliot Sinclair	FS003	Oppose In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0102	CSI	FS286	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS286	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS286	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS286	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	005	Support	Retain SUB-R1.5-8 as notified.
V1-0114	CSI & RWRL	081	Oppose	In relation to SUB-R1.1-4, grant the relief sought in original and further submissions, and at the hearings on the objectives, policies, and rules of the Proposed Plan.
V1-0115	RIDL	004	Support In Part	Grant the relief sought in the submitter's original and further submissions, and at the hearings on the objectives.
V1-0021	Lincoln Voice	FS006	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>
V1-0115	RIDL	011	Support	Retain SUB-R1.5-8 as notified
V1-0021	Lincoln Voice	FS013	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 8.3 Eliot Sinclair and AgResearch⁴ each support the CON status for subdivision in the MRZ under SUB-R1.5. On the basis that no changes are requested, I recommend that each of these submission points be accepted.

⁴ V1-0032.001 Eliot Sinclair, V1-0055.002 AgResearch

- 8.4 AgResearch⁵ request that SUB-R1.5 be amended to also refer to a new rule that they have requested, which is discussed in Section 14 of this report. Consistent with my recommendation in Section 14, I recommend that the submission point be rejected.
- 8.5 FENZ⁶ request that SUB-R1 be amended so that it is subject to a new rule requirement relating to access to water for firefighting (the requested new rule requirement is discussed in Section 23 of this report). For the reasons set out in Section 23 of this report, I recommend that the submission point be rejected.
- 8.6 Kāinga Ora⁷ request that SUB-R1 be amended so that it only applies to vacant site subdivision. This is consistent with their submission on the PDP, discussed in section 45 of the s42A report for the *Subdivision* chapter.⁸ For the same reasons as set out in that report, I recommend that the submission point be rejected.
- 8.7 Consequentially to their opposition to SUB-REQ4 discussed in Section 18 of this report, Kāinga Ora⁹ request that SUB-R1.5 be amended so that SUB-REQ4 Road Frontage Widths does not apply to subdivision in the RESZ. For the reasons set out in Section 18 of this report, I recommend that the submission point be accepted.
- 8.8 Eliot Sinclair¹⁰ request that the activity status for subdivision in residential zones other than MRZ be amended from RDIS to CON. The status of residential subdivisions outside MRZ is not subject to Variation 1, and so I consider that the submission point is out of scope for this hearing and recommend that it be rejected. The activity status of subdivision in residential zones other than MRZ is addressed in Section 45 of the s42A report for the *Subdivision* chapter.
- 8.9 Kāinga Ora¹¹ request that SUB-R1.1 be amended so that SUB-REQ4 Road Frontage Widths does not apply to subdivision in residential zones other than MRZ. Residential subdivisions outside MRZ are not subject to Variation 1, and so I consider that the submission point is out of scope for this hearing and recommend that it be rejected. The appropriateness of SUB-REQ4 Road Frontage Widths for residential zones other than MRZ is addressed in Section 13 of the s42A report for the *Residential* chapter.
- 8.10 CSI & RWRL and RIDL¹² each request that, in relation to SUB-R1.1 – SUB-R1.4, the relief sought in their original submissions, further submissions and at the hearings for the *Subdivision* chapter be granted. Residential subdivisions outside MRZ are not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing and recommend that it be rejected. SUB-R1.1 – SUB-R1.5 are addressed in Section 45 of the s42A report for the *Subdivision* chapter.

⁵ V1-0055.019 AgResearch

⁶ V1-090.011 FENZ

⁷ V1-0113.019 Kāinga Ora

⁸ [s42A report, Public Access, Subdivision and Development Areas](#)

⁹ V1-0113.021 Kāinga Ora

¹⁰ V1-0032.011 Eliot Sinclair

¹¹ V1-0113.020, V1-0113.021 Kāinga Ora

¹² V1-0014.081 CSI & RWRL, V1-0115.004 RIDL

- 8.11 Ara Poutama Aotearoa¹³ request that SUB-R1 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the Subdivision chapter, and so I recommend that the submission point be rejected.
- 8.12 G & S Burgess¹⁴ support the inclusion of MRZ within SUB-R1. On the basis that no changes have been requested, I recommend that the submission point be accepted.
- 8.13 CSI & RWRL and RIDL¹⁵ request that SUB-R1.5 – SUB-R1.8 be retained as notified. On the basis of my analysis and recommendations above, I recommend that the submission points each be accepted.

Recommendation

- 8.14 I recommend, for the reasons given above, that the Hearings Panel retain SUB-R1 as notified, except as otherwise amended by recommendations later in this report.
- 8.15 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

9. SUB-R2 Subdivision in the General Rural Zone

Introduction

- 9.1 This section responds to the submission points relating to SUB-R2 Subdivision in the General Rural Zone.

Submissions

- 9.2 One submission point was received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0090	FENZ	014	Support In Part	Amend so that SUB-R2 is subject to SUB-REQX Firefighting Water Supply.

Analysis

- 9.3 FENZ¹⁶ request that SUB-R2 be amended so that subdivision in the General Rural Zone is subject to a new rule requirement relating to access to water for firefighting (the requested new rule requirement is discussed in Section 22 of this report).
- 9.4 SUB-R2 is not subject to Variation 1, and so I consider that the submission point is out of scope for this hearing. I therefore recommend that the submission point be rejected. SUB-R2 is addressed in Section 46 of the s42A report for the *Subdivision* chapter.

Recommendation

- 9.5 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified, subject to any changes arising from the original s42A report for the *Subdivision* hearing and subsequent hearing.

¹³ V1-0056.004 Ara Poutama Aotearoa

¹⁴ V1-0029.004 G & S Burgess

¹⁵ V1-0114.005 CSI & RWRL, V1-0115.011 RIDL

¹⁶ V1-0090.014 FENZ

9.6 I recommend that the submission is rejected as shown in **Appendix 1**.

10. SUB-R12 Boundary Adjustments in all Zones

Introduction

10.1 This section responds to the submission points relating to SUB-R12 Boundary Adjustments in all Zones.

Submissions

10.2 Eleven submission points and 27 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	005	Support	Not specified.
V1-0032	Eliot Sinclair	002	Support	Retain CON activity status for boundary adjustments within the MRZ as notified.
V1-0032	Eliot Sinclair	FS020	Support	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS159	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS159	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS159	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS159	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0032	Eliot Sinclair	012	Oppose In Part	Amend as follows: Activity status: RDIS <u>CON</u> 12. Boundary adjustment. ...
V1-0032	Eliot Sinclair	FS030	Support	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS169	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS169	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS169	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS169	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0032	Eliot Sinclair	013	Oppose In Part	<p>Amend SUB-R12.12 as follows:</p> <p>12. Boundary adjustment.</p> <p>Where:</p> <p>a....</p> <p><u>b. For every site with an existing residential unit, either:</u></p> <p><u>i. the boundary adjustment does not increase the degree of any non-compliance with existing Residential units or other Principal Building; or</u></p> <p><u>ii. land use consent for the non-compliance has been granted</u></p> <p>...</p> <p>Activity status when compliance not achieved:</p> <p>15. When compliance with any of SUB-R12.12. a. is not achieved: Refer to the rules for subdivision in zones.</p>
V1-0032	Eliot Sinclair	FS031	Support	<p><i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i></p>
V1-0102	CSI	FS170	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS170	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI & RWRL	FS170	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS170	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	062	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0113	Kāinga Ora	022	Support In Part	Amend SUB-R12.12 as follows: ... Where this activity complies with the following rule requirements: ... SUB-REQ4 Road Frontage Widths ...
V1-0032	Eliot Sinclair	FS004	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS287	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS287	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS287	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS287	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	023	Support In Part	Amend SUB-R12.17 as follows: ... Where this activity complies with the following rule requirements: ... SUB-REQ4 Road Frontage Widths ...
V1-0032	Eliot Sinclair	FS005	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS288	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS288	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS288	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS288	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	006	Support	Retain SUB-R12.17-21 as notified.
V1-0114	CSI & RWRL	080	Oppose	In relation to SUB-R12.12-16, grant the relief sought in original and further submissions, and at the hearings on the objectives, policies, and rules of the Proposed Plan.
V1-0115	RIDL	005	Support In Part	Grant the relief sought in the submitter's original and further submissions, and at the hearings on the objectives.
V1-0021	Lincoln Voice	FS007	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>
V1-0115	RIDL	012	Support	Retain SUB-R12.17-21 as notified
V1-0021	Lincoln Voice	FS014	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 10.3 Eliot Sinclair¹⁷ request that the activity status for boundary adjustments in residential zones other than MRZ be amended to CON. They also request¹⁸ that an additional clause SUB-R12.12.b be inserted, consistent with SUB-R12.17.b. Residential boundary adjustments outside the MRZ are not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing

¹⁷ V1-0032.012 Eliot Sinclair

¹⁸ V1-0032.013 Eliot Sinclair

and recommend that they be rejected. Boundary adjustments in residential zones other than MRZ are addressed in Section 57 of the s42A report for the *Subdivision* chapter.

