

Proposed Selwyn District Plan



Section 42A Report

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

Report on submissions and further submissions

District Wide, Area Specific and Qualifying Matters

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6 April 2023

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0010	Woolworths New Zealand Limited	Woolworths
V1-0011	Helen and Tom Fraser	
V1-0016	Cheryl Morrall	
V1-0018	Aaron McGlinchy	
V1-0021	Lincoln Voice Incorporated	Lincoln Voice
V1-0029	Gary and Lynda Burgess	
V1-0032	Eliot Sinclair Limited	Eliot Sinclair
V1-0033	Gary Arnold	
V1-0046	Denise Carrick	
V1-0049	Transpower New Zealand Limited	Transpower
V1-0051	Heritage New Zealand Pouhere Taonga	HNZ
V1-0053	Four Stars Development and Gould Developments Ltd	Four Stars and Gould
V1-0055	AgResearch Limited	AgResearch
V1-0056	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama Aotearoa
V1-0061	Trices Road Residents Group	TRRG
V1-0062	Lincoln & Districts Historical Society (Inc)	LDHS
V1-0063	Sam & Denise Carrick	
V1-0065	Christchurch International Airport Limited	CIAL
V1-0068	Manmeet Singh	
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	Stewart, Townsend and Fraser
V1-0073	Ministry of Education - Te Tāhuhu o Te Mātauranga	MoE
V1-0074	Jeremy Alsop	
V1-0076	Jenny Fisher	
V1-0077	Ryman Healthcare Limited	Ryman
V1-0078	KiwiRail	
V1-0079	Retirement Villages Association of New Zealand Incorporated	RVA
V1-0080	Christchurch City Council	CCC
V1-0081	Adriana de Groot	
V1-0083	The New Zealand Transport Agency	Waka Kotahi
V1-0088	Orion New Zealand Limited	Orion
V1-0090	Nola Smart on behalf of Fire and Emergency New Zealand	FENZ
V1-0092	Selwyn District Council	SDC
V1-0100	NZDF	NZDF
V1-0101	Anne Finch	
V1-0103	Carter Group Property Limited	CGPL
V1-0105	Christine Thirring	
V1-0106	Victoria Atkinson	
V1-0107	Canterbury Regional Council (Environment Canterbury)	CRC
V1-0109	Fiona Thirring	
V1-0113	Kāinga Ora Homes and Communities	Kāinga Ora
V1-0114	CSI Property Limited and Rolleston West Residential Limited	CSI and RWRL
V1-0115	Rolleston Industrial Developments Limited	RIDL
V1-0121	Charmaine & Rod Fairbrass	
V1-0123	Jill Gordon & Ross Thomas	
V1-0124	Ellie and Dan Jenkins	
V1-0125	Rachael and Daryll Maiden	
V1-0129	RM and KR Templeton	
V1-0130	Dally Family Trust & Robbie and Julia McIlraith	Dally and McIlraith
V1-0132	Andrea & Steve Vercoe	

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CON	Controlled activity status
CRPS	Canterbury Regional Policy Statement 2013
DIS	Discretionary activity status
EI	Energy and Infrastructure
GRZ	General Residential Zone
GRUZ	General Rural Zone
HH	Historic Heritage
HPW	How the Plan Works
ISPP	Intensification Streamlined Planning Process
LLRZ	Large Lot Residential Zone
MDRS	Medium Density Residential Standards
MRZ	Medium Density Residential Zone
NC	Non-complying activity status
NPS-UD	National Policy Statement on Urban Development 2020
ODP	Outline Development Plan
PDP	Proposed Selwyn District Plan
Planning Standards	National Planning Standards
QM	Qualifying Matters
REDIS	Restricted discretionary activity status
REQ	Rule Requirement
RMA or Act	Resource Management Act 1991
RMA-EHS	Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021
SD	Strategic Directions
UGO	Urban Growth Overlay
Variation 1	Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan

1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to Part A of the Intensification Planning Instrument (IPI) – Variation 1 to the PDP and submissions lodged with respect to the Qualifying Matters, Strategic Directions, Energy and Infrastructure, Noise, Historic Heritage and certain Area Specific Matters. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions in Variation 1 without amendment or making amendments to the PDP in response to those submissions.
- 1.2 In preparing this report I have had regard to the [Section 32 Report](#) prepared in support of the IPI and the various s42A reports prepared in relation to the PDP to date, including Officer Right of Reply reports, which can be found [here](#).
- 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 Jessica Barbara Tuilaepa. I have been employed by the Council within the planning team for the past twelve years, being a Senior Strategy and Policy Planner for the past four years. My qualifications include a Bachelor of Commerce from Otago University and Master of Environmental Policy from Lincoln University. I am an intermediate member of the New Zealand Planning Institute.
- 2.2 I have 15 years' experience as a resource management planner, with this work including various resource management positions in local government and private companies since 2008. My predominant experience has been in statutory policy and resource consent planning in the Selwyn District. My experience includes processing and reporting on resource consent applications, district plan formulation and policy advice for the Council, preparation of Assessment of Environmental Effects, monitoring and compliance of consent conditions. My role as part of the District Plan Review Team includes consultation, research and reporting and as Topic Lead for Part 1, and the CMUZ, DPZ, GIZ, KNOZ and PORTZ chapters in addition to the Commercial and Industrial Rezoning requests in Eastern Selwyn, as well as the Commercial and General topics of Variation 1 and those matters discussed in this report.
- 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 Qualifying Matters, Strategic Directions, Energy and Infrastructure, Historic Heritage and certain Area Specific Matters of the PDP.
- 3.2 Recommendations are made to either retain provisions in Variation 1 without amendment, or delete, add to or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision within Variation 1, submissions points that sought the retention of the provision without amendment are not footnoted. Appendix 2 also contains a table setting out recommended spatial amendments to the PDP Planning Maps.
- 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. Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

4. Statutory requirements and planning framework

Resource Management Act 1991

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; and give effect to any national policy statement, the New Zealand coastal policy statement, national planning standards; the CRPS; and any regulations¹. Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2 Variation 1 to the PDP is "Part A" of the Council's IPI, which has been prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the ISPP, alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district.
- 4.3 This is to be achieved through the introduction of mandatory MDRS within a new MRZ in Rolleston, Lincoln and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres) on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and

¹ Section 74 RMA

protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.

- 4.4 The purpose of qualifying matters is to limit inappropriate intensification when it relates to matters described in the RMA-EHS and their relationship to areas where MDRS would apply. Subject to s77M(4) of the RMA-EHS, the MDRS provisions will not apply in relation to any area or site that is a qualifying matter. S77I lists the qualifying matters (a) to (j). All of the qualifying matters identified in this report are considered to be provided for by s77I.
- 4.5 The significant electricity distribution line (SEDL) qualifying matter is further justified under s77K and s77L and is assessed in the Significant Amendment s32 Report for the EI Chapter. If a specific overlay feature or rule does not relate to intensification, then the provisions will continue as a feature within the district plan and are not deemed a qualifying matter. Similarly, if a provision is relevant to intensification but applies in an area outside of the remit of MDRS, then the provision would continue to apply as described in the district plan and is not needed to be classified as a qualifying matter.
- 4.6 Variation 1 to the PDP introduces a new MRZ on the following land:
- All the existing General Residential zones in Rolleston, Lincoln and Prebbleton;
 - Land covered by the following Council-approved private plan changes (PC) to the Operative District Plan: PC68 and PC72 in Prebbleton, PC69 in Lincoln and PC71, PC75, PC76 and PC78 in Rolleston;
 - The Housing Accords and Special Housing Area (HASHA) and COVID-19 Recovery (Fast-track Consenting) areas in Rolleston; and
 - 47 ha of rural land (on six different sites) within the Future Development Area (FUDA) that are in between existing residential and private plan change areas in Rolleston.
- 4.7 The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing relevant residential zones within these townships. Where new MRZ land is proposed to be rezoned through the variation, the proposed MRZ does not have legal effect.
- 4.8 There are also a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, as set out in the original [‘Overview’ Section 32 Report](#) and [‘Overview’ s42a Report](#). These documents are discussed in more detail within this report where relevant to the assessment of submission points. It is further noted that the assessment of submission points is made in the context of other Section 32 reports already undertaken with respect to relevant PDP topics, which can be viewed [here](#).

National Policy Statement on Urban Development

- 4.9 The National Policy Statement on Urban Development (NPS-UD) recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While Council is identified as a Tier 1 local authority, the Tier 1 urban environment referred to in Table 1 of the NPS-UD is Christchurch. For the

application of the NPS-UD, the urban environment is considered to explicitly relate to the Greater Christchurch Region, as shown on Map A within Chapter 6 of the CRPS.

- 4.10 In this context, it is recognised that the RMA-EHS applies to geo-spatial areas of Rolleston and Lincoln as they have been defined as having relevant residential zones by way of having a population greater than 5,000 people at the 2018 census. Prebbleton has been included as part of the geo-spatial scope of this Variation as the RMA-EHS also states that an area predominately urban in character, which the local authority intends to be part of the urban environment should also be included. When taking into consideration the definition of 'urban environment', and assessing Prebbleton's estimated current population exceeding 5,000 people, its proximity to the housing and labour market of Christchurch City, and its location along key transport routes, it was determined that Prebbleton meets this definition and should be included as part of this Variation.
- 4.11 West Melton did not qualify for inclusion in Variation 1 because the township has a current resident population below 5,000. It was also determined that applying the MRZ to the township would "constitute poor planning practice" due to existing low density built and zoned environment, its distance to Christchurch City, and its lack of employment, amenities, and access to public transport².

National Policy Statement on Highly Productive Land

- 4.12 The NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is to be 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 to an 'urban zone' that is inclusive of the GRZ and LLRZ³. Clause 3.5(7) identifies that the NPS-HPL applies to all GRUZ land that has a LUC Class 1, 2 and 3 and is not subject to an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from GRUZ to urban or rural lifestyle.
- 4.13 The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production. These outcomes are supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning of highly productive land (Policy 5), its use for rural lifestyle living⁴ (Policy 6) and subdivision (Policy 7) are required to be avoided except as provided in the NPS-HPL.
- 4.14 NPS-HPL Part 3 Clause 3.6 requires that Tier 1 and 2 territorial authorities can only allow the urban rezoning⁵ of highly productive whether it is required to meet housing demand (under the NPS-UD), there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment and the benefits outweigh the costs associated with the loss of highly productive land. Clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Clause 3.10 are satisfied.

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

³ NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - 'Urban rezoning'

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

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

National Planning Standards

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

6. Consideration of submissions

Overview of submissions

- 6.1 A total of 123 submission points and 181 further submissions were received on Variation 1 to the Qualifying Matters, Strategic Directions, Energy and Infrastructure, Historic Heritage and certain Area Specific Matters of the PDP of the PDP chapter. The majority of submissions relate to Qualifying Matters.

Structure of this report

- 6.2 This report relies on the recommendations in the s42A reports for Strategic Directions, Energy and Infrastructure, Historic Heritage and Residential Zones, including the subsequent Reply Reports and the Part 1 – Introduction and General Provisions in relation to definitions, , and structure of the plan as mandated by the Planning Standards.
- 6.3 This report follows the order of the provisions within the PDP, and Planning Maps. The assessment of submissions generally follows the following format: Submission Information; Analysis; and Recommendation and Amendments.

7. Qualifying Matters

Introduction

- 7.1 This section responds to the submission points relating to HPW-30 Qualifying Matters and Noise.

Submissions

- 7.2 31 submissions points and 72 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0016	Cheryl Morrall	002	Support In Part	Retain Heritage Item Overlay/setting as qualifying matters
V1-0018	Aaron McGlinchy	003	Oppose	That additional qualifying matters be included to limit the extent of medium density development in Selwyn, such as excluding houses over 100 years old
V1-0077	Ryman	FS017	Oppose	Disallow the submission
V1-0079	RVA	FS017	Oppose	Disallow the submission
V1-0102	CSI	FS362	Oppose	Reject

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0103	CGPL	FS362	Oppose	Reject
V1-0114	CSI and RWRL	FS362	Oppose	Reject
V1-0115	RIDL	FS362	Oppose	Reject
V1-0018	Aaron McGlinchy	005	Oppose	That additional qualifying matters be included to limit the extent of medium density development in Selwyn, such as excluding houses under 50 years old on the basis that demolishing such buildings is wasteful and detrimental to climate change mitigation.
V1-0077	Ryman	FS019	Oppose	Disallow the submission
V1-0079	RVA	FS019	Oppose	Disallow the submission
V1-0102	CSI	FS363	Oppose	Reject
V1-0103	CGPL	FS363	Oppose	Reject
V1-0114	CSI and RWRL	FS363	Oppose	Reject
V1-0115	RIDL	FS363	Oppose	Reject
V1-0018	Aaron McGlinchy	006	Oppose	That additional qualifying matters be included to limit the extent of medium density development in Selwyn, such as excluding properties where shading would fall towards neighbouring properties.
V1-0077	Ryman	FS020	Oppose	Disallow the submission
V1-0079	RVA	FS020	Oppose	Disallow the submission
V1-0102	CSI	FS364	Oppose	Reject
V1-0103	CGPL	FS364	Oppose	Reject
V1-0114	CSI and RWRL	FS364	Oppose	Reject
V1-0115	RIDL	FS364	Oppose	Reject
V1-0018	Aaron McGlinchy	007	Oppose	That additional qualifying matters be included to limit the extent of medium density development in Selwyn, such as excluding all streets where vehicles could not be parked on the street and where vehicles could not easily and safely pass along the road in opposing directions.
V1-0077	Ryman	FS021	Oppose	Disallow the submission
V1-0079	RVA	FS021	Oppose	Disallow the submission
V1-0102	CSI	FS365	Oppose	Reject
V1-0103	CGPL	FS365	Oppose	Reject
V1-0114	CSI and RWRL	FS365	Oppose	Reject
V1-0115	RIDL	FS365	Oppose	Reject
V1-0018	Aaron McGlinchy	008	Oppose	That additional qualifying matters be included to limit the extent of medium density development in Selwyn, such as restricting the percentage of new subdivisions in locations that can be developed at higher density in a sympathetic way to the environs.
V1-0077	Ryman	FS022	Oppose	Disallow the submission
V1-0079	RVA	FS022	Oppose	Disallow the submission
V1-0102	CSI	FS366	Oppose	Reject
V1-0103	CGPL	FS366	Oppose	Reject

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI and RWRL	FS366	Oppose	Reject
V1-0115	RIDL	FS366	Oppose	Reject
V1-0046	Denise Carrick	003	Support	Seeks the addition of a qualifying matter such that established trees cannot be removed.
V1-0077	Ryman	FS026	Oppose	Disallow the submission
V1-0079	RVA	FS026	Oppose	Disallow the submission
V1-0049	Transpower	002	Support In Part	Amend as follows: Only those features that are classified as Qualifying Matters in accordance with clause 3.32 of the National Policy Statement on Urban Development (NPS-UD) and s77I and s77O of the Resource Management Act (Enabling Housing Supply and Other Matters) Act 2021 can be used to limit intensification, including within the a Medium Density Residential Zones in Rolleston, Lincoln and Prebbleton townships ...
V1-0051	HNZ	001	Support	Retain as notified.
V1-0063	Sam & Denise Carrick	FS001	Support	Allowed. Support the inclusion of identified heritage items, heritage settings and Sites of Significance to Māori within the relevant residential zones of Rolleston, Lincoln and Prebbleton townships as qualifying matters. We note that identification as a qualifying matter can be used to limit intensification, including within a Medium Density Residential Zone.
V1-0065	CIAL	001	Support	Retain the noise contour as a qualifying matter.
V1-0053	Four Stars and Gould	FS002	Oppose	Removal of the 50 DBA Ldn Contour as a qualifying matter from the Proposed District Plan; and Any other relief that is consistent with, and gives effect to the relief sought by Gould Developments in its original submission.
V1-0100	NZDF	FS006	Support	Retain the noise contour as a qualifying matter.
V1-0113	Kāinga Ora	FS001	Oppose	Disallow
V1-0065	CIAL	002	Support In Part	Explicitly recognise the noise contour as a qualifying matter.
V1-0053	Four Stars and Gould	FS003	Oppose	Removal of the 50 DBA Ldn Contour as a qualifying matter from the Proposed District Plan; and Any other relief that is consistent with, and gives effect to the relief sought by Gould Developments in its original submission.
V1-0100	NZDF	FS007	Support	Retain the noise contour as a qualifying matter.
V1-0113	Kāinga Ora	FS002	Oppose	Disallow

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0065	CIAL	003	Support	Insert the updated noise envelopes (both Outer Envelope and Annual Average) within the planning maps as qualifying matters.
V1-0053	Four Stars and Gould	FS004	Oppose	Removal of the 50 DBA Ldn Contour as a qualifying matter from the Proposed District Plan; and Any other relief that is consistent with, and gives effect to the relief sought by Gould Developments in its original submission.
V1-0100	NZDF	FS008	Support	Allow the submission point in full.
V1-0113	Kāinga Ora	FS003	Oppose	Disallow
V1-0073	MoE	003	Oppose In Part	Requests that Council confirms that the purported qualifying matter does not apply to Minister of Education designations, such that in the absence of any other qualifying matters applying to schools, section 77M(6) can immediately be relied upon by the Ministry.
V1-0078	KiwiRail	001	Support	Retain as notified.
V1-0083	Waka Kotahi	003	Oppose In Part	Consideration is given to the consistency between the proposed qualifying matters and the existing provisions in the plan for transport, noise and vibration.
V1-0083	Waka Kotahi	005	Neither Support Nor Oppose	Not specified.
V1-0055	AgResearch	FS019	Support	Allow the submission
V1-0083	Waka Kotahi	015	Oppose In Part	Consideration is given to the consistency between the proposed qualifying matters and the existing provisions in the plan for transport, noise and vibration.
V1-0083	Waka Kotahi	017	Oppose	Remove this qualifying matter from the proposed variation.
V1-0049	Transpower	FS003	Support	Allow the submission
V1-0100	NZDF	FS004	Oppose	Reject the proposed removal of designations as a qualifying matter by Waka Kotahi.
V1-0083	Waka Kotahi	018	Oppose	Remove this qualifying matter from the proposed variation.
V1-0049	Transpower	FS004	Support	Allow the submission
V1-0100	NZDF	FS005	Oppose	Reject the proposed removal of designations as a qualifying matter by Waka Kotahi.
V1-0092	SDC	002	Support In Part	Amend HPW30 to include a reference to the relevant PA provisions.
V1-0100	NZDF	001	Support In Part	Amend to specifically include Defence Force Facilities as a qualifying matter.
V1-0100	NZDF	002	Support In Part	Amend to include a definition of Nationally Significant Infrastructure that specifically includes Defence Force Facilities.
V1-0113	Kāinga Ora	FS015	Oppose	Disallow