- 10.4 Kāinga Ora¹⁹ request that SUB-R12.12 be amended so that SUB-REQ4 Road Frontage Widths does not apply to boundary adjustments in residential zones other than MRZ. Residential boundary adjustments outside MRZ are not subject to Variation 1, and so I consider that the submission point is out of scope for this hearing and recommend that it be rejected. Boundary adjustments outside the MRZ are addressed in Section 57 of the s42A report for the *Subdivision* chapter.
- 10.5 Consequentially to their opposition to SUB-REQ4 discussed in Section 18 of this report, Kāinga Ora²⁰ request that SUB-R12.17 be amended so that SUB-REQ4 Road Frontage Widths does not apply to subdivision in the MRZ. Consistent with the recommendation in Section 18, I recommend that the submission point be accepted.
- 10.6 CSI & RWRL and RIDL²¹ each request that, in relation to SUB-R12.12 – SUB-R12.16, the relief sought in their original submissions, further submissions and at the hearings for the *Subdivision* chapter be granted. Residential boundary adjustments outside MRZ are not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing and recommend that they be rejected. SUB-R12.12 – SUB-R12.16 are addressed in Section 57 of the s42A report for the *Subdivision* chapter.
- 10.7 Ara Poutama Aotearoa²² request that SUB-R12 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.
- 10.8 G & S Burgess²³ support the inclusion of MRZ within SUB-R12, while Eliot Sinclair²⁴ supports the CON status for subdivision in the MRZ under SUB-R12. CSI & RWRL and RIDL²⁵ request that SUB-R12.17- SUB-R12.21 be retained as notified. On the basis of my analysis and recommendations above, I recommend that these submission points each be accepted in part.

Recommendation

- 10.9 I recommend, for the reasons given above, that the Hearings Panel amend SUB-R12 as shown in **Appendix 2**, for consistency with amendments that are recommended to SUB-R1 relating to road frontage widths and site dimensions.
- 10.10 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 10.11 The s32AA assessment of the proposed changes is located at the end of Section 18 of this report.

¹⁹ V1-0113.022 Kāinga Ora

²⁰ V1-0113.023 Kāinga Ora

²¹ V1-0014.080 CSI & RWRL, V1-0115.005 RIDL

²² V1-0056.062 Ara Poutama Aotearoa

²³ V1-0029.005 G & S Burgess

²⁴ V1-0032.002 Eliot Sinclair

²⁵ V1-0114.006 CSI & RWRL, V1-0115.012 RIDL

11. SUB-R13 Subdivision to Create Access, Reserve, or Infrastructure Sites in All Zones

Introduction

- 11.1 This section responds to the submission points relating to SUB-R13 Subdivision to Create Access, Reserve, or Infrastructure Sites in All Zones.

Submissions

- 11.2 Three submission points and five further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	006	Support	Not specified.
V1-0032	Eliot Sinclair	003	Support	Not specified.
V1-0032	Eliot Sinclair	FS021	Support	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS160	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS160	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS160	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS160	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	063	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.

Analysis

- 11.3 G & S Burgess and Eliot Sinclair²⁶ support the inclusion of MRZ within SUB-R13. On the basis that no changes are requested, I recommend that these submission points each be accepted.

²⁶ V1-0029.006 G & S Burgess, V1-0032.003 Eliot Sinclair

- 11.4 Ara Poutama Aotearoa²⁷ request that SUB-R13 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.

Recommendation

- 11.5 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.
- 11.6 It is recommended that submissions and further submissions are either accepted or rejected as shown in **Appendix 1**.

12. SUB-R14 Subdivision to Create Emergency Services Facility Sites in All Zones

Introduction

- 12.1 This section responds to the submission points relating to SUB-R14 Subdivision to Create Emergency Services Facility Sites in All Zones.

Submissions

- 12.2 Six submission points and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	043	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	029	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	FS034	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS186	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS186	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS186	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

²⁷ V1-0056.063 Ara Poutama Aotearoa

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0115	RIDL	FS186	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	064	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0090	FENZ	015	Support	Retain as notified.
V1-0114	CSI & RWRL	007	Support	Retain as notified.
V1-0115	RIDL	013	Support	Retain as notified
V1-0021	Lincoln Voice	FS015	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 12.3 G & S Burgess and Eliot Sinclair²⁸ support the inclusion of MRZ within SUB-R14. On the basis that no changes are requested, I recommend that these submission points each be accepted.
- 12.4 Ara Poutama Aotearoa²⁹ request that SUB-R13 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.
- 12.5 FENZ, CSI & RWRL and RIDL³⁰ each request that SUB-R14 be retained as notified. On the basis that no changes are requested, I recommend that these submission points each be accepted.

Recommendation

- 12.6 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.
- 12.7 It is recommended that submissions and further submissions are either accepted or rejected as shown in **Appendix 1**.

13. SUB-R15 Subdivision to Update Cross Leases, Company Leases, and Unit Titles in All Zones

Introduction

- 13.1 This section responds to the submission points relating to SUB-R15 Subdivision to Update Cross Leases, Company Leases, and Unit Titles in All Zones.

Submissions

- 13.2 Two submission points and one further submission points were received in relation to this subtopic.

²⁸ V1-0029.043 G & S Burgess, V1-0032.029 Eliot Sinclair

²⁹ V1-0056.064 Ara Poutama Aotearoa

³⁰ V1-0090.015 FENZ, V1-0114.007 CSI & RWRL, V1-0115.013 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI & RWRL	023	Support	Retain as notified.
V1-0115	RIDL	014	Support	Retain as notified
V1-0021	Lincoln Voice	FS016	Oppose	Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.

Analysis

- 13.3 CSI & RWRL and RIDL³¹ each request that SUB-R15 be retained as notified.
- 13.4 SUB-R15 is not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing. I therefore recommend that the submission points be rejected. SUB-R15 is addressed in Section 60 of the s42A report for the *Subdivision* chapter.

Recommendation

- 13.5 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified, subject to any changes arising from the original s42A report for the *Subdivision* chapter and subsequent hearing.
- 13.6 I recommend that the submissions be accepted or rejected as shown in **Appendix 1**.

14. New SUB-Rule Requested

Introduction

- 14.1 This section responds to the submission points relating to a new rule, requested to provide for the subdivision of land for the purpose of the construction and use of residential units under MRZ-R2 Residential Unit or other Principal Building.

Submissions

- 14.2 One submission point and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0055	AgResearch	003	New	Support In Part	Insert new SUB-RX for subdivision in MRZ as follows: <u>Activity status: CON</u> <u>1. Subdivision of land for the purpose of the construction and use of residential units under MRZ-R2.</u> <u>Matters for control:</u> <u>2. The exercise of control in relation to SUB-RXX.1 is limited to the following matters:</u> <u>a. The provision of practical, physical</u>

³¹ V1-0114.023 CSI & RWRL, V1-0115.014 RIDL

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p><u>and legal access from each allotment directly to a formed legal road or by registered right of way;</u></p> <p><u>b. The provision of a water supply connection to the Council's reticulated water supply system for each allotment sufficient to meet the design parameters in Section 7 of the Council's Engineering Code of Practice 2022;</u></p> <p><u>c. The provision of a wastewater disposal connection to Council's reticulated wastewater system for each allotment sufficient to meet the design parameters in Section 7 of the Council's Engineering Code of Practice 2022;</u></p> <p><u>d. The provision of a stormwater connection to Council's reticulated stormwater system for each allotment sufficient to meet the design parameters in Section 8 of the Council's Engineering Code of Practice 2022;</u></p> <p><u>e. The provision of fibre optic cable connections to the legal boundary of each allotment;</u></p> <p><u>f. The provision of electricity connections to the legal boundary or each allotment; and</u></p> <p><u>g. The matters in any applicable Outline Development Plan.</u></p> <p><u>Notification:</u></p> <p><u>3. Any application arising from SUB-RX.1 shall not be subject to public or limited notification and shall be processed on a non-notified basis.</u></p>
V1-0009	The University	FS003	New	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments /inclusions to provide for re-development of the site.
V1-0032	Eliot Sinclair	FS038	New	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<i>Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS249	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS249	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS249	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS249	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Analysis

- 14.3 AgResearch³² request a new rule to provide for the subdivision of land for the purpose of the construction and use of residential units under MRZ-R2 Residential Unit or other Principal Building, with a more limited suite of matters for control than SUB-R1.5. This is on the basis that the provisions as notified do not meet the requirements of the Amendment Act for the subdivision of land for the purpose of the construction and use of residential units under MRZ-R2.
- 14.4 While I agree with AgResearch that the Amendment Act requires provision to be made for the subdivision of land for the purpose of the construction and use of residential units under MRZ-R2, I consider that appropriate provision has been made through SUB-R1 and the associated proposed amendments to rule requirements and matters for control or discretion. I therefore recommend that the submission point be rejected.