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0101	Anne Finch	002	Oppose	Apply a qualifying matter particularly with relation to access from Cedar Park, Rolleston.
V1-0105	Christine Thirring	001	Oppose	Delete variation as notified
V1-0106	Victoria Atkinson	002	Oppose In Part	Amend qualifying matters to not allow MDRS to be allowed on existing older residential sections where dwellings are already in place.
V1-0077	Ryman	FS043	Oppose	Disallow the submission
V1-0079	RVA	FS043	Oppose	Disallow the submission
V1-0102	CSI	FS367	Oppose	Reject
V1-0103	CGPL	FS367	Oppose	Reject
V1-0114	CSI and RWRL	FS367	Oppose	Reject
V1-0115	RIDL	FS367	Oppose	Reject
V1-0109	Fiona Thirring	009	Oppose	Delete variation as notified
V1-0109	Fiona Thirring	010	Oppose	Delete as notified
V1-0113	Kāinga Ora	008	Support In Part	Amend provision as set in original submissions and further submissions on the PDP.
V1-0078	KiwiRail	FS002	Oppose In Part	Reject submission and retain the Railway Noise Control Overlay – Noise R3 as notified (subject to amendments to the provisions sought by KiwiRail in its submission and through the subsequent hearing process.
V1-0083	Waka Kotahi	FS027	Oppose	Reject the submission point
V1-0100	NZDF	FS002	Oppose	Reject the proposed change in relation to the Noise Chapter by Kāinga Ora.
V1-0102	CSI	FS273	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS273	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS273	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS273	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	007	Support In Part	Amend the Noise chapter as set in original submissions and further submissions on the PDP and in the relevant submission points of this submission.
V1-0083	Waka Kotahi	FS026	Oppose	Reject the submission point
V1-0100	NZDF	FS001	Oppose	Reject the proposed change in relation to the Noise Chapter by Kāinga Ora.
V1-0102	CSI	FS272	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	FS272	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS272	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS272	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	003	Support In Part	Amend as follows: ... Qualifying Matter Areas within the relevant residential zones of Rolleston, Lincoln and Prebbleton townships comprise the following <u>and are intended to limit intensification only to the extent necessary to accommodate the qualifying matter:</u>
V1-0077	Ryman	FS058	Support	<i>Allow the submission</i>
V1-0079	RVA	FS058	Support	<i>Allow the submission</i>
V1-0115	RIDL	008	Support In Part	Amend HPW-30 as follows: ... Qualifying Matter Areas within the relevant residential zones of Rolleston, Lincoln and Prebbleton townships comprise the following <u>and are intended to limit intensification only to the extent necessary to accommodate the qualifying matter:</u>
V1-0021	Lincoln Voice	FS010	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>
V1-0077	Ryman	FS059	Support	<i>Allow the submission</i>
V1-0079	RVA	FS059	Support	<i>Allow the submission</i>

Analysis

- 7.3 Cheryl Morrall⁶ seeks to retain the Heritage item Overlay as a Qualifying Matter. I recommend that this submission point be accepted.
- 7.4 Aaron McGlinchy⁷ considers that shading of neighbours, overlooking of neighbours, narrow streets which cannot cope with further on street parking caused by multiple dwellings with potentially no off-street parking, destruction of character, insufficient and/or failing infrastructure, congested transport corridors, and limited public transport could all have been considered as qualifying

⁶ V1-0016.002 Cheryl Morrall

⁷ V1-0118.003, 005, 006, 007 and 008 Aaron McGlinchy

matters identified and applied in Variation 1. The submitter seeks relief in the form of additional qualifying matters relating to shading, traffic, the age of existing developments and putting a restriction on the percentage of higher density developments in a township. In the absence of any meaningful evidence, planning evaluation or s32AA evaluation from this submitter, I recommend that these submission points be rejected.

- 7.5 Denise Carrick⁸ seeks additional protections in the plan to prevent the removal of established trees. Preventing the removal of trees could limit development. In the case of the removal of protected trees, there is a qualifying matter under the s77 framework managing this, however, in regard to other established trees, the Variation does not proposed to change the approach of the PDP, only protecting those deemed to be 'notable trees'. In the absence of any meaningful evidence, planning evaluation or s32AA evaluation from either submitter, I recommend that this submission point be rejected.
- 7.6 Transpower⁹ supports HPW-30 but considers that amendments are necessary to provide clarity. The amended wording confirming the standards apply within the MRZ proposed by the submitter would improve clarity, therefore I recommend this submission point be accepted.
- 7.7 HN¹⁰ supports the inclusion of identified heritage items, heritage settings and Sites of Significance to Māori within the relevant residential zones of Rolleston, Lincoln and Prebbleton townships as qualifying matters, acknowledging that as qualifying matters these can be used to limit intensification. I recommend this submission point be accepted.
- 7.8 CIAL¹¹ generally supports the recognition of the 50dBA Ldn Air Noise Contour as a qualifying matter to the extent that it does not allow residential intensification to take place within the contour. I recommend these submission points be accepted. The submitter also considers that the remodelled and updated noise contours should be mapped and included as a qualifying matter, as they represent the most up to date and accurate measure of what areas will experience noise effects when considering plan changes or intensification. The current noise contours reflect those in the CRPS and there is direction in the CRPS that SDC must give effect to mapping currently contained in the CRPS., therefore the CRPS must be updated to reflect new noise contours before SDC is able to reference these, given this I recommend this submission point¹² be rejected.
- 7.9 MoE¹³ considers that Variation 1 has identified all designations as a qualifying matter and that this may unnecessarily and inappropriately result in section 77M(6) not being available to the Ministry until after the Variation becomes operative. The submitter requests that Council confirms that the purported qualifying matter does not apply to Minister of Education designations, such that in the absence of any other qualifying matters applying to schools, section 77M(6) can immediately be relied upon by the Ministry. I do not consider the Ministry needs to rely on section 77M(6) as

⁸ V1-0046.003 Denise Carrick

⁹ V1-00049.002 Transpower

¹⁰ V1-0051.001 HN

¹¹ V1-0065.001, 002 CIAL

¹² V1-0065.003 CIAL

¹³ V1-0073.003 MoE

Council updated¹⁴ the relevant designations so that the existing conditions allow for the designated sites to develop under MDRS. I recommend that this submission point be rejected.

- 7.10 KiwiRail¹⁵ supports the identification of rail as a qualifying matter and the retention of any related provisions. I recommend that this submission point be accepted.
- 7.11 Waka Kotahi¹⁶ considers that the MDRS should only be modified to the extent required to accommodate qualifying matters to and that qualifying matters should be supported by a strong evidence base to ensure a robust application. The submitter does not seek any specific amendments in relation to this submission point. I agree that qualifying matters should be supported by robust evidence, so I recommend this submission point be accepted.
- 7.12 Waka Kotahi¹⁷ considers that the provisions related to transport, noise and vibration included as a qualifying matter appear to be 'doubling-up' and does not change how they are applied to new developments when in close proximity or accessing the state highway network. The submitter seeks consideration be given to the consistency between the proposed qualifying matters and the existing provisions in the plan for transport, noise and vibration. I consider the SH Noise Control Overlay and TRAN provisions have been listed in HPW30 as QM is to ensure that they are applied to any proposed development in MRZ, where relevant to protecting nationally significant infrastructure (i.e. in close proximity to SH in this case). As outlined on pages 8 and 9 in the s32 report¹⁸, if not specifically identified as a QM, there is a risk that these provisions could be seen to be "less enabling" of MDRS as per s77I. I recommend that this submission point be rejected.
- 7.13 Waka Kotahi¹⁹ considers that proposed qualifying matters for designations is 'doubling-up' on an existing process and should not be used to limit building heights or density and seeks this qualifying matter be removed from the proposed variation. I consider designations are included as a QM because s77I(g) specifically refers to the need to give effect to an existing designation or heritage order, which may otherwise be considered "less enabling of development" I recommend that this submission point be rejected.
- 7.14 Anne Finch²⁰ seeks to include a new qualifying matter regarding access from Cedar Park, Rolleston as they are concerned about shading from more house down lane. In the absence of any meaningful evidence, planning evaluation or s32AA evaluation from either submitter, I recommend that this submission point be rejected.
- 7.15 NZDF²¹ considers that a qualifying matter should be included for the purpose of ensuring the safe or efficient operation of defence land and airspace. The submitter considers that there is clear policy direction requiring that new development does not affect the efficient operation, use, and development of strategic/regionally significant infrastructure and that density increases in close proximity to defence force facilities may constrain those facilities from operating safely or efficiently

¹⁴ Page 9 of Minutes link to Council Meeting [Minutes](#) and [Agenda](#)

¹⁵ V1-0078.001 KiwiRail

¹⁶ V1-0083.005 Waka Kotahi

¹⁷ V1-0083.003, 015 Waka Kotahi

¹⁸ link to [Variation 1 s32 report](#)

¹⁹ V1-0083.017, 018 Waka Kotahi

²⁰ V1-0101.002 Anne Finch

²¹ V1-0100.001, 002 NZDF

considering the activities that are undertaken on base, and the potential for reverse sensitivity effects. NZDF seek 'Defence Force Facilities' be specifically included as a qualifying matter with a definition included to make it clear as to what constitutes Defence Force Facilities.

- 7.16 It is not clear from the submission how and/or where the Defence Force Facilities QM would apply and what limitations on intensification would otherwise apply under MDRS as a result of this being included as a QM. I also note that the criteria under s77I, refers to *ensuring the safe and efficient operation of nationally significant infrastructure (e) or "any other matter" that would make MDRS inappropriate in an area*. Without being specifically defined, I consider Defence Force Facilities would most likely fall under either (e), but in saying that I am not aware that they have any of these facilities within proximity to any MRZ. I recommend that these submission points be rejected.
- 7.17 SDC²² considers that the description of the qualifying matter relating to Waterbody setbacks including esplanade reserves and strips does not include a reference to the PA chapter, where PDP provisions related to esplanade reserves and strips are located. The submitter seeks amendments to HPW30 to include a reference to the relevant PA provisions to give effect to s77I(a). I consider this will improve clarity for plan users and I recommend this submission point be accepted.
- 7.18 Fiona Thirring²³ considers light pollution from intensified development will affect neighbouring properties, will lower quality of life for neighbours and that there will be a strain placed on infrastructure. The submitter seeks the Variation is deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships except where a QM applies, and in the absence of any evidence or evaluation from the submitter regarding light pollution or infrastructure, I recommend that this submission point be rejected.
- 7.19 Christine Thirring²⁴ considers that the Variation will negatively change the character of Rolleston and the burden on infrastructure will be greatly increased. The submitter seeks the Variation is deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships except where a QM applies, and in the absence of any evidence or evaluation from the submitter regarding amenity or infrastructure, I recommend that this submission point be rejected.
- 7.20 Victoria Atkinson²⁵ seeks to amend the qualifying matters to prevent MDRS from being applied on existing older residential sections where dwellings are already in place. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, except where a QM applies, and in the absence of any meaningful evidence or evaluation from the submitter, I recommend that this submission point be rejected.
- 7.21 CSI and RWRL and RIDL²⁶ seek the inclusion of additional wording in HPW-30 that clearly states that qualifying matters only limit intensification to the extent required to provide for that specific qualifying matter, as per section 77I. I consider this amendment would improve clarity for plan users and recommend these submission points be accepted.

²² V1-0092.002 SDC

²³ V1-0109.009, 010 Fiona Thirring

²⁴ Christine Thirring

²⁵ V1-0106.002 Victoria Atkinson

²⁶ V1-0114.00 CSI and RWRL and V1-0115.008 RIDL

- 7.22 Kainga Ora²⁷ considers that changes should be made to the SH1 and Railway Network Noise Control Overlays to provide an appropriate pathway for establishing new or altered buildings within all areas of the overlay in existing urban areas if appropriate mitigation measures are implemented. I consider this request to potentially be outside of the scope of Variation 1, no amendments are proposed to NOISE-R3. I recommend that this submission point be rejected.

Recommendation and amendments

- 7.23 I recommend, for the reasons given above, that the Hearings Panel
- a) Amend HPW-30 as shown in **Appendix 2** to clarify that the qualifying matters apply to the Medium Density Residential Zone.
 - b) Amend HPW-30 as shown in **Appendix 2** to reference the relevant PA provisions.
 - c) Amend HPW-30 as shown in **Appendix 2** to clearly state that qualifying matters only limit intensification to the extent required to provide for that specific qualifying matter, as per section 77I.
- 7.24 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

8. Strategic Directions

Introduction

- 8.1 This section responds to the submission points relating to the Strategic Directions Chapter.

SD-UFD-01

Submissions

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

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0010	Woolworths	001	Support	Retain as notified
V1-0029	Gary and Lynda Burgess	027	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	017	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS174	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS174	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS174	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

²⁷ V1-0113.007, 008Kainga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0115	RIDL	FS174	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0051	HNZ	002	Support	Retain as notified.
V1-0056	Ara Poutama Aotearoa	005	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	008	Oppose	Delete as notified
V1-0076	Jenny Fisher	002	Support In Part	Not specified.
V1-0130	Dally and McIlraith	FS003	Support In Part	<i>Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.</i>
V1-0077	Ryman	003	Support	Retain as notified.
V1-0079	RVA	003	Support	Retain as notified.
V1-0102	CSI	FS051	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS051	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS037	Oppose	Disallow
V1-0114	CSI and RWRL	FS051	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS051	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0083	Waka Kotahi	008	Support	Not specified.
V1-0107	CRC	001	Support	Retain as notified.
V1-0113	Kāinga Ora	010	Support	Retain as notified.
V1-0102	CSI	FS275	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS275	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS275	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS275	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	083	Oppose	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	003	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	FS005	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</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 8.3 Jeremy Alsop²⁸ does not support the Variation and seeks the Variation 1 be deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, therefore I recommend that this submission point be rejected.
- 8.4 RIDL and CSI and RWRL²⁹ seek the relief sought in their original and further submissions, and at the hearings on the objectives, policies, and rules of the Proposed Plan. The matters raised by the submitters through the PDP are already before the hearing panel. The relief sought by the submitter was to amend the SD-UFD-O1 to require urban growth to be located ‘primarily in or around existing townships’ as opposed to ‘only in or around existing townships’, a request unsupported by Council through the PDP hearing. It is not clear how the changes sought relate to the changes proposed under Variation 1. In the absence of any meaningful evidence or evaluation from either submitter, I recommend that these submission points be rejected.
- 8.5 Ara Poutama³⁰ considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission did not relate to the Strategic Directions Chapter. I recommend this submission point be rejected.
- 8.6 Jenny Fisher³¹ supports SD-UFD-O1 seeking a well-functioning urban environment. The submitter also considers that the land located to the northeast of Prebbleton, on the corner of Shands Road and Blakes Road, is not well-integrated, or fit for rural use and that rezoning the land would result in an urban environment that provides for social and economic well-being, and is future looking to address capacity concerns. The submitter does not seek any amendments to SD-UFD-O1, however, the area of land referenced in this submission point is to be considered for rezoning. I recommend this submission point be rejected as no change is sought to the wording SD-UFD-O1, I note that the merits of the rezoning request³² will be considered at the ISPP Prebbleton rezoning hearing
- 8.7 Kainga Ora, CRC, RVA, Waka Kotahi, Ryman, HNZ and Woolworths³³ support SD-UFD-O1 being retained as notified. I recommend that these submission points be accepted.

²⁸ V1-0074.008 Jeremy Alsop

²⁹ V1-0115.004 RIDL and V1-0114.0083 CSI and RWRL

³⁰ V1-0056.005 Ara Poutama

³¹ V1-0076.002 Jenny Fisher

³² V1-0076.001 Jenny Fisher

³³ V1-0113.010 Kainga Ora, V1-0107.007 CRC, V1-0077.003 RVA, V1-0083.008, Waka Kotahi, V1-0079.003 Ryman, V1-0052.002 HNZ and V1-0010.001 Woolworths

- 8.8 Gary and Lynda Burgess³⁴ and Eliot Sinclair³⁵ are neutral in terms of the amendments proposed to SD-UFD-O1 and have not requested specific relief. I recommend that these submission points be accepted.

Recommendation

- 8.9 I recommend, for the reasons given above, that the Hearings Panel retain the SD-UFD-O1 as notified.
- 8.10 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

SD-UFD-O3

Submissions

- 8.11 Six submissions points and 24 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0061	TRRG	004	Support In Part	Amend as follows: There is sufficient feasible development capacity to meet anticipated demands for housing and business activities <u>in each township</u> .
V1-0080	CCC	FS012	Oppose	Reject the submission
V1-0061	TRRG	005	Support	Retain as notified.
V1-0068	Manmeet Singh	003	Support In Part	Amend as follows: There is <u>at least</u> sufficient feasible development capacity <u>in each Township in Selwyn</u> to meet anticipated demands for housing and business activities.
V1-0080	CCC	FS017	Oppose	Reject the submission
V1-0102	CSI	FS156	Support	Adopt
V1-0103	CGPL	FS156	Support	Adopt
V1-0114	CSI and RWRL	FS156	Support	Adopt
V1-0115	RIDL	FS156	Support	Adopt
V1-0069	Stewart, Townsend and Fraser	003	Support In Part	Amend as follows: There is <u>at least</u> sufficient feasible development capacity <u>in each Township in Selwyn</u> to meet anticipated demands for housing and business activities.
V1-0055	AgResearch	FS053	Oppose	Disallow the submission
V1-0080	CCC	FS019	Oppose	Reject the submission
V1-0121	Charmaine & Rod Fairbrass	FS003	Oppose	That the amendment to the objective, and the relief sought, be rejected.
V1-0123	Jill Gordon & Ross Thomas	FS003	Oppose	That the amendment to the objective, and the relief sought, be rejected.
V1-0124	Ellie and Dan Jenkins	FS003	Oppose	That the amendment to the objective and the relief sought, be rejected
V1-0125	Rachael and Daryll Maiden	FS003	Oppose	That the amendment to the objective, and the relief sought, be rejected
V1-0129	RM and KR Templeton	FS003	Oppose	That the amendment to the objective, and the relief sought, be rejected.

³⁴ V1-0029.027 Gary and Lynda Burgess

³⁵ V1-0032.017 Eliot Sinclair

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0132	Andrea & Steve Vercoe	FS004	Oppose	<i>That the amendment to the objective, and the relief sought, be rejected</i>
V1-0073	MoE	001	Support In Part	Amend as follows: There is sufficient feasible development capacity <u>and additional infrastructure</u> to meet anticipated demands for housing and business activities.
V1-0077	Ryman	FS005	Oppose	<i>Disallow the submission</i>
V1-0079	RVA	FS005	Oppose	<i>Disallow the submission</i>
V1-0080	CCC	FS014	Support	<i>Accept the submission</i>
V1-0102	CSI	FS356	Oppose	<i>Reject.</i> <i>Alternatively, adopt the following wording:</i> <i>Amend as follows: There is sufficient feasible development capacity <u>and provision for additional infrastructure</u> to meet anticipated demands for housing and business activities.</i>
V1-0103	CGPL	FS356	Oppose	<i>Reject.</i> <i>Alternatively, adopt the following wording:</i> <i>Amend as follows: There is sufficient feasible development capacity <u>and provision for additional infrastructure</u> to meet anticipated demands for housing and business activities.</i>
V1-0113	Kāinga Ora	FS013	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS356	Oppose	<i>Reject.</i> <i>Alternatively, adopt the following wording:</i> <i>Amend as follows: There is sufficient feasible development capacity <u>and provision for additional infrastructure</u> to meet anticipated demands for housing and business activities.</i>
V1-0115	RIDL	FS356	Oppose	<i>Reject.</i> <i>Alternatively, adopt the following wording:</i> <i>Amend as follows: There is sufficient feasible development capacity <u>and provision for additional infrastructure</u> to meet anticipated demands for housing and business activities.</i>
V1-0076	Jenny Fisher	004	Support In Part	Amend objective to add “in each township” at the end, to ensure that capacity is considered by township not district.
V1-0080	CCC	FS010	Oppose	<i>Reject the submission</i>
V1-0130	Dally and McIlraith	FS005	Support In Part	<i>Accept the submission, subject to the matters set out in ‘reasons for support’ being addressed to our satisfaction.</i>

Analysis

- 8.12 Jenny Fisher and TRRG³⁶ seeks to amend SD-UFD-O3 for clarity, to ensure that capacity is considered by township not district. Manmeet Singh and Stewart, Townsend and Fraser³⁷ also support SD-UFD-O3 in part and seek to amend the objective to ensure that capacity is considered by township not district and that reference is made to ‘at least’ sufficient capacity, whilst not limiting the amount. I consider these requests to potentially be outside of the scope of the proposed change through

³⁶ V1-0076.004 Jenny Fisher and V1-0061.004 TRRG

³⁷ V1-0068.003 Manmeet Singh and V1-0069.003 Stewart, Townsend and Fraser

Variation 1, as beyond the renumbering of objective SD-UFD-O2 to become SD-UFD-O3, the Variation has not proposed additional amendments to this provision. I also note that the provision of infrastructure is also addressed in SD-UFD-O4. I recommend that these submission points be rejected.

8.13 MoE³⁸ supports SD-UFD-O3 in part. MoE considers that the objective should require the provision of additional infrastructure to meet anticipated needs. I consider these requests to potentially be outside of the scope of the proposed change through Variation 1, as beyond the renumbering of objective SD-UFD-O2 to become SD-UFD-O3, the Variation has not proposed additional amendments to this provision. I note again that the provision of infrastructure is addressed in SD-UFD-O4. I recommend that this submission point be rejected.