Recommendation

- 14.5 I recommend, for the reasons given above, that the Hearings Panel decline to insert the new rule as requested.
- 14.6 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

³² V1-0055.003 AgResearch

15. SUB-REQ1 Site Area

Introduction

15.1 This section responds to the submission points relating to SUB-REQ1 Site Area.

Submissions

15.2 Twenty-two submission points and 65 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	028	Oppose In Part	Amend as follows: 14. For every site without an existing residential unit, either: a. The subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> a land-use application that will be determined concurrently with the subdivision application that demonstrates that is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or ...
V1-0055	AgResearch	FS001	Support In Part	Allow the submission in part.
V1-0029	G & S Burgess	029	Oppose	Amend as follows: 14. For every site without an existing residential unit, either: ... b. Every site: i. has a minimum net site area of 400m ² , and ii. that is, or that is proposed to be as part of the application, subject to a legal mechanism restricting the number of residential units which may be erected on the site has a minimum net site.
V1-0029	G & S Burgess	030	Oppose	Amend as follows: 16. When compliance with any of SUB-REQ1.14 is not achieved: DIS NC
V1-0055	AgResearch	FS005	Support In Part	Allow the submission in part.
V1-0032	Eliot Sinclair	005	Support In Part	Amend as follows: 14. For every site without an existing residential unit, either: a. The subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> a land-use application that will be determined concurrently with the subdivision application that demonstrates that is practicable to construct, as a permitted activity, a residential

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				unit on every site and that no vacant sites will be created; or
V1-0032	Eliot Sinclair	FS023	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS007	Support In Part	Allow the submission in part.
V1-0102	CSI	FS162	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS162	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS162	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS162	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0032	Eliot Sinclair	006	Support In Part	Amend as follows: 14. For every site without an existing residential unit, either: ... b. Every site: i. has a minimum net site area of 400m ² , and ii. that is, or that is proposed to be as part of the application, subject to a legal mechanism restricting the number of residential units which may be erected on the site has a minimum net site.
V1-0032	Eliot Sinclair	FS024	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS163	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS163	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS163	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS163	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0032	Eliot Sinclair	014	Oppose In Part	Amend as follows: 16. When compliance with any of SUB-REQ1.14 is not achieved: DIS NC
V1-0032	Eliot Sinclair	FS032	Support	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0055	AgResearch	FS011	Support In Part	<i>Allow the submission in part.</i>
V1-0102	CSI	FS171	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS171	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS171	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS171	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	005	Support In Part	Amend SUB-REQ1.14.b as follows: Either delete the 400m minimum net site area requirement under SUB-REQ1.14.b or replace with a requirement that is more enabling of a wider range of medium and high-density housing typologies and land tenure arrangements. Any limit should be expressed in terms of area (m2) rather than lineal measure (m) as notified.
V1-0009	The University	FS005	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0032	Eliot Sinclair	FS040	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS251	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS251	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS251	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS251	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch	008	Support In Part	Amend SUB-REQ1.14.a in either of the following ways: the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application <u>supporting information</u> that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or the subdivision application is accompanied by a land use application <u>certificate of compliance</u> that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created.
V1-0009	The University	FS008	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.
V1-0032	Eliot Sinclair	FS043	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS254	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS254	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS254	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS254	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	065	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0067	Kevler	003	Oppose	Delete SUB-REQ1.13 and SUB-REQ1.14
V1-0032	Eliot Sinclair	FS011	Oppose	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS013	Support	Allow the submission.
V1-0092	The Council	010	Support In Part	Amend SUB-REQ1.14.b.ii as follows: ii. Any site that is, or that is proposed to be as part of the application, subject to a legal mechanism restricting the number <u>or location</u> of residential units which may be erected on the site has a minimum net site area of 400m ² , <u>excluding any area which cannot be used to erect a residential unit.</u> Or alternative relief to achieve the requested outcome.
V1-0025	Yoursection	FS009	Oppose	Reject
V1-0032	Eliot Sinclair	FS015	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch,

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0067	Kevler	FS001	Oppose	Reject
V1-0078	KiwiRail	FS001	Support	Adopt amendment sought in submission.
V1-0102	CSI	FS028	Oppose	Reject
V1-0103	CGPL	FS028	Oppose	Reject
V1-0113	Kāinga Ora	FS016	Oppose	Disallow
V1-0114	CSI & RWRL	FS028	Oppose	Reject
V1-0115	RIDL	FS028	Oppose	Reject
V1-0092	The Council	011	Support In Part	Amend SUB-REQ1.14.b.ii as follows: ii. Any site that is, or that is proposed to be as part of the application, subject to a legal mechanism restricting the number <u>or location</u> of residential units which may be erected on the site has a minimum net site <u>area of 400m², excluding any area which cannot be used to erect a residential unit.</u> Or alternative relief to achieve the requested outcome.
V1-0032	Eliot Sinclair	FS016	Support In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0113	Kāinga Ora	FS017	Oppose	Disallow
V1-0092	The Council	012	Support In Part	Amend SUB-REQ1.14.b.ii as follows: ii. <u>...The minimum net site area shall not apply to sites used exclusively for access, reserves, or infrastructure, or which are wholly subject to a designation.</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				Or alternative relief to achieve the requested outcome.
V1-0032	Eliot Sinclair	FS017	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS020	Support In Part	Allow the submission in part
V1-0112	Hughes	014	Support In Part	Amend as follows: <u>14. For greenfield subdivision, every site shall have a minimum allotment size of 400m².</u>
V1-0065	CIAL	FS009	Support	Adopt the submission
V1-0102	CSI	FS042	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS042	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS042	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS042	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0112	Hughes	015	Support In Part	Amend SUB-TABLE1 as follows: <u>Medium Density Residential Zone: 400m²</u>
V1-0065	CIAL	FS010	Support	Adopt the submission
V1-0102	CSI	FS043	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS043	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS043	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS043	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	024	Support In Part	Amend SUB-REQ1.14.b.i as follows: <u>i. has a minimum net site area of 400m contains a building square of not less than 8m x 15m, and</u>
V1-0032	Eliot Sinclair	FS006	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0055	AgResearch	FS048	Support In Part	Allow the submission in part
V1-0102	CSI	FS289	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS289	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS289	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS289	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters
V1-0114	CSI & RWRL	008	Support	Retain SUB-REQ1.1-3 as notified.
V1-0114	CSI & RWRL	009	Oppose	Delete SUB-REQ1.4-5 as notified.
V1-0114	CSI & RWRL	010	Support	Retain SUB-REQ1.13-16 as notified.
V1-0115	RIDL	015	Support	Retain SUB-REQ1.1-1.3 as notified
V1-0021	Lincoln Voice	FS017	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>
V1-0115	RIDL	016	Oppose	Delete SUB-REQ1.4 and SUB-REQ1.5 as notified
V1-0021	Lincoln Voice	FS018	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>
V1-0115	RIDL	017	Support	Retain SUB-REQ1.13-16 as notified
V1-0021	Lincoln Voice	FS019	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

15.3 Kevler³³ requests that both SUB-REQ1.13 and SUB-REQ1.14 be deleted as notified, on the basis that a minimum site area requirement for vacant sites is unnecessarily restrictive. In the Selwyn context,

³³ V1-0067.003 Kevler

I disagree. Site area, building squares and road frontage widths combine to create a medium density environment that is consistent with the Selwyn context of standalone dwellings with attached garages or on-site parking in response to a lack of public transport.

- 15.4 However, I agree that SUB-REQ1.13.b is unnecessary because any non-compliance with MRZ-R2 would trigger the need to apply for a land use application. Such an application could be made concurrently with the subdivision application and need not be granted. Further, I consider that non-compliance with SUB-REQ1.13.a should not result in a more restrictive activity status than non-compliance with MRZ-R2. A direct reference instead to MRZ-R2 Residential Unit or other Principal Building would ensure consistency of status and the relevant matters of discretion. I therefore recommend that SUB-REQ1.13 be amended as shown in **Appendix 2**, including an amendment under CI16 of Part 1 of Schedule 1 RMA to improve grammar, and that the Kevler³⁴ submission point be accepted in part.
- 15.5 G & S Burgess and Eliot Sinclair³⁵ each request that SUB-REQ1.14.a be amended, so that applicants need only provide a site plan showing the ability to accommodate a residential unit as a permitted activity. A site plan cannot show all of the information required to demonstrate compliance (at a minimum, floor plans and elevations are also required), and so I recommend that these submission points each be rejected.
- 15.6 AgResearch³⁶ have a similar approach, requesting that either supporting information or a certificate of compliance be provided with such applications. The phrase 'land use application' is that used in Clause 8 of Schedule 3A RMA, and in the context of demonstrating that it practicable to erect a residential unit as a permitted activity on each site, would include an application for any of: a certificate of compliance under s139 RMA; a deemed permitted boundary activity notice under s87BA RMA; or an activity approved under s87BB RMA. I consider that the term 'supporting information' is too vague for a REQ, and that limiting the opportunities for this development to those accompanied by a certificate of compliance would be overly restrictive. I therefore recommend that the submission point be rejected.
- 15.7 G & S Burgess and Eliot Sinclair³⁷ each request that SUB-REQ1.14.b.i be amended to refer to a site area of 400m², rather than to a linear measurement of 400m. Hughes³⁸ requests that SUB-REQ1.14 be amended to allow for the creation of sites without existing residential units, with a minimum area of 400m². I agree that a site area of 400m² is a more appropriate expression of area than is a linear measurement, and recommend that SUB-REQ1.14.b.i be amended accordingly as shown in **Appendix 2**. As such I consider that the G & S Burgess and Eliot Sinclair submission points should be accepted.
- 15.8 Hughes³⁹ request that the minimum site size requirement apply to greenfield sites, on the basis that SUB-REQ1.14 does not provide for greenfield vacant lot subdivision. I disagree. SUB-REQ1.14 applies to any site that is being created without an existing residential unit, and so does apply to greenfield

³⁴ V1-0067.003 Kevler

³⁵ V1-0029.028 G & S Burgess, V1-0032.005 Eliot Sinclair

³⁶ V1-055.008 AgResearch

³⁷ V1-0029.029 G & S Burgess, V1-0032.006 Eliot Sinclair

³⁸ V1-0112.014 Hughes

³⁹ V1-0112.14 Hughes

subdivision creating vacant sites. However, they support the 400m² minimum site size, and so I therefore recommend that the submission point be accepted in part.