8.14 TRRG³⁹ supports the provision as notified. I recommend this submission point be accepted.

Recommendation

8.15 I recommend, for the reasons given above, that the Hearings Panel retain SD-UFD-O3 as notified.

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

SD-UFD-O2 and SD-UFD-O4

Submissions

8.17 Four submissions points and two further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0051	HNZ	003	SD-UFD-O2	Support	Retain as notified.
V1-0076	Jenny Fisher	003	SD-UFD-O2	Support	Not specified
V1-0130	Dally and McIlraith	FS004	SD-UFD-O2	Support In Part	Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.
V1-0076	Jenny Fisher	005	SD-UFD-O4	Support	Not specified
V1-0130	Dally and McIlraith	FS006	SD-UFD-O4	Support In Part	Accept the submission, subject to the matters set out in 'reasons for support' being addressed to our satisfaction.
V1-0090	FENZ	001	SD-UFD-O4	Support	Retain as notified

Analysis

8.18 HNZ and Jenny Fisher⁴⁰ support SD-UFD-O2 being retained as notified. I consider these requests to potentially be outside of the scope of the proposed change through Variation 1, as the Variation has not proposed additional amendments to this provision. I recommend that these submission points be rejected.

³⁸ V1-0073.001 MoE

³⁹ V1-0061.005 TRRG

⁴⁰ V1-0051. 003 HNZ and V1-0076. 003 Jenny Fisher

- 8.19 FENZ and Jenny Fisher⁴¹ support SD-UFD-O4 being retained as notified. I consider these requests to potentially be outside of the scope of the proposed change through Variation 1, as the Variation has not proposed additional amendments to this provision. I recommend that these submission points be rejected.

Recommendation

- 8.20 I recommend, for the reasons given above, that the Hearings Panel retain SD-UFD-O2 and SD-UFD-O4 as notified.
- 8.21 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

9. Energy and Infrastructure

Introduction

- 9.1 This section responds to the submission points relating to the Energy and Infrastructure Chapter.

EI Chapter Generally

Submissions

- 9.2 Two submissions points and six further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0083	Waka Kotahi	009	Support	Not specified.
V1-0113	Kāinga Ora	089	Support In Part	Amend the Energy & Infrastructure chapter as set in original submissions and further submissions on the PDP and in the relevant submission points of this submission.
V1-0049	Transpower	FS007	Support In Part	<i>If the extent of the MRZ is altered to include any area traversed by the National Grid, disallow the submission or alternatively allow the submission subject to refinements made to the relief sought by Kāinga Ora through legal submissions and evidence before the Proposed District Plan Hearings Panel. Refer to further submission for full reason.</i>
V1-0100	NZDF	FS003	Oppose	<i>Reject the proposed change in relation to the EI Chapter by Kāinga Ora.</i>
V1-0102	CSI	FS354	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS354	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS354	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS354	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0088	Orion	001	Support	Insert a new rule as follows: <u>MRZ</u> <u>Activity Status: PER</u> <u>1. The establishment of a new, or expansion of an</u>

⁴¹ V1-0090.001 FENZ and V1-0076. 005 Jenny Fisher

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>existing sensitive activity.</u></p> <p><u>Where:</u></p> <p><u>a. A land area of 5m2 is provided at the front of the site for electricity equipment and infrastructure.</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with any of EI-RXX is not achieved: DIS</u></p> <p><u>Notification:</u></p> <p><u>3. Any application arising from EI-RX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the infrastructure, unless their written approval is provided.</u></p>

Analysis

- 9.3 Waka Kotahi⁴² considers that changes to the objectives and policies in the EI Chapter and proposed amendments appropriately provide for the up-zoning that is consistent with the MDRS and the NPS-UD. I recommend this submission point be accepted.
- 9.4 Kāinga Ora⁴³ generally supports the approach to qualifying matters in part, but seeks changes to these as per their original submissions and further submissions on the Energy & Infrastructure chapter. In their original submission on the PDP, the submitter opposed the National Grid provisions, which they considered to be inefficient and overly restrictive. The submitter requested that the National Grid provisions, including the spatial extent of the overlay shown in the PDP be amended. Whilst not being removed completely, the provisions for the MRZ are less restrictive than those for other zones located in close proximity to the National Grid Yard. However, as discussed on page 11 of the s32 report, there are no areas of MRZ in close proximity to the National Grid Yard., therefore I consider there to be no need for the additional amendments to the MRZ provisions as they relate to the National Grid yard, therefore, I recommend that this submission point be rejected.
- 9.5 Orion⁴⁴ considers a new rule needs to be inserted to the MRZ to include an electricity servicing standard. The submitter's experience is that in some cases developers do not approach them to discuss servicing matters until after the plans for a development are fixed, and often a resource consent has been granted, with a development failing to provide sufficient space on site for the necessary infrastructure. The submitter considers these existing issues are likely to be exacerbated by intensification as a result of Variation 1. The submitter has identified the land area required for on-site electricity servicing is highly site specific but is proposing a 4m² land area, to ensure that there is engagement with developers at the initial planning stages of landuse intensification. I consider that this is a requirement of the developer to ensure that there is sufficient space for the necessary infrastructure. I therefore recommend that this submission point be rejected.

⁴² V1-0083. 009 Waka Kotahi

⁴³ V1-0113.089 Kainga Ora

⁴⁴ V1-0088.001 Orion

Recommendation

- 9.6 I recommend, for the reasons given above, that the Hearings Panel retain the EI provisions as notified, except as varied by any recommended amendments below.
- 9.7 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

EI-R3

Submissions

- 9.8 Nine submissions points and five further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	020	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	018	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS175	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS175	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS175	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS175	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	006	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	003	Oppose	Delete as notified
V1-0088	Orion	002	Support In Part	Amend Rule EI-R3 as follows: <u>MRZ</u> <u>Activity Status: PER</u> <u>6. The establishment of a new, or expansion of an existing sensitive activity.</u> <u>Where:</u> <u>a. The activity is not within 5m from the centreline and/or foundation of a support structure of any Significant Electricity Distribution Line, excluding the Significant Electricity Distribution Line (Islington to Springston).</u> <u>b. The activity is not within 10m from the centreline and/or support structure of the Significant Electricity Distribution Line (Islington to Springston)</u> <u>c. The activity is not within 3m of the outside overhead conductor of any 11kV, 400V or 230V electricity distribution line.</u>
V1-0100	NZDF	003	Support In Part	Amend as follows: EI-R3 Sensitive Activities <u>in proximity to electricity infrastructure</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0107	CRC	002	Support	Retain as notified.
V1-0114	CSI and RWRL	004	Support	Retain as notified.
V1-0115	RIDL	009	Support	Retain as notified
V1-0021	Lincoln Voice	FS011	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

- 9.9 Gary and Lynda Burgess⁴⁵ and Eliot Sinclair⁴⁶ are neutral in terms of the amendments proposed to EI-R3 and have not requested specific relief. I recommend that these submission points be accepted.
- 9.10 Ara Poutama⁴⁷ considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission to the PDP largely supported the Objectives and Policies in the EI Chapter but did not relate to EI-R3, therefore I recommend that this submission point be rejected.
- 9.11 Jeremy Alsop⁴⁸ does not support the Variation and seeks the Variation 1 be deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, therefore I recommend that this submission point be rejected.
- 9.12 Orion⁴⁹ generally supports EI-R3 (subject to the amendments proposed as part of Ms Foote's EI Chapter evidence) but seeks recognition of the Islington to Springston SEDL. The submitter notes that while this does not currently traverse any proposed Medium Density Residential area in Selwyn, there is a high probability that it will in the future. The submitter has proposed modifications to the MRZ, applying to residential development adjoining the Springston to Islington line in accordance with NZECP 34:2001. The Islington to Springston SEDL does not currently traverse any proposed Medium Density Residential area in Selwyn, nor any UGO. The submitter also proposes a new clause v. to provide setback clearances for 11kV, 400V and 230V network. The submitter considers the increased building height limits and smaller boundary setbacks enabled by the MDRS have the potential to cause significant issues for large parts of this lower voltage network. In their submission the submitter notes that the costs of imposing the proposed clearance limits in the Variation 1 are negligible given compliance must already be achieved under NZECP 34:2001. Given that there are other mechanisms outside of the Plan and in the absence of any meaningful evidence, planning evaluation or s32AA evaluation from the submitter, I recommend that this submission point be rejected.

⁴⁵ V1-0029.020 Gary and Lynda Burgess

⁴⁶ V1-0032.018 Eliot Sinclair

⁴⁷ V1-0056.006 Ara Poutama

⁴⁸ V1-0074.003 Jeremy Alsop

⁴⁹ V1-0088.002 Orion

9.13 NZDF⁵⁰ support EI-R3 in part but considers that this provision is not clear on its application to electricity infrastructure and could be taken as applying more broadly to sensitive activities located in proximity to important infrastructure. I consider the body of the rule is clear as to which instance it applies. I recommend that this submission point be rejected.

9.14 CRC, RIDL and CSI and RWRL⁵¹ seek EI-R3 be retained as notified. I recommend that these submission points be accepted.

Recommendation

9.15 I recommend, for the reasons given above, that the Hearings Panel retain EI-R3 as notified.

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

EI-R4

Submissions

9.17 Nine submissions points and five further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	021	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	019	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS176	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS176	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS176	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS176	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	007	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	004	Oppose	Delete as notified
V1-0088	Orion	003	Support In Part	Amend EI-R4.4 as follows: ... Where: a. ... <u>b. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of 10m from the foundation of any other Significant Electricity Distribution Line.</u> <u>c. The fence's primary material consists of conductive qualities, the fence shall be</u>

⁵⁰ V1-0100.003 NZDF

⁵¹ V1-0107.002 CRC, V1-0115.009 RIDL and V1-0114.004 CSI and RWRL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>setback 3m from the outside conductor of any 11kV, 400V or 230V electricity distribution line.</u>
V1-0088	Orion	004	Support In Part	Amend EI-R4.10 as follows: ... Where: a. The structure is not within 5m from the centreline and/or foundation of a support structure of any Significant Electricity Distribution Line, excluding the Significant Electricity Distribution Line (Islington to Springston). b. The structure is not within 10m from the centreline and/or support structure of the <u>Significant Electricity Distribution Line (Islington to Springston).</u> c. The structure is not within 3m of the <u>outside overhead conductor of any 11kV, 400V or 230V electricity distribution line.</u>
V1-0107	CRC	003	Support	Retain as notified.
V1-0114	CSI and RWRL	020	Support	Retain as notified.
V1-0115	RIDL	010	Support	Retain as notified
V1-0021	Lincoln Voice	FS012	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

- 9.18 Gary and Lynda Burgess⁵² and Eliot Sinclair⁵³ are neutral in terms of the amendments proposed to EI-R4 and have not requested specific relief. I recommend that these submission points be accepted.
- 9.19 Ara Poutama⁵⁴ considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission to the PDP largely supported the Objectives and Policies in of the EI Chapter but did not relate to EI-R4, therefore I recommend that this submission point be rejected.
- 9.20 Jeremy Alsop⁵⁵ does not support the Variation and seeks the Variation 1 be deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships except where a QM applies, therefore, I recommend that this submission point be rejected.

⁵² V1-0029.021 Gary and Lynda Burgess

⁵³ V1-0032.019 Eliot Sinclair

⁵⁴ V1-0056.007 Ara Poutama

⁵⁵ V1-0074.004 Jeremy Alsop

- 9.21 Orion⁵⁶ generally supports EI-R4 but seeks recognition of the Islington to Springston SEDL. The submitter notes that while this does not currently traverse any proposed Medium Density Residential area in Selwyn, there is a high probability that it will in the future. The submitter has proposed modifications to the MRZ, applying to residential development adjoining the Springston to Islington line in accordance with NZECP 34:2001. The submitter also proposes a new clause v. to provide fence setback clearances for 11kV, 400V and 230V network. In their submission the submitter notes that the costs of imposing the proposed clearance limits in the Variation 1 are negligible given compliance must already be achieved under NZECP 34:2001. Given that there are other mechanisms outside of the Plan and in the absence of any meaningful evidence, planning evaluation or s32AA evaluation from the submitter, I recommend that this submission point be rejected.
- 9.22 CRC, RISL and CSI and RWRL⁵⁷ seek EI-R4 be retained as notified. I recommend that these submission points be accepted.

Recommendation

- 9.23 I recommend, for the reasons given above, that the Hearings Panel retain EI-R4 as notified.
- 9.24 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

EI-R32 and EI-R33

Submissions

- 9.25 Three submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0090	FENZ	002	Support In Part	Amend to include MRZ Considers that provision needs to be amended to include MRZ.
V1-0092	SDC	003	Support In Part	Amend Column 1 of EI-R32 to include MRZ in the list of relevant zones for EI-R32.1, consistent with GRZ.
V1-0092	SDC	004	Support In Part	Amend Column 1 of EI-R33 to include MRZ in the list of relevant zones for EI-R33.1, consistent with GRZ.

Analysis

- 9.26 FENZ and SDC⁵⁸ seek amendments to EI-R32 and EI-R33 to reference the MRZ in Column 1. This appears to be a formatting error and the reference to MRZ is required. I recommend these submission points be accepted.

⁵⁶ V1-0088.003, 004 Orion

⁵⁷ V1-0107.003 CRC, V1-0115.010 RIDL and V1-0114.020 CSI and RWRL

⁵⁸ V1-0090.002 FENZ and V1-0092.003 and 004 SDC

Recommendation and amendments

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

a) Amend EI-R32 and EI-R33 to include a reference to the Medium Density Residential Zone.

9.28 The amendments recommended for EI-R32 and EI-R33 are set out in a consolidated manner in **Appendix 2**.

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

EI-REQ15

Submissions

9.30 Nine submission points and seven further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	022	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	020	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS177	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS177	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS177	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS177	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	008	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	005	Oppose	Delete as notified
V1-0088	Orion	005	Support	Retain as notified.
V1-0090	FENZ	003	Support In Part	Amend as follows: Matters for discretion 9. The exercise of discretion in relation to EI-REQ15.8 is restricted to the following matters: ... c. EI-MATX Water Pressure
V1-0077	Ryman	FS032	Oppose	<i>Disallow the submission</i>
V1-0079	RVA	FS032	Oppose	<i>Disallow the submission</i>
V1-0107	CRC	004	Support	Retain as notified.
V1-0114	CSI and RWRL	021	Support	Retain as notified.
V1-0115	RIDL	031	Support	Retain as notified
V1-0021	Lincoln Voice	FS033	Oppose	<i>Disallowed in part The Council should recognise that it is clear that RIDL could gain significant</i>

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

Analysis

- 9.31 Gary and Lynda Burgess⁵⁹ and Eliot Sinclair⁶⁰ are neutral in terms of the amendments proposed to EI-REQ15 and have not requested specific relief. I recommend that these submission points be accepted.
- 9.32 Ara Poutama⁶¹ considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission to the PDP largely supported the Objectives and Policies in the EI Chapter but did not relate to EI-REQ15, therefore I recommend that this submission point be rejected.
- 9.33 Jeremy Alsop⁶² does not support the Variation and seeks the Variation 1 be deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, therefore I recommend that this submission point be rejected.
- 9.34 FENZ⁶³ considers that, in higher buildings, specific attention needs to be placed on maintaining water pressure and seeks an additional matter for discretion relating to water pressure be included in the Plan. EI-REQ15 relates to height and is triggered by EI-R9 (Temporary Network Utilities), EI-R13 (Small Cell Units), EI-R21 (Substations and Switch Stations) and EI-R27 (Other Network Utility Structures), EI-R28 (Renewable Electricity Generation Investigations) EI-32 (Emergency Services Facility) and EI-33 (Public Healthcare Institutions), none of which are subject to amendment through Variation 1. I consider that this matter is more appropriately addressed through the provisions of the Building Act which specifically address the adequacy of buildings for their intended purpose. I also consider that this provision would only be triggered when a resource consent is required, it would not resolve the submitters concerns in relation to complying development. I therefore recommend that this submission point be rejected. I note that the submitter has requested similar amendments in the Subdivision and Residential Chapters, where the relief sought is has not been supported by the reporting officers for the reasons given above and where there is insufficient supply at the time of subdivision (as determined by the code of practice) it is up to the developer to demonstrate how they will resolve the issue.

⁵⁹ V1-0029.022 Gary and Lynda Burgess

⁶⁰ V1-0032.020 Eliot Sinclair

⁶¹ V1-0056.008 Ara Poutama

⁶² V1-0074.005 Jeremy Alsop

⁶³ V1-0090.003 FENZ

- 9.35 Orion, CRC, RISL and CSI and RWRL⁶⁴ seek EI-REQ15 be retained as notified. I recommend that these submission points be accepted.

Recommendation

- 9.36 I recommend, for the reasons given above, that the Hearings Panel retain EI-REQ15 as notified.
- 9.37 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

EI-REQ16

Submissions

- 9.38 Nine 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	Gary and Lynda Burgess	023	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	021	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS178	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS178	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS178	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS178	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	009	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	006	Oppose	Delete as notified
V1-0088	Orion	006	Support	Retain as notified.
V1-0090	FENZ	004	Support In Part	Amend as follows: Matters for discretion 9. The exercise of discretion in relation to EI-REQ16.11 is restricted to the following matters: ... c. <u>EI-MATX Fire risk mitigation incorporated to avoid horizontal spread of fire across boundaries.</u>
V1-0107	CRC	005	Support	Retain as notified.
V1-0114	CSI and RWRL	022	Support	Retain as notified.
V1-0115	RIDL	032	Support	Retain as notified
V1-0021	Lincoln Voice	FS034	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</i>

⁶⁴ V1-0088.005 Orion, V1-0107.004 CRC, V1-0115.031 RIDL and V1-0114.021 CSI and RWRL

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 9.39 Gary and Lynda Burgess⁶⁵ and Eliot Sinclair⁶⁶ are neutral in terms of the amendments proposed to EI-REQ16 and have not requested specific relief. I recommend that these submission points be accepted.
- 9.40 Ara Poutama⁶⁷ considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission to the PDP largely supported the Objectives and Policies in the EI Chapter but did not relate to EI-REQ16, therefore I recommend that this submission point be rejected.
- 9.41 Jeremy Alsop⁶⁸ does not support the Variation and seeks the Variation 1 be deleted as notified. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, therefore I recommend that this submission point be rejected.
- 9.42 FENZ⁶⁹ is concerned about the risk of fire spreading due to setbacks from boundaries and that these can inhibit Fire and Emergency personnel from getting to the fire source. EI-REQ16 relates to the setbacks and is triggered by EI-R21, EI-R22, EI-R27, EI-32 and EI-33, none of which are subject to amendment through Variation 1. Therefore I consider the requested change to potentially be out of scope of the Variation. I also note that Emergency Services Facilities and Public Healthcare Institutions would be Discretionary Activities in the MRZ and therefore Council's discretion is not limited and could include access for Fire and Emergency personnel. I consider that the request to add a further clause that considers the fire risk mitigation measures incorporated to avoid the horizontal spread of fire across boundaries is both out of scope and is more appropriately addressed through the provisions of the Building Act which specifically address the adequacy of buildings for their intended purpose. I therefore recommend that this submission point be rejected.
- 9.43 Orion, CRC, RISL and CSI and RWRL⁷⁰ seek EI-REQ16 be retained as notified. I recommend that these submission points be accepted.

Recommendation

- 9.44 I recommend, for the reasons given above, that the Hearings Panel retain EI-REQ16 as notified.
- 9.45 It is recommended that submissions and further submissions are either accepted, are accepted in full or in part or rejected as shown in **Appendix 1**.