- 15.9 AgResearch⁴⁰ agree that any size limit should be expressed in terms of area (m²) rather than lineal measure, but request that either the net site area requirement be removed or replaced with a requirement that is more enabling of a wider range of medium and high-density housing typologies and land tenure arrangements. The wider provisions of Variation 1 provide for medium density typologies as a PER activity, with higher densities being RDIS. The 400m² site area requirement applies only where vacant sites are created with no commitment to establish a particular building or buildings of a specified design. I consider that this provides an appropriate balance between providing for more intensive development than the GRZ, while providing sites that are large enough to provide choices in building design and site layout. I do not consider that a more enabling provision is required. As noted above, I agree that site area should be expressed in terms of area (m²). I therefore recommend that the submission point be accepted in part.
- 15.10 Kāinga Ora⁴¹ request that SUB-REQ1.14.b.i be amended to refer instead to a building square of 8 x 15m. Building square only takes the horizontal plane into account, and does not provide for the relationship between MRZ-REQ4 Height and MRZ-REQ5 Height in Relation to Boundary. As discussed in Section 18 of this report, internal boundary setbacks greater than 1m are required in order to establish an 11m tall building on a site while complying with MRZ-REQ5 Height in Relation to Boundary. Further, SUB-REQ2 provides for a residential unit of 120m², which is substantially smaller than the average new-build residential unit in Selwyn. Individual dwellings issued building consent in Selwyn in December 2022 had a median size of 187m², while building consents for multi-unit dwellings, which in the Selwyn context are almost always single story, standalone dwellings on smaller sites, had a median size of 131m². Providing a land area only big enough for a residential unit that is smaller than what the market is requesting would not provide for the housing typologies anticipated in the MRZ. I therefore recommend that the submission point be rejected.
- 15.11 Hughes⁴² requests that a minimum average net site area be listed for the MRZ in SUB-TABLE1. However, neither SUB-REQ1.13 nor SUB-REQ1.14 refer to SUB-TABLE1, and so such an amendment would not improve clarity or assist user understanding of the PDP. I therefore recommend that this submission point be rejected.
- 15.12 G & S Burgess and Eliot Sinclair⁴³ request that SUB-REQ1.14.b.ii be deleted. The Council⁴⁴ requests that SUB-REQ1.14.b.ii be amended, so that sites subject to existing or proposed mechanisms limiting the number or location of residential units on them contain an area where a residential unit can be established as a permitted activity. On reflection, I consider that this is better captured by the need to also comply with SUB-REQ2 Building Square, and so recommend that the G & S Burgess and Eliot Sinclair submission points be accepted and that the Council submission point be rejected, with SUB-REQ1.14.b being amended as shown in **Appendix 2**.

⁴⁰ V1-0055.005 AgResearch

⁴¹ V1-0113.024 Kāinga Ora

⁴² V1-0112.014 Hughes

⁴³ V1-0029.029 G & S Burgess, V1-0032.006 Eliot Sinclair

⁴⁴ V1-0092.010, V1-0092.011, The Council

- 15.13 The Council⁴⁵ requests that SUB-REQ1.14.b.ii be amended, so that the minimum site area does not apply to sites used exclusively for access, reserves, or infrastructure, or which are wholly subject to a designation. This would be consistent with provision for these sites in other zones, and so I recommend that the submission point be accepted, and SUB-REQ1.14.b amended as shown in **Appendix 2**.
- 15.14 G & S Burgess and Eliot Sinclair⁴⁶ request that the activity status when compliance with SUB-REQ1 is not achieved be amended from NC to DIS. The appropriate status for subdivisions that do not comply with minimum site sizes is discussed in Section 63 of the *s42A report* for the *Subdivision* chapter,⁴⁷ and nothing in the submissions indicates that a different status is justified in the MRZ. I therefore recommend that the submission points be deleted.
- 15.15 Ara Poutama Aotearoa⁴⁸ request that SUB-REQ1 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.
- 15.16 CSI & RWRL and RIDL⁴⁹ each request that SUB-REQ1.1 – SUB-REQ1.3 be retained as notified. The only proposed amendment to these provisions is to separately identify the residential zones where they apply. The amendment is necessary because separate provisions are proposed for the new MRZ, and so it is no longer appropriate for SUB-REQ1.1 – SUB-REQ1.3 to apply to all RESZ. I therefore consider that the submission points are outside the scope of Variation 1 and recommend that the submission points be rejected.
- 15.17 CSI & RWRL and RIDL⁵⁰ each request that SUB-REQ1.4 – SUB-REQ1.5 be deleted as notified. The only proposed amendment to these provisions is to separately identify the residential zones where they apply. The amendment is necessary because separate provisions are proposed for the new MRZ, and so it is no longer appropriate for SUB-REQ1.1 – SUB-REQ1.3 to apply to all RESZ. I therefore consider that the request to delete the provisions is outside the scope of Variation 1 and recommend that the submission points be rejected.
- 15.18 CSI & RWRL and RIDL⁵¹ each request that SUB-REQ1.13 – SUB-REQ1.16 be retained as notified. Based on my recommendations above, I recommend that these submission points each be accepted in part.

Recommendations and amendments

15.19 I recommend, for the reasons given above, that the Hearings Panel:

- a) Amend SUB-REQ1.13 and SUB-REQ1.14 as shown in **Appendix 2** to provide better consistency with other Plan provisions;

⁴⁵ V1-0092.012 The Council

⁴⁶ V1-0029.030 G & S Burgess, V1-0032.014 Eliot Sinclair

⁴⁷ [s42A report, Subdivision chapter](#)

⁴⁸ V1-0056.065 Ara Poutama Aotearoa

⁴⁹ V1-0114.008, CSI & RWRL, V1-0115.015 RIDL

⁵⁰ V1-0114.009, CSI & RWRL, V1-0115.016 RIDL

⁵¹ V1-0114.010 CSI & RWRL, V1-0115.017 RIDL

- b) Amend the stem sentence of SUB-REQ1.13 to improve grammar as shown in **Appendix 2**, pursuant to Cl16) of Part 1 of Schedule 1 RMA; and
- c) Amend SUB-REQ1.14.b to remove duplication with SUB-REQ2, and to confirm that some types of sites that are unlikely to be used for a residential unit are not subject to minimum site area requirement.

15.20 The amendments recommended to SUB-REQ1 are set out in a consolidated manner in **Appendix 2**.

15.21 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

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

16. SUB-REQ2 Building Square

Introduction

16.1 This section responds to the submission points relating to SUB-REQ2 Building Square.

Submissions

16.2 Eleven submission points and 34 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	031	Support	Amend as follows: 3. For every site without an existing residential unit, either: a. the subdivision application is accompanied by a <u>site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> , a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or ...
V1-0055	AgResearch	FS002	Support In Part	Allow the submission in part.
V1-0029	G & S Burgess	032	Oppose	Amend as follows: 4. When compliance with any of SUB-REQ2.3 is not achieved: <u>DIS NC</u>
V1-0055	AgResearch	FS006	Support In Part	Allow the submission in part.
V1-0032	Eliot Sinclair	007	Support In Part	Amend SUB-REQ2.3.a as follows: 3. For every site without an existing residential unit, either: a. the subdivision application is accompanied by a <u>site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> , a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				residential unit on every site and that no vacant sites will be created; or
V1-0032	Eliot Sinclair	FS025	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS008	Support In Part	Allow the submission in part.
V1-0102	CSI	FS164	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS164	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS164	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS164	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0032	Eliot Sinclair	015	Oppose In Part	Amend as follows: 4. When compliance with any of SUB-REQ2.3 is not achieved: DIS NC
V1-0032	Eliot Sinclair	FS033	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0055	AgResearch	FS012	Support In Part	Allow the submission in part.
V1-0102	CSI	FS172	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS172	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS172	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS172	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch	006	Support In Part	Amend SUB-REQ2.3.a in either of the following ways: the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application supporting information that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or the subdivision application is accompanied by a land use application certificate of compliance that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created.
V1-0009	The University	FS006	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.
V1-0032	Eliot Sinclair	FS041	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS252	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS252	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS252	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS252	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	007	Support In Part	Either delete the building square requirement under SUB-REQ2.3.b or replace with a requirement that is more enabling of a wider range of medium and high density housing typologies and land tenure arrangements.
V1-0009	The University	FS007	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.</i>
V1-0032	Eliot Sinclair	FS042	Support In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS253	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS253	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI & RWRL	FS253	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS253	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	066	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0067	Kevler	004	Oppose	Delete SUB-REQ2.3 as notified.
V1-0032	Eliot Sinclair	FS012	Oppose	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS014	Support	Allow the submission.
V1-0113	Kāinga Ora	025	Support	Retain as notified.
V1-0032	Eliot Sinclair	FS007	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS290	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0103	CGPL	FS290	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS290	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS290	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	011	Support	Retain as notified.
V1-0115	RIDL	018	Support	Retain as notified
V1-0021	Lincoln Voice	FS020	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 16.3 G & S Burgess and Eliot Sinclair⁵² each request that SUB-REQ2.3.a be amended, so that applicants need only provide a site plan showing the ability to accommodate a residential unit as a permitted activity. AgResearch⁵³ have a similar approach, requesting that either supporting information or a certificate of compliance be provided with such applications. This is an equivalent approach to that requested for SUB-REQ1 and discussed in Section 15 of this report, and I recommend that the submission points each be rejected for the reasons set out in Section 15.
- 16.4 AgResearch⁵⁴ requests that either the building square requirement in SUB-REQ2.3.b be deleted, or that it be replaced with a requirement that is more enabling of a wider range of medium and high density housing typologies and land tenure arrangements, while Kevler⁵⁵ requests that SUB-REQ2.3 be deleted as notified. SUB-REQ2 works with SUB-REQ1 Site Area and SUB-REQ4 Road Frontage Width to create a medium density environment that is consistent with the Selwyn context. Noting that changes are recommended to SUB-REQ4 to better provide for a range of housing typologies (in Section 17 of this report), I recommend that the submission points be rejected.
- 16.5 G & S Burgess, Eliot Sinclair⁵⁶ request that the activity status when compliance with SUB-REQ2.3 is not achieved be amended from NC to DIS. The NC status is consistent with that which applies in other zones, and follows from the expectation in SUB-O1 and SUB-P1 that vacant sites will have the characteristics that will enable the establishment of a residential unit, including being of sufficient dimension to allow a degree of flexibility in building design that reflects the Selwyn context. I therefore recommend that these submission points each be rejected.