⁶⁵ V1-0029.023 Gary and Lynda Burgess

⁶⁶ V1-0032.021 Eliot Sinclair

⁶⁷ V1-0056.009 Ara Poutama

⁶⁸ V1-0074.006 Jeremy Alsop

⁶⁹ V1-0090.004 FENZ

⁷⁰ V1-0088.006 Orion, V1-0107.005 CRC, V1-0115.032 RIDL and V1-0114.022 CSI and RWRL

EI-REQ20 and EI-REQ22***Submissions***

9.46 Three submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0092	SDC	005	EI-REQ20	Support In Part	Amend Column 1 of EI-REQ20 to include MRZ in the list of relevant zones, consistent with GRZ.
V1-0092	SDC	006	EI-REQ22	Support In Part	Amend Column 1 of EI-REQ22 to include MRZ in the list of relevant zones, consistent with GRZ.
V1-0092	SDC	007	EI-REQ22	Support In Part	Review EI-REQ22 for consistency with MRZ provisions for fencing and outdoor storage, or provide considered alternative provisions.

Analysis

9.47 SDC⁷¹ seek amendments to EI-REQ20 and EI-REQ22 to reference the MRZ in Column 1. This appears to be a formatting error and the reference to MRZ is required. I recommend these submission points be accepted.

9.48 SDC⁷² considers that in part, EI-REQ22 reflects GRZ-R6 Fences and MRZ-R5 Fences. However, the submitter considers that as changes to MRZ-R5 are proposed consideration should also be given to EI-REQ22 for consistency . I recommend this submission point be accepted.

Recommendation and amendments

9.49 I recommend, for the reasons given above, that the Hearings Panel

- a) Amend EI-REQ20 as shown in **Appendix 2** to include a reference to the Medium Density Residential Zone.
- b) Amend EI-REQ22 as shown in **Appendix 2** to include a reference to the Medium Density Residential Zone and for consistency with MRZ provisions for fencing and outdoor storage.

9.50 The amendments recommended for EI-REQ20 and EI-REQ22 are set out in a consolidated manner in **Appendix 2**.

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

⁷¹ V1-0090.002 FENZ and V1-0092.003 and 004 SDC

⁷² V1-0090.002 FENZ and V1-0092.003 and 004 SDC

10. Historic Heritage and Notable Trees

Introduction

10.1 This section responds to the submission points relating to Historic Heritage and Notable Trees.

Submissions

10.2 Sixteen submission points and 24 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0016	Cheryl Morrall	001	Oppose In Part	Amend HH-SCHED2, Mapping-Heritage Item Overlay and Mapping-Heritage Setting, to include 18 Edward Street, Prebbleton
V1-0016	Cheryl Morrall	003	Support In Part	Insert 18 Edwards Street, Prebbleton HH item Overlay/Setting in the Plan, including consequential amendments (including HH-SCHED2 and mapping.
V1-0016	Cheryl Morrall	004	Support In Part	Insert 18 Edwards Street, Prebbleton HH item Overlay/Setting in the Plan, including consequential amendments (including HH-SCHED2 and mapping.
V1-0033	Gary Arnold	001	Oppose In Part	The original township of Lincoln within the four belts and James Street be classified as inappropriate to have the MDRS apply to protect the history and culture of Lincoln. Amend the Variation to exclude all land within the North, South, East and West Belts of Lincoln plus James Street, Lincoln.
V1-0046	Denise Carrick	002	Support	Seeks that Council not zone the whole of Lincoln as medium density but make more provisions for heritage houses, heritage settings and the authentic agricultural history of the original Lincoln township.
V1-0077	Ryman	FS025	Oppose	Disallow the submission
V1-0079	RVA	FS025	Oppose	Disallow the submission
V1-0046	Denise Carrick	009	Support	Seeks the addition of a setback to protect the trees.
V1-0077	Ryman	FS030	Oppose	Disallow the submission
V1-0079	RVA	FS030	Oppose	Disallow the submission
V1-0062	LDHS	001	Support	Amend provisions to prevent intensive development on sites bordering listed heritage properties, in order to preserve their aspects and outlook.
V1-0063	Sam & Denise Carrick	FS003	Support	Allow. SDC to amend Variation 1 with the provisions necessary to recognise and implement a special heritage area as described in the submission of V1-0062.
V1-0077	Ryman	FS009	Oppose	Disallow the submission
V1-0079	RVA	FS009	Oppose	Disallow the submission
V1-0102	CSI	FS157	Oppose	Reject
V1-0103	CGPL	FS157	Oppose	Reject
V1-0113	Kāinga Ora	FS009	Oppose	Disallow
V1-0114	CSI and RWRL	FS157	Oppose	Reject
V1-0115	RIDL	FS157	Oppose	Reject
V1-0062	LDHS	002	Support In Part	Enhance the protection of trees and other vegetation notified in the District Plan.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0063	Sam & Denise Carrick	FS004	Support	Allow. SDC to amend Variation 1 with the provisions necessary to limit intensive medium density development on sections adjacent to Heritage items and settings such that Heritage value and integrity is not diminished.
V1-0077	Ryman	FS010	Oppose	Disallow the submission
V1-0079	RVA	FS010	Oppose	Disallow the submission
V1-0113	Kāinga Ora	FS010	Oppose	Disallow
V1-0062	LDHS	003	Support	Create a special heritage area in the centre of Lincoln, defined by the line of the properties on the outside of the Town Belts (North, South, East including Moffat Drive, (previously East), and West) as originally laid out by James Fitzgerald in the original subdivision in 1862.
V1-0063	Sam & Denise Carrick	FS005	Support	Allow. SDC amend variation 1 provisions to enhance the protection of notified trees in Lincoln.
V1-0077	Ryman	FS011	Oppose	Disallow the submission
V1-0079	RVA	FS011	Oppose	Disallow the submission
V1-0113	Kāinga Ora	FS011	Oppose	Disallow
V1-0062	LDHS	004	Support	Constrain intensive development of properties bordering the Reserves along the Liffey stream bounded by Kildare and Leinster Terraces.
V1-0077	Ryman	FS012	Oppose	Disallow the submission
V1-0079	RVA	FS012	Oppose	Disallow the submission
V1-0113	Kāinga Ora	FS012	Oppose	Disallow
V1-0063	Sam & Denise Carrick	001	Support In Part	Add 14 William Street Lincoln to Historic Heritage Schedule and any consequential changes.
V1-0063	Sam & Denise Carrick	002	Support In Part	Add 14 William Street Lincoln to Historic Heritage Schedule and any consequential changes.
V1-0063	Sam & Denise Carrick	003	Support	Add a provision to limit the height of buildings on land parcels adjacent to 14 William Street Lincoln to 8m (2 stories).
V1-0063	Sam & Denise Carrick	004	Support	Add a provision to ensure development on adjacent land parcels are sympathetic to the heritage setting in terms of visual appearance and location on the site to maximise the sun available year-round to dry the exterior of 14 William Street Lincoln.
V1-0081	Adriana de Groot	001	Oppose	Amend zoning of historic/heritage sites from MDRZ, adding novel zoning for these sites/features. Refer to original submission for full decision requested, including attachment.
V1-0063	Sam & Denise Carrick	FS006	Support	Allow .SDC to amend Variation 1 with the provisions necessary to limit intensive medium density development on sections adjacent to Heritage items and settings such that Heritage value and integrity is not diminished.
V1-0081	Adriana de Groot	002	Oppose	Amend MRZ zoning within established housing in Lincoln to preserve living heritage.

Analysis

- 10.3 Cheryl Morrall⁷³ requests that the historic heritage of 18 Edward Street, Prebbleton be recognised in the PDP and seeks amendments to the Heritage item Overlay, Heritage Setting overlay and HH-SCHED2. The submitter seeks to protect the dwelling which is of historical significance to Prebbleton due to its age and architectural style.



Figure 1 Former Kane/Hazelhurst Cottage 2022

- 10.4 I recommend these submission points are accepted for the following reasons.
- 10.4.1 Heritage expert, Dr Ann McEwan advises that the building likely dates c1876 and that the dwelling is a well-preserved example of the architectural style described as 'colonial vernacular' (**Appendix 3**).
 - 10.4.2 Dr McEwan concludes she is in general agreement with the submitter that the house is an early Canterbury settler house, retaining an interesting character entirely of its own and meets the historic heritage criteria of HH-SCHED1.
- 10.5 Sam and Denise Carrick⁷⁴ request that the historic heritage of 14 William Street, Lincoln be recognised in the PDP and seeks amendments to the Heritage item Overlay, Heritage Setting overlay and HH-SCHED2. The submitter seeks to protect the dwelling which is of historical significance to Lincoln due to its age and architectural style.

⁷³ V1-0016.001, 002, 003 Cheryl Morrall

⁷⁴ V1-0063.001 and 002 Sam and Denise Carrick



Figure 2 Former Watson/McPherson House - 18 William Street Lincoln circa 2022

10.6 I recommend these submission points are accepted for the following reasons:

10.6.1 Heritage expert, Dr McEwan advises the building likely dates c1865/66 and that the dwelling is an example of the architectural style described as ‘mid-Victorian vernacular that retains a good level of authenticity’.

10.6.2 Dr McEwan concludes she is in general agreement with the submitter that the house is an early Canterbury settler house, retaining an interesting character entirely of its own and meets the historic heritage criteria of HH-SCHED1.

10.7 A report has been prepared by Dr Ann McEwan, commissioned by Council, to assess the risk to heritage values in Lincoln, Prebbleton and Rolleston if the intensification of sites provided for by the MDRS takes place on properties adjacent to scheduled heritage items. The report addresses sites that are adjacent to 19 specified heritage items that are scheduled in the PDP (**Appendix 3**). Dr McEwan concluded the MDRS appears to pose little risk to the heritage values of the specified heritage items in Prebbleton, Lincoln and Rolleston. The setting of each scheduled item has been mapped to protect the specified historic heritage resource from inappropriate subdivision, use and development; therefore activity beyond the extent of setting should have minimal heritage impacts, notwithstanding that it will alter the appearance of the wider context.

10.8 In addition to requesting 14 Williams Street become a listed heritage item in the PDP, Sam and Denise Carrick⁷⁵ seek additional protection to limit the height of buildings adjoining the property to be 8m and additional provisions to ensure development on adjacent parcels is sympathetic to 14 William Street’s setting. LDHS⁷⁶ seek non-specific amendments to provisions to prevent intensive development on sites bordering listed heritage properties, in order to preserve their aspects and outlook. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria and that includes the mandated height for properties in the MRZ, except where a qualifying matter applies. I recommend these submission points⁷⁷ be rejected.