⁵² V1-0029.031 G & S Burgess, V1-0032.007 Eliot Sinclair

⁵³ V1-0055.006 AgResearch

⁵⁴ V1-0055.007 AgResearch

⁵⁵ V1-0067.004 Kevler

⁵⁶ V10029.032 G & S Burgess

16.6 Ara Poutama Aotearoa⁵⁷ request that SUB-REQ2 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.

16.7 Kāinga Ora, CSI & RWRL and RIDL⁵⁸ each request that SUB-REQ2 be retained as notified. Based on my recommendations above, I recommend that these submission points be accepted.

Recommendation

16.8 I recommend, for the reasons given above, that the Hearings Panel retain SUB-REQ2 as notified.

16.9 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

17. SUB-REQ3 Outline Development Plan

Introduction

17.1 This section responds to the submission points relating to SUB-REQ3 Outline Development Plan.

Submissions

17.2 Two submission points and seven further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0025	Yoursection	004	Oppose In Part	Amend as follows: All zones 1. ... <u>2. Where the site is subject to an Outline Development Plan, any area shown within the Outline Development Plan as a Neighbourhood Centre shall be subject to the provisions of the NCZ, with a consent notice or similar mechanism to be registered on the Certificate of Title for these lots advising owners that the lot is subject to the NCZ rule package.</u> ...
V1-0080	CCC	026	Oppose	Insert as follows: <u>8. 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>
V1-0025	Yoursection	FS008	Oppose	Reject
V1-0065	CIAL	FS003	Oppose	Reject the submission in so far as it relates to the portion of the PC71 site subject to the Operative Contour. CIAL seek that the portion of the PC71 site subject to the Operative Contour retains rural zoning in the Proposed Variation.
V1-0068	M Singh	FS001	Oppose	Reject submission
V1-0102	CSI	FS027	Oppose	Reject

⁵⁷ V1-0056.066 Ara Poutama Aotearoa

⁵⁸ V1-0113.025 Kāinga Ora, V1-0114.011 CSI & RWRL, V1-0115.018 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0103	CGPL	FS027	Oppose	Reject
V1-0114	CSI & RWRL	FS027	Oppose	Reject
V1-0115	RIDL	FS027	Oppose	Reject

Analysis

- 17.3 Yoursection⁵⁹ requests that an amendment be made to that part of SUB-REQ3 that applies to all zones, such that where the site is subject to an Outline Development Plan, any area shown within the Outline Development Plan as a Neighbourhood Centre shall be subject to the provisions of the NCZ, with a consent notice or similar mechanism to be registered on the Certificate of Title for these lots advising owners that the lot is subject to the NCZ rule package. This matter is also being considered through the Variation 1 *Residential Zone* and *Commercial and Mixed Use Zone* hearings. Those authors consider that such an approach would provide an appropriate level of flexibility, and I agree. However, I prefer an alternative wording to that requested, and so recommend that the submission point be accepted in part. The recommended wording of SUB-REQ3.A is shown in **Appendix 2**. I consider that the portion of the submission point relating to a consent notice is not required, because it is already addressed by SUB-MAT12 Development Constraints.
- 17.4 CCC⁶⁰ requests that an amendment be made to that part of SUB-REQ3 that applies to all residential zones, such that where a site is subject to an outline development plan, a minimum density of 15 households per hectare (hh/ha) is achieved. While the intent of ensuring a minimum level of development is supported, the requested amendment has much wider applicability than intended by Variation 1, as areas that are not intended for residential development are also subject to outline development plans. For example, imposing a 15hh/ha minimum density requirement in the Synlait Outline Development Plan area⁶¹ would defeat the purpose of that ODP. I recommend that the submission point be rejected, but note that amendments to specific DEV re proposed through the Variation 1 s42A on the *Residential Zones* to achieve the same outcome in locations where it is appropriate.

Recommendation

- 17.5 I recommend, for the reasons given above, that the Hearings Panel amend SUB-REQ3 as shown in **Appendix 2** to provide a degree of flexibility where neighbourhood centres are known to be required within a development, but their exact location is insufficiently known to allow the land to be zoned NCZ in advance;
- 17.6 The amendments recommended to SUB-REQ3 are set out in a consolidated manner in **Appendix 2**.
- 17.7 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 17.8 The scale of change does not require a s32AA evaluation.

⁵⁹ V1-0025.004 Yoursection

⁶⁰ V1-0080.026 CCC

⁶¹ DPZ-SCHED1 – Synlait Outline Development Plan

18. SUB-REQ4 Road Frontage Width

Introduction

18.1 This section responds to the submission points relating to SUB-REQ4 Road Frontage Width.

Submissions

18.2 Ten submission points and 30 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	033	Oppose	Amend as follows: 3. For every site without an existing residential unit, either: a. the subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity, a land-use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit</u> on every site and that no vacant sites will be created; or ...
V1-0055	AgResearch	FS003	Support In Part	Allow the submission in part.
V1-0032	Eliot Sinclair	030	Neither Support Nor Oppose	Amend as follows: 3. For every site without an existing residential unit, either: a. the subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity, a land-use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit</u> on every site and that no vacant sites will be created; or ...
V1-0032	Eliot Sinclair	FS035	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0055	AgResearch	FS010	Support In Part	<i>Allow the submission in part.</i>
V1-0102	CSI	FS187	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS187	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS187	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS187	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	004	Support In Part	Amend SUB-REQ4.3.a in either of the following ways: the subdivision application is accompanied by a land use application <u>that will be determined concurrently with the subdivision application supporting information</u> that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or the subdivision application is accompanied by a land use application <u>certificate of compliance</u> that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created
V1-0009	The University	FS004	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.</i>
V1-0032	Eliot Sinclair	FS039	Support In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS250	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS250	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS250	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS250	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	009	Support In Part	Either delete the minimum road frontage width requirement under SUB-REQ4.3.b or replace with a requirement that is more enabling of a wider range of medium and high-density housing typologies and land tenure arrangements.
V1-0009	The University	FS009	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.</i>
V1-0032	Eliot Sinclair	FS044	Support In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS255	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS255	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS255	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0115	RIDL	FS255	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	067	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0067	Kevler	005	Oppose	Delete SUB-REQ4.3 as notified.
V1-0032	Eliot Sinclair	FS013	Oppose	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS015	Support	Allow the submission.
V1-0092	The Council	013	Support In Part	Amend SUB-REQ4.3.b as follows: b. Every site, excluding any rear site, has a road frontage width not less than 10m <u>15m</u> . Or alternative relief to achieve the requested outcome.
V1-0032	Eliot Sinclair	FS018	Support In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0055	AgResearch	FS021	Oppose	Disallow the submission
V1-0113	Kāinga Ora	FS018	Oppose	Disallow
V1-0113	Kāinga Ora	026	Oppose	Delete as notified.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0032	Eliot Sinclair	FS008	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS291	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS291	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS291	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS291	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	024	Support	Retain as notified.
V1-0115	RIDL	033	Support	Retain as notified
V1-0021	Lincoln Voice	FS035	Oppose	Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.

Analysis

- 18.3 G & S Burgess and Eliot Sinclair⁶² each request that SUB-REQ4.3 be amended, so that applicants need only provide a site plan showing the ability to accommodate a residential unit as a permitted activity. AgResearch⁶³ have a similar approach, requesting that either supporting information or a certificate of compliance be provided with such applications. This is an equivalent approach to that

⁶² V1-0029.033 G & S Burgess, V1-0032.030 Eliot Sinclair

⁶³ V1-055.004 AgResearch

requested for SUB-REQ1 and discussed in Section 15 of this report, and I recommend that the submission points each be rejected for the reasons set out in Section 15.

- 18.4 The Council⁶⁴ requests that the minimum road frontage width be increased from 10m to 15m, while AgResearch⁶⁵ request that either SUB-REQ4.3.b be deleted or that it be replaced with a requirement that is more enabling of a wider range of medium and high-density housing typologies and land tenure arrangements. I agree with Council that a stand-alone residential unit with a double garage is most in keeping with the existing environment, and in the Selwyn context is the most likely outcome where vacant sites are created in the MRZ. Such sites therefore need to be able to accommodate this typology. I also agree with AgResearch that a 10m frontage width would not enable the wide range of medium and density housing typologies anticipated by the MRZ provisions. With SUB-REQ2 and Height in Relation to Boundary D applied to a site, a building height of 11m would not be possible as a permitted activity (**Figure 1**). This would not enable the variety of built form anticipated by the MRZ.

⁶⁴ V1-0092.013 The Council

⁶⁵ V1-055.009 AgResearch

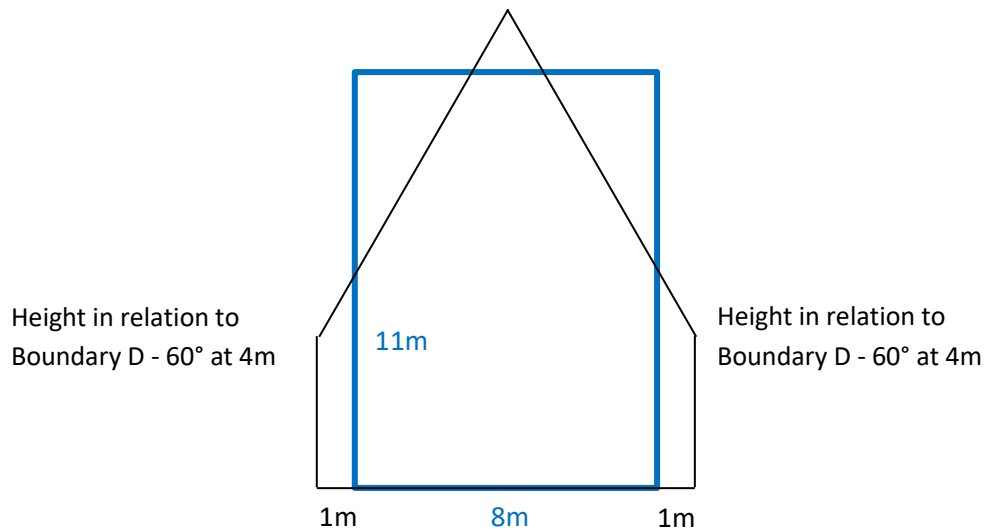


Figure 2 Density standards on a 10m wide site

- 18.5 In order to enable the permitted density standards where a building of 11m height (from MRZ-REQ4 Height) is established, a setback of 4m from internal boundaries is required. When two 4m internal setbacks are combined with a building width of 8m (from SUB-REQ2 Building Square) a site width of 16m is required. (**Figure 2**). By the same calculation, with a building length of 15m (again from SUB-REQ2 Building Square), a site depth of 23m is required to enable development in accordance with the permitted density standards.

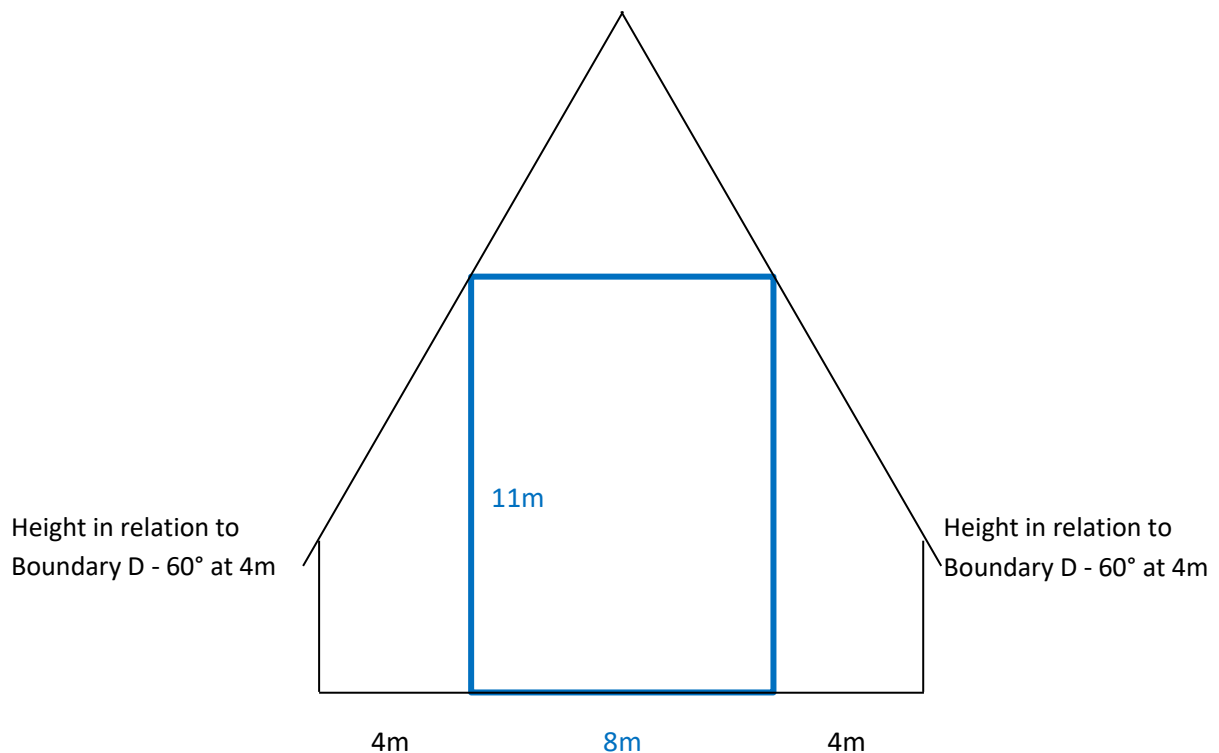


Figure 1 Density standards on a 16m wide site

- 18.6 Kevler⁶⁶ requests that SUB-REQ4.3 be deleted as notified, on the basis that it is unnecessary and unduly restrictive. On the basis of the analysis above, I agree.
- 18.7 Kāinga Ora⁶⁷ request that SUB-REQ4 be deleted in its entirety, on the basis that the width of sites will be assessed through SUB-MAT1 Size and Shape. I consider that this submission point is out of scope, as the only change to SUB-REQ4.1 – SUB-REQ4.3 and Table SUB-5 is to reflect the fact that, with the introduction of MRZ, they no longer apply to all residential zones. On this basis, I recommend that the submission point be rejected for all parts outside MRZ. Turning to within the MRZ, a controlled activity cannot be declined, and the conditions imposed cannot frustrate the nature of the activity for which consent is sought. I consider that reliance on SUB-MAT1 Size and Shape is therefore, by itself, insufficient to ensure that the intended outcome of creating vacant sites that can be reasonably developed for a permitted activity is achieved.
- 18.8 When considering the Council, AgResearch, Kevlar and Kāinga Ora submission points as a whole, I consider that SUB-REQ4 Road Frontage Width should not be the determining factor in setting minimum dimensions for sites. The ability to establish a building of permitted height in accordance with Height in Relation to Boundary D (which would require a site dimension of 16m x 23m) is of greater importance in order to give effect to SUB-O2 and SUB-O3, and contribute to achieving the RESZ and MRZ objectives and policies.
- 18.9 I therefore recommend that the Council, AgResearch, Kevlar and Kāinga Ora submission points⁶⁸ each be accepted in part, with reference to SUB-REQ4 being removed from SUB-R1 and SUB-REQ4 being amended to remove reference to the MRZ. SUB-R1.5 should instead be amended as shown in **Appendix 2** to require each vacant site to contain a site dimension not less than 16m x 23m.
- 18.10 Failure to achieve compliance with the minimum site dimension could have effects on the ability of landowners to achieve the intensification outcomes sought by the RMA-EHS, by preventing the establishment of buildings that fully implement the density standards set out in MRZ-REQ2 – MRZ-REQ10. The nature of these effects could vary depending on the nature of the site and the nature of the application, and so I consider that the appropriate status to apply when compliance is not achieved would be DIS.
- 18.11 Ara Poutama Aotearoa⁶⁹ request that SUB-REQ4 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.
- 18.12 CSI & RWRL and RIDL⁷⁰ each request that SUB-REQ4 be retained as notified. Based on my recommendations above, I recommend that these submission points each be rejected.

⁶⁶ V1-0067.005 Kevler

⁶⁷ V1-0113.026 Kāinga Ora

⁶⁸ V1-055.009 AgResearch, V1-0067.005 Kevler, V1-0092.013 The Council, V1-0113.026 Kāinga Ora

⁶⁹ V1-0056.067 Ara Poutama Aotearoa

⁷⁰ V1-0114.024 CSI & RWRL, V1-0115.033 RIDL

Recommendations and amendments

18.13 I recommend, for the reasons given above, that the Hearings Panel:

- a) Delete SUB-REQ4.3 – SUB-REQ4.5;
- b) Amend SUB-R1.5 to require a site dimension of 16 x 23m for every vacant site created;
- c) Provide for a DIS activity status where compliance with the site dimensions is not achieved;
- d) Make an equivalent amendment to SUB-R12.17 Boundary adjustments in the MRZ for consistency, pursuant to CI99(2)(b).

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

18.15 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

Section 32AA evaluation

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

Effectiveness and efficiency

18.17 The recommended change would facilitate development on a site in accordance with the density standards, without further need for resource consent because a site does not contain the necessary width to enable permitted development. This would improve both the effectiveness and the efficiency of plan provisions.

Costs and benefits

18.18 Not making the recommended amendment would result in opportunity costs associated with not enabling the intensification anticipated by the density standards.

Risk of acting or not acting

18.19 Not acting in the recommended manner would result in sites being created that were unable to be developed in accordance with the permitted standards for the zone. This would prevent intensification in the manner anticipated by the density standards.

Conclusion as to the most appropriate option

18.20 I consider that the recommended change would give better effect to the objectives and policies of both the *Subdivision* chapter and the *Residential Zones* chapters.

SUB-REQ7 Walkable Blocks

Introduction

19.1 This section responds to the submission points relating to SUB-REQ7 Walkable Blocks.

Submissions

19.2 Five submission points and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	035	Support	Not specified.
V1-0032	Eliot Sinclair	008	Support	Not specified.
V1-0032	Eliot Sinclair	FS026	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS165	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS165	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS165	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS165	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	068	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0114	CSI & RWRL	012	Oppose	Amend SUB-REQ7.3 as follows: 3. The exercise of discretion in relation to SUB-REQ7.2 is restricted to the consideration of: a. Whether the proposal would achieve <u>an acceptable</u> a high level of walkability through the area. <u>b. The constraints of the site or subdivision design which may limit the perimeter length of blocks.</u>
V1-0115	RIDL	019	Oppose	Delete as notified
V1-0021	Lincoln Voice	FS021	Oppose	Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.