⁷⁵ V1-0063.003 and 004 Sam and Denise Carrick

⁷⁶ V1-0062.001 LDHS

⁷⁷ V1-0063.003 and 004 Sam and Denise Carrick and V1-0062.001 LDHS

- 10.9 Adriana De Groot, Denise Carrick and Gary Arnold⁷⁸ seek that Council does not zone the whole of Lincoln as medium density but makes more provisions for heritage houses, heritage settings and the authentic agricultural history of the original Lincoln township. The district plan provides for specific heritage items and settings to be protected. Each site has a heritage assessment undertaken, where determined to have value, the item is listed in the heritage item overlay. A qualifying matter relating to historic heritage is provided in the MRZ, this gives Council scope to consider the effects on intensification on heritage within the overlay, in the townships. Heritage items are recognised using schedules and overlays with the underlying zone still applying to each property, I do not consider a separate zoning is required and the submitter has not provided any planning evidence nor s32AA evaluation to justify Lincoln township to become a 'heritage area'. I recommend this submission point be rejected.
- 10.10 LDHS⁷⁹ seek amendments to create a special heritage area in the centre of Lincoln, defined by the line of the properties on the outside of the Town Belts (North, South, East including Moffat Drive, (previously East), and West) as originally laid out by James Fitzgerald in the original subdivision in 1862. The submitter also seeks to constrain intensive development of properties bordering the Reserves along the Liffey stream bounded by Kildare and Leinster Terraces. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, except where a QM applies. I note that the criteria under s77 framework allows for heritage areas or *"any other matter" that would make MDRS inappropriate in an area* to be a QM, however in the absence of any meaningful evidence, planning evaluation or s32AA evaluation from the submitter, I recommend that these submission points be rejected.
- 10.11 Denise Carrick⁸⁰ considers that the original Lincoln township has many established trees, which are vital for the local wildlife and that the blanket intensification proposed will destroy bird life as there is nothing to stop trees being removed. The submitter seeks additional protections in the plan that prevent the removal of established trees. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, except where a QM applies, in the absence of any meaningful evidence or evaluation from the submitter, I recommend that these submission points be rejected.
- 10.12 LDHS⁸¹ considers that Lincoln's village charm needs to be protected by constraining more intensive development in the centre of 'Old' Lincoln affecting heritage properties. The submitter seeks non-specific amendments to enhance the protection of trees and other vegetation notified in the District Plan. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, except where a QM applies, and in the absence of any meaningful evidence, planning evaluation or s32AA evaluation from the submitter supporting the inclusion of an additional QM utilising the s77 framework, I recommend that this submission point be rejected.

⁷⁸ V1-0081.001, 002 Adriana De Groot, V1-0033.001 Gary Arnold and V1-0046.003 Denise Carrick

⁷⁹ V1-0062.003, 004 LDHS

⁸⁰ V1-0046.009 Denise Carrick

⁸¹ V1-0062.002 LDHS

Recommendation and amendments

10.13 I recommend, for the reasons given above, that the Hearings Panel

- a) Amend the Heritage Item overlay, Heritage Setting Overlay and HH-SCHED2 to include 14 William Street, Lincoln and 18 Edward Street, Prebbleton as new Historic Heritage Items.

10.14 The amendments recommended for new Heritage Items are set out in a consolidated manner in **Appendix 2**.

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

11. Area Specific Matters

Introduction

11.1 This section responds to the submission points relating to Area Specific Matters in MRZ and GRUZ.

Matters of Discretion

Submissions

11.2 Five submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0051	HNZ	005	RESZ-MAT1	Support	Not specified
V1-0051	HNZ	007	RESZ-MAT3	Support	Not specified
V1-0051	HNZ	008	RESZ-MAT5	Support	Not specified
V1-0051	HNZ	009	RESZ-MAT6	Support	Not specified
V1-0051	HNZ	006	RESZ-MAT8	Support	Not specified

Analysis

11.3 HNZ⁸² supports the matters of discretion that are applicable when compliance with MRZ-REQ2, MRZ-REQ2, MRZ-REQ4 and MRZ-REQ6 is not achieved. These matters require consideration of the effects on, and/or seek to protect identified heritage items and settings, and sites and areas of significance to Māori. I recommend these submission points be accepted.

Recommendation

11.4 I recommend, for the reasons given above, that the Hearings Panel retain RESZ-MAT1, RESZ-MAT3, RESZ-MAT5, RESZ-MAT6 and RESZ-MAT8 as notified.

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

⁸² V1-0051.005, 006, 007, 008 and 009 HNZ

Rule Requirements

Submissions

11.6 Three submission points and 22 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0051	HNZ	004	MRZ-REQ2	Oppose	Requests further consideration as to the impact of intensification adjacent to historic heritage items, and promotes an alternative approach which provides relevant controls to enable development where appropriate without diminishing Selwyn's valuable heritage resources.
V1-0063	Sam & Denise Carrick	FS002	MRZ-REQ2	Support	<i>Allowed. Selwyn Council should amend variation 1 to strength rules to limit the impact of medium density intensification adjacent to heritage items and settings, to ensure that Selwyn's valuable heritage items and settings are not further diminished.</i>
V1-0077	Ryman	FS006	MRZ-REQ2	Oppose	<i>Disallow the submission</i>
V1-0079	RVA	FS006	MRZ-REQ2	Oppose	<i>Disallow the submission</i>
V1-0102	CSI	FS357	MRZ-REQ2	Oppose	<i>Reject</i>
V1-0103	CGPL	FS357	MRZ-REQ2	Oppose	<i>Reject</i>
V1-0113	Kāinga Ora	FS005	MRZ-REQ2	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS357	MRZ-REQ2	Oppose	<i>Reject</i>
V1-0115	RIDL	FS357	MRZ-REQ2	Oppose	<i>Reject</i>
V1-0051	HNZ	010	MRZ-REQ4	Oppose	Requests further consideration as to the impact of intensification adjacent to historic heritage items, and promotes an alternative approach which provides relevant controls to enable development where appropriate without diminishing Selwyn's valuable heritage resources.
V1-0077	Ryman	FS007	MRZ-REQ4	Oppose	<i>Disallow the submission</i>
V1-0079	RVA	FS007	MRZ-REQ4	Oppose	<i>Disallow the submission</i>
V1-0102	CSI	FS358	MRZ-REQ4	Oppose	<i>Reject</i>
V1-0103	CGPL	FS358	MRZ-REQ4	Oppose	<i>Reject</i>
V1-0113	Kāinga Ora	FS006	MRZ-REQ4	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS358	MRZ-REQ4	Oppose	<i>Reject</i>
V1-0115	RIDL	FS358	MRZ-REQ4	Oppose	<i>Reject</i>
V1-0051	HNZ	011	MRZ-REQ6	Oppose	Requests further consideration as to the impact of intensification adjacent to historic heritage items, and promotes an alternative approach which provides relevant controls to enable development where appropriate

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					without diminishing Selwyn's valuable heritage resources.
V1-0077	Ryman	FS008	MRZ-REQ6	Oppose	Disallow the submission
V1-0079	RVA	FS008	MRZ-REQ6	Oppose	Disallow the submission
V1-0102	CSI	FS359	MRZ-REQ6	Oppose	Reject
V1-0103	CGPL	FS359	MRZ-REQ6	Oppose	Reject
V1-0113	Kāinga Ora	FS007	MRZ-REQ6	Oppose	Disallow
V1-0114	CSI and RWRL	FS359	MRZ-REQ6	Oppose	Reject
V1-0115	RIDL	FS359	MRZ-REQ6	Oppose	Reject

Analysis

- 11.7 HNZ⁸³ considers that the construction of a greater number and taller buildings close to a heritage structure has the potential to result in its heritage values being put at risk. It considers that the cumulative effect of intensification in the vicinity of a heritage item has the potential to be irreparably detrimental. The submitter requests further consideration as to the impact of intensification adjacent to historic heritage items, and promotes an alternative approach which provides relevant controls to enable development where appropriate without diminishing Selwyn's valuable heritage resources. The Heritage Item Overlay, Heritage Setting Overlay, Notable Tree Overlay, SASM Ngā Wai Overlay are listed in HPW-30 as proposed qualifying matters to take into consideration.
- 11.8 A report has been prepared by Dr Ann McEwan, commissioned by Council, to assess the risk to heritage values in Lincoln, Prebbleton and Rolleston if the intensification of sites provided for by the MDRS takes place on properties adjacent to scheduled heritage items. This report addresses sites that are adjacent to 19 specified heritage items that are scheduled in the PDP (**Appendix 3**). Dr McEwan concluded the MDRS appears to pose little risk to the heritage values of the specified heritage items in Prebbleton, Lincoln and Rolleston. The setting of each scheduled item has been mapped to protect the specified historic heritage resource from inappropriate subdivision, use and development; therefore activity beyond the extent of setting should have minimal heritage impacts, notwithstanding that it will alter the appearance of the wider context. I agree with Dr McEwan's advice and recommend that these submission points⁸⁴ be rejected.

Recommendation

- 11.9 I recommend, for the reasons given above, that the Hearings Panel retain MRZ-REQ2, MRZ-REQ4 and MRZ-REQ6 as notified.
- 11.10 It is recommended that submissions and further submissions are either accepted, are accepted in part or rejected as shown in **Appendix 1**.

⁸³ V1-0051.004, 010 and 011 HNZ

⁸⁴ V1-0051.004, 010 and 011 HNZ

General Rural Zone

11.11 This section responds to the submission points relating to the General Rural Zone Chapter.

Submissions

11.12 Two submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0011	Helen and Tom Fraser	002	GRUZ-P2	Support	Retain as notified.
V1-0011	Helen and Tom Fraser	003	GRUZ-P7	Support	Retain as notified.

Analysis

11.13 Helen and Tom Fraser⁸⁵ support GRUZ-P2 and GRUZ-P7 to be retained as notified. I consider these submissions to be out of scope as the Variation has not amended either provision, therefore I recommend that these submission points be rejected.

Recommendation

11.14 I recommend, for the reasons given above, that the Hearings Panel retain GRUZ-P2 and GRUZ-P7 as notified.

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

12. Conclusion

12.1 For the reasons included throughout this report, I consider that the recommended variation provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

⁸⁵ V1-0011.002 and 003 Helen and Tom Fraser