Analysis

- 19.3 RIDL⁷¹ request that SUB-REQ7 be deleted as notified. The appropriateness of SUB-REQ7 was considered in Section 13 of the s42A report for the *Residential* chapter,⁷² and I agree with the conclusion of Ms Lewes that it is appropriate that the provision be retained, as a mechanism to ensure that residential blocks are of a scale where active transport modes are more likely, thereby contributing to a well-functioning urban environment. I therefore recommend that the submission point be rejected.
- 19.4 CSI & RWRL⁷³ request amendments to the matters for discretion where compliance with SUB-REQ7.1 is not achieved, so that the assessment is whether an acceptable level of walkability is achieved (rather than a high level), together with an assessment of whether there are constraints which may limit perimeter length. Given that the only amendment to SUB-REQ7 resulting from Variation 1 is to apply SUB-REQ7 to the MRZ, the requested amendments are out of scope, and I recommend that the submission point be rejected.
- 19.5 However, I agree that elements of the requested amendments have merit. “Acceptable” is a matter of judgement that allows the particular circumstances of a site to be taken into account, and so would be an appropriate amendment to SUB-REQ7.3.a. Site constraints should be taken into account as a matter for discretion rather than requiring that judgment be made when assessing compliance, but I consider that considering the constraints of subdivision design beyond those of the site is an invitation to poor planning. I therefore recommend that the Panel exercise their power under CI99(2)(b) of Part 6 of Schedule 1 RMA to amend SUB-REQ7 as shown in **Appendix 2**, in order to better separate the assessment of compliance from the assessment of appropriateness.
- 19.6 Ara Poutama Aotearoa⁷⁴ request that SUB-R13 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the *Subdivision* chapter, and so I recommend that the submission point be rejected.
- 19.7 G & S Burgess and Eliot Sinclair⁷⁵ each support MRZ being subject to SUB-REQ7. On the basis that I am recommending changes above, I recommend that these submission points each be accepted in part.

Recommendations and amendments

- 19.8 I recommend, for the reasons given above, that the Hearings Panel amend SUB-REQ7 as shown in **Appendix 2** to better allow for the consideration of the particular circumstances of a site and to separate the assessment of compliance from the assessment of appropriateness.
- 19.9 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 19.10 The scale of change does not require a s32AA evaluation.

⁷¹ V1-0115.019 RIDL

⁷² [s42A report, Residential chapter](#)

⁷³ V1-0114.012 CSI & RWRL

⁷⁴ V1-0056.068 Ara Poutama Aotearoa

⁷⁵ V1-0029.035 G & S Burgess, V1-0032.00 Eliot Sinclair

20. SUB-REQ9 Water

Introduction

20.1 This section responds to the submission points relating to SUB-REQ9 Water.

Submissions

20.2 Two submission points and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0090	FENZ	013	Support In Part	Amend as follows: 1. Every site created shall be supplied with a separate connection to a Council reticulated water supply <u>with sufficient supply and pressure for firefighting. Where insufficient, an alternative firefighting water supply shall be provided in accordance with SNZ4509:2008 New Zealand Fire Service Water Supplies Code of Practice.</u> This requirement shall not apply to any site created solely for access or network utility operations.
V1-0112	Hughes	004	Support	Retain as notified
V1-0102	CSI	FS032	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS032	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS032	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS032	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Analysis

20.3 FENZ⁷⁶ requests that SUB-REQ9.1, which applies to all of RESZ, CMUZ, GIZ, KNOZ and PORTZ, be amended to specifically reference water for firefighting, while Hughes⁷⁷ requests that SUB-REQ9 be retained as notified.

20.4 SUB-REQ9 is not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing. I therefore recommend that the submission points be rejected. SUB-REQ9 is addressed in Section 71 of the s42A report for the *Subdivision* chapter.

Recommendation

20.5 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified, subject to any changes arising from the original s42A report for the *Subdivision* hearing and subsequent hearing.

20.6 I recommend that the submission points be rejected as shown in **Appendix 1**.

⁷⁶ V1-0090.013 FENZ

⁷⁷ V1-0112.004 Hughes

21. SUB-REQ10 Wastewater Disposal

Introduction

21.1 This section responds to the submission points relating to SUB-REQ10 Wastewater Disposal.

Submissions

21.2 One submission point and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0112	Hughes	005	Support	Retain as notified
V1-0102	CSI	FS033	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS033	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS033	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS033	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Analysis

21.3 Hughes⁷⁸ requests that SUB-REQ10 be retained as notified.

21.4 SUB-REQ10 is not subject to Variation 1, and so I consider that the submission points are out of scope for this hearing. I therefore recommend that the submission points be rejected. SUB-REQ10 is addressed in Section 72 of the s42A report for the *Subdivision* chapter.

Recommendation

21.5 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified, subject to any changes arising from the original s42A report for the *Subdivision* hearing and subsequent hearing.

21.6 I recommend that the submission points be rejected as shown in **Appendix 1**.

22. SUB-REQ13 Development Areas

Introduction

22.1 This section responds to the submission points relating to SUB-REQ13 Development Areas.

Submissions

22.2 Six submission points and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	036	Support	Not specified.
V1-0032	Eliot Sinclair	004	Support	Not specified.
V1-0032	<i>Eliot Sinclair</i>	<i>FS022</i>	<i>Support</i>	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions</i>

⁷⁸ V1-0112.005 Hughes

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS161	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS161	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS161	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS161	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	069	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0090	FENZ	016	Support In Part	Amend as follows: 7. Subdivision to create any site within DEV-RO12 shall not take place until a potable water supply is available that is capable of serving every site within the subdivision, <u>including sufficient supply and pressure for firefighting in accordance with SNZ 4509:2008 New Zealand Fire Service Water Supplies Code of Practice</u> , that is shown on the outline development plan as 'Water Supply Required Area'.
V1-0114	CSI & RWRL	013	Support	Retain SUB-REQ13.1-2 as notified.
V1-0115	RIDL	020	Support	Retain as notified
V1-0021	Lincoln Voice	FS022	Oppose	<i>Disallowed Specifically Private Plan Change 69 is not included in the Variation 1 to the Proposed Selwyn District Plan (Part A)</i>

Analysis

- 22.3 FENZ⁷⁹ request that SUB-REQ13.7 be amended, to require water to be supplied at sufficient supply and pressure for firefighting, before development occurs in the 'Water Supply Required Area' shown on the ODP. While I agree that sufficient water for firefighting will be required to service that area, I do not consider that the requested amendment is necessary. SUB-REQ9 requires connection to a

⁷⁹ V1-0090.016 FENZ

reticulated water supply, while SUB-MAT4 reserves control over the design, siting, layout and construction of water infrastructure. Compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is required in order to achieve compliance with the Selwyn District Council Engineering Code of Practice. I therefore consider that the desired outcome is already achieved through existing provisions and so recommend that the submission point be rejected.

22.4 Ara Poutama Aotearoa⁸⁰ request that SUB-REQ13 be amended as set out in their original submission. SUB-REQ13 has been introduced via the Variation and so could not have formed part of the original submission. I therefore recommend that the submission point be rejected.

22.5 CSI & RWRL⁸¹ request that SUB-REQ13.1-SUB-REQ13.2 be retained as notified, while RIDL⁸² requests that SUB-REQ13 be retained as a whole. G & S Burgess and Eliot Sinclair support SUB-REQ13,⁸³ but do not request any particular decision. On the basis of my recommendations above, I recommend that these submission points be accepted.

Recommendation

22.6 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

22.7 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

23. New SUB-Rule Requirement Requested

Introduction

23.1 This section responds to the submission points relating to a requested new rule requirement.

Submissions

23.2 One submission point was received , requesting a new rule requirement.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0090	FENZ	012	New	Support In Part	Insert new rule requirement as follows: <u>SUB-REQX Firefighting water supply Water supply is provided in accordance with SNZ 4509:2008 New Zealand Fire Service Water Supplies Code of Practice.</u>

Analysis

23.3 FENZ request the introduction of a new rule requirement, requiring water supply to be provided in accordance with SNZ 4509:2008 New Zealand Fire Service Water Supplies Code of Practice. The most appropriate way to make provision of water for firefighting is discussed in Sections 36, 60 and 80 of

⁸⁰ V1-0056.069 Ara Poutama Aotearoa

⁸¹ V1-0114.013 CSI & RWRL

⁸² V1-0115.020 RIDL

⁸³ V1-0029. 036 G & S Burgess, V1-0032.004 Eliot Sinclair

the s42A report for the *Subdivision* chapter, and no information has been provided that causes me to change my position. I therefore recommend that the submission point be rejected.

Recommendation

23.4 I recommend, for the reasons given above, that the Hearings Panel decline to insert the requested rule requirement.

23.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

24. SUB-MAT1 Size and Shape

Introduction

24.1 This section responds to the submission points relating to SUB-MAT1 Size and Shape.

Submissions

24.2 Seven submission points and 16 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	037	Support	Not specified.
V1-0032	Eliot Sinclair	009	Support	Not specified.
V1-0032	Eliot Sinclair	FS027	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS166	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS166	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS166	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS166	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0056	Ara Poutama Aotearoa	070	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0113	Kāinga Ora	027	Support In Part	Amend as follows: Size and Shape <u>for Vacant Site Subdivision</u> ...
V1-0032	Eliot Sinclair	FS009	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.
V1-0102	CSI	FS292	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS292	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI & RWRL	FS292	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS292	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	030	Support In Part	Amend as follows: ... 4. The extent to which the proposal provides a variety of site sizes that are in keeping with the recognised or anticipated <u>planned urban form</u> character of the area. 6. Whether the shape and alignment of sites enable all of: a. the best and appropriate location of: i. ... iv. car parking, <u>where provided</u> ; and v. a vehicle crossing, <u>where provided</u> ; ...
V1-0032	Eliot Sinclair	FS010	Oppose In Part	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>"four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS295	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS295	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS295	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS295	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	014	Support In Part	Amend SUB-MAT1.6 as follows: 6. <u>The extent to which</u> Whether the shape and alignment of sites enable all of: a. the best and appropriate location of:
V1-0115	RIDL	021	Support In Part	Amend SUB-MAT1.6 as follows: 6. <u>The extent to which</u> Whether the shape and alignment of sites enable all of: a. the best and appropriate location of:
V1-0021	Lincoln Voice	FS023	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

24.3 Kāinga Ora⁸⁴ request that SUB-MAT1 only relate to vacant site subdivision. For the reasons set out in Section 45 and 76 of the s42A report for the *Subdivision* chapter⁸⁵, I recommend that this amendment be rejected.

⁸⁴ V1-0113.027 Kāinga Ora

⁸⁵ [s42A report, Subdivision chapter](#)

- 24.4 Kāinga Ora⁸⁶ request that the reference in SUB-MAT1.4 to the ‘recognised or anticipated character of the area’ be replaced with a reference to ‘planned urban form’. I recommend that this aspect of the submission point be rejected for the reasons set out in the Joint Officer’s Response to Questions from the Hearings Panel for Public Access, Subdivision and Development Areas, and Residential Zones.⁸⁷
- 24.5 CSI & RWRL and RIDL⁸⁸ each request that SUB-MAT1.6 be amended to refer to ‘the extent to which’, rather than ‘whether’ the listed outcomes are achieved, to remove the reference that ‘all of’ the features need to be provided, and to remove the expectation that all of them will be met. CSI & RWRL and RIDL⁸⁹ also each request that SUB-MAT1.6.a be amended to refer only to ‘the appropriate’ location of listed features, rather than requiring ‘the best and appropriate’ location of these features. I consider that the reference to ‘all of’ the features should be retained for clarity. I consider that the remaining amendments are reasonable, but do note that they would apply to all residential zones, rather than just to the MRZ. However, I consider that the submission points are within the scope of Variation 1, and therefore recommend that the submission points be accepted in order to provide a greater degree of flexibility in subdivision design. I therefore recommend that the submission points each be accepted in part.
- 24.6 Kāinga Ora⁹⁰ request that the reference to the provision of car parking and a vehicle crossing in SUB-MAT1.6.a.iv and SUB-MAT1.6.a.v be amended to include the phrase ‘where provided’ in each case. Given that the stem sentence for these matters is recommended to be amended to consider whether the shape and alignment of sites enable the appropriate location of these features, but does not require their provision, I do not consider that the requested amendment would assist in clarity or ease of understanding for Plan users. I therefore recommend that this aspect of the submission point be rejected.
- 24.7 Ara Poutama Aotearoa⁹¹ request that SUB-MAT1 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the Subdivision chapter, and so I recommend that the submission point be rejected.
- 24.8 G & S Burgess and Eliot Sinclair⁹² both support SUB-MAT1. On the basis that they do not request any changes, I recommend that each submission point be accepted.

Recommendation

- 24.9 I recommend, for the reasons given above, that the Hearings Panel retain SUB-MAT1 as notified.
- 24.10 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 24.11 I recommend, for the reasons given above, that the Hearings Panel amend SUB-MAT1.6 as shown in **Appendix 2** to provide a more appropriate degree of flexibility in subdivision design.

⁸⁶ V1-0113.030 Kāinga Ora

⁸⁷ [Joint Officer’s Response to Questions](#)

⁸⁸ V1-0114.014 CSI & RWRL, V1-0115.021 RIDL

⁸⁹ V1-0114.014 CSI & RWRL, V1-0115.021 RIDL

⁹⁰ V1-0113.030 Kāinga Ora

⁹¹ V1-0056.070 Ara Poutama Aotearoa

⁹² V1-0029.037 G & S Burgess, V1-0032.009 Eliot Sinclair

24.12 The amendments recommended to SUB-MAT1.6 are set out in a consolidated manner in **Appendix 2**.

24.13 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

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

25. SUB-MAT12 Development Constraints

Introduction

25.1 This section responds to the submission points relating to SUB-MAT12 Development Constraints.

Submissions

25.2 Seven submission points and 15 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	034	Oppose In Part	Amend as follows: 2. Where the subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> , a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created, the mechanism to be used to ensure that no vacant sites are created.
V1-0055	AgResearch	FS004	Support In Part	Allow the submission in part.
V1-0032	Eliot Sinclair	010	Support In Part	Amend as follows: 2. Where the subdivision application is accompanied by <u>a site plan which shows the ability for the site to accommodate a residential unit as a Permitted Activity</u> , a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created, the mechanism to be used to ensure that no vacant sites are created.
V1-0032	Eliot Sinclair	FS028	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0055	AgResearch	FS009	Support In Part	<i>Allow the submission in part.</i>
V1-0102	CSI	FS167	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS167	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS167	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS167	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch	010	Support In Part	<p>Amend SUB-MAT12.2 in either of the following ways:</p> <p>2. Where the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application supporting information that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created, the mechanism to be used to ensure that no vacant sites are created.</p> <p>or</p> <p>2. Where the subdivision application is accompanied by a land use application <u>certificate of compliance</u> that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created, the mechanism to be used to ensure that no vacant sites are created.</p>
V1-0009	The University	FS010	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/ inclusions to provide for re-development of the site.</i>
V1-0032	Eliot Sinclair	FS045	Support In Part	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS256	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS256	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS256	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS256	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	071	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0067	Kevler	006	Oppose	Delete SUB-MAT12.2as notified.
V1-0032	Eliot Sinclair	FS014	Oppose	<i>Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0114	CSI & RWRL	015	Support	Retain as notified.
V1-0115	RIDL	022	Support	Retain as notified
V1-0021	Lincoln Voice	FS024	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 25.3 G & S Burgess and Eliot Sinclair⁹³ request that SUB-MAT12.2 be amended, so that applicants need only provide a site plan showing the ability to accommodate a residential unit as a permitted activity. AgResearch⁹⁴ have a similar approach, requesting that either supporting information or a certificate of compliance be provided with such applications. This is consistent with requests to amend other

⁹³ V1-0029.034 G & S Burgess, V1-0032.010 Eliot Sinclair

⁹⁴ V1-055.008 AgResearch

SUB provisions, and I recommend that the submission points each be rejected for the same reasons as set out in the discussion in Section 15 of this report.

25.4 Kevler⁹⁵ requests that SUB-MAT12.2 be deleted as notified. Given that there is significantly greater flexibility for MRZ subdivision where a building commitment is provided, I consider it a necessary part of the package to ensure that the commitment is realised, and that no vacant sites are created that do not meet the relevant standards. I therefore recommend that the submission point be rejected.

25.5 Ara Poutama Aotearoa⁹⁶ request that SUB-MAT12 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the Subdivision chapter, and so I recommend that the submission point be rejected.

25.6 CSI & RWRL and RIDL⁹⁷ each request that SUB-MAT12 be retained as notified. In light of my recommendations above, I recommend that these submission points each be accepted.

Recommendation

25.7 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

25.8 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

26. SUB-MAT13 Development Areas

Introduction

26.1 This section responds to the submission points relating to SUB-MAT13 Development Areas.

Submissions

26.2 Five submission points and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	G & S Burgess	042	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	031	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	FS036	Support	Multiple submissions were lodged with SDC regarding the proposed subdivision provisions including those from Eliot Sinclair, AgResearch, SDC, and Kāinga Ora (herein referred to as the "four parties"). The tenets detailed within the four parties individual submissions are similar in respect to the proposed subdivision provisions. Therefore, Eliot Sinclair want SDC to collaborate with the four parties to harmoniously incorporate the intent of relief sought as detailed within the

⁹⁵ V1-0067.006 Kevler

⁹⁶ V1-0056.071 Ara Poutama Aotearoa

⁹⁷ V1-114.015 CSI & RWRL, V1-0115.022 RIDL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>individual submissions. In doing so, the outcomes achieved should be consistent with that envisioned by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("Amendment Act") and, in turn, the Medium Density Residential Zone provisions, as well as being practicable for vacant lot subdivisions.</i>
V1-0102	CSI	FS188	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS188	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI & RWRL	FS188	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS188	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	072	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0114	CSI & RWRL	025	Support	Retain as notified.
V1-0115	RIDL	023	Support	Retain as notified
V1-0021	Lincoln Voice	FS025	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

26.3 Ara Poutama Aotearoa⁹⁸ request that SUB-MAT13 be amended as set out in their original submission. Ara Poutama Aotearoa did not originally submit on the Subdivision chapter, and so I recommend that the submission point be rejected.

26.4 G & S Burgess and Eliot Sinclair⁹⁹ both support SUB-MAT13, but do not request a specific decision, while CSI & RWRL and RIDL¹⁰⁰ each request that SUB-MAT13 be retained as notified. On the basis that no changes are requested, I recommend that each of these submission points be accepted.

Recommendation

26.5 I recommend, for the reasons given above, that the Hearings Panel retain SUB-MAT13 as notified.

⁹⁸ V1-0056.072 Ara Poutama Aotearoa

⁹⁹ V1-0029.042 G & S Burgess, V1-0032.031 Eliot Sinclair

¹⁰⁰ V1-0114.025 CSI & RWRL, V1-0115.023 RIDL

26.6 It is recommended that submissions and further submissions are either accepted or rejected as shown in **Appendix 1**.

27. Conclusion

27.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, I 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.