QUEENSTOWN LAKES DISTRICT COUNCIL

HEARINGS OF SUBMISSIONS ON VARIATION TO CHAPTER 11: PROPOSED DISTRICT PLAN

LARGE LOT RESIDENTIAL A ZONE

REPORT AND RECOMMENDATIONS OF HEARING COMMISSIONERS

COMMISSIONERS

Robert Charles Nixon (Chair)

Heath Copland

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Contents

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Terminology in this Report

Throughout this report, we use the following abbreviations:

Large Lot Residential A Zone	'LLRAZ'
Large Lot Residential B Zone	'LLRBZ'
Queenstown Lakes District Council	'the Council'
The Proposed District Plan	'the PDP'
Resource Management Act 1991	'the RMA'
National Policy Statement on Urban Development Capacity 2020	'the NPS'

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Attendances

The hearings on the Variation to the LLRAZ were held on 29 June 2021 in Wānaka.

The parties heard from on the Variation were as follows:

Queenstown – Lakes District Council

Ms Sarah Picard (Senior Policy Planner)

Submitters

Paterson Pitts Ltd Partnership[1]

Mr Duncan White (Paterson Pitts)

Mr Michael Botting (Paterson Pitts)

(representing submitters Philippa O'Connell and Jeremy van Reil[2]; Babak Hadi[3]; Rohit Khanna[4]; David Lumsden[5]; Andrew and Jody Howard[6]; and Alistair Seyb[7])

Mr Nick Page

Mr Darryl Rogers

Ms Jude Battson

Mr Phil Wilkins

Mr Daniel Curley

Ms Nicole Malpass

1.0 DESCRIPTION OF PROPOSED VARIATION

Content of the Variation

1.1. The Variation as notified proposes three amendments to the PDP, involving amendments to Chapter 11 and Chapter 27. Proposed new text is shown as underlined and text to be deleted as strikethrough.

[1] Submitter #16

[2] Submitter #12

[3] Submitter #14

[4] Submitter #15

[5] Submitter #23

[6] Submitter #30

[7] Submitter #31

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1.2. The first of these is an amendment to the Minimum Lot Area in the LLRAZ as specified under Rule 27.6.1. This amendment would read as follows:

1500m² providing the total area of the site is not less than 2000m² average.

1.3. The second of these amendments relates to the residential activity density standard under Rule 11.5.9. This amendment would read as follows:

11.5.9.1 Large Lot Residential Area A: a maximum of one residential unit per site ~~2000 m² net site area~~.
11.5.9.2 Large Lot Residential Area A: any additional residential unit to that permitted by Rule 11.5.9.1, no more than one residential unit per 2000m².
11.5.9.~~2~~ 3 Large Lot Residential Area B: a maximum of one residential unit per 4000m² net site area

1.4. The third of these amendments is proposed to Policy 11.2.1.2 and would read as follows:

Maintain ~~and~~ or enhance residential character and high amenity values by controlling the ~~colour~~, scale, location and height of buildings, and in addition within Area B by requiring ~~require~~ landscaping, colour and vegetation controls.

1.5. The Variation was accompanied by a Section 32 Evaluation and a pre-circulated s42A report prepared by Ms Sarah Picard dated 31 May 2021. Ms Picard added that she was not involved in the preparation of the Variation itself, or of the Section 32 Evaluation. Her S42A report focused on analysing the submissions and the amendments she considered would be appropriate in response to these.

Reason for the Variation – Rules 27.6.1 and 11.5.9

1.6. We note that the LLRAZ zoning applies to a number of locations in the District, but with one exception, all are in Wānaka or Hāwea. The Section 32 Evaluation was accompanied by maps showing the location and extent of the LLRAZ, and identifying lots of less than 4000m², lots of 4000m², and lots of more than 4000m². The zone is quite extensive, particularly within and adjacent to Wānaka. The reasons for the Variation were set out in some detail in the Councils S32 Assessment.

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1.7. A description of the components of the zone identified on the accompanying maps is as follows:

(1) the western edge of Albert Town adjacent to Aubrey Road which contains approximately 140 lots;
(2) the western edge of Wānaka north and south of Aubrey Road which contains approximately 85 lots;
(3) the northern end of Wānaka adjacent to Beacon Point Road (and a small outlier) which contains more than 120 lots. Most of the lots within that part of the zone west of Beacon Point Road are less than 4000m² in area.
(For the purpose of this recommendation we have described this portion of the zone as 'Ridgecrest');
(4) the southern edge of Hāwea township north of Cemetery Road containing approximately 70 lots, some of which are much larger than 4000m²;
(5) an arc of LLRAZ around the southern and western fringe of Wānaka, primarily west of Studholme Road/Mount Aspiring Road, north of Studholme Road and west of Cardrona Road, and east of Golf Course Road. This contains approximately 150 lots, some of which are substantially larger than 4000m²;
(6) a pocket of LLRAZ zoning west of Shotover Country and south of State Highway 6 near Queenstown, which contains 13 lots, most of which are much larger than 4000m².

1.8. From what we could ascertain from the pre-circulated evidence there are approximately 44 lots within the LLRAZ which we understand have been specifically subdivided to an area of 4000m², and which under the current rules in the PDP would require a resource consent to be subdivided into two lots. However, from reading the evidence and from questioning at the hearing, it was apparent that there are a much larger number of lots which are slightly more than 4000m², many of which would also be captured by the current rules. This is because many subdivisions would involve the creation of a new rear lot, and that because the access leg to the rear lot could not be included within the 'net area', would result in the subdivision failing to meet the minimum net area required. We go on to look at the implications of this in more detail later in this recommendation.

1.9. Rule 27.6.1 sets out the minimum lot sizes for many zones, including provision for a minimum net site area of 2000m² within the LLRAZ. Objective 11.2.1 and Policy 11.2.1.1 specify 'high-quality residential amenity' and 'low density residential

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character and amenity' as outcomes for the zone but as is typically the case, do not define what is meant by this in terms of a minimum lot size. Rather, lot sizes are specified at the rules level. Most land within the LLRAZ was zoned Rural Residential under the ODP, with most of that within Wānaka having been subdivided and developed with a net area of 4000m² containing an established residential unit[8]. When the PDP was notified in 2015, with the exception of one part of the zone[9], the minimum net site area was retained at 4000m². Following the issue of decisions on submissions in May 2018, the minimum net site area was reduced to 2000m²[10].

1.10. The exception to this was that part of the zone on the lower slopes of Mount Iron in Wānaka, where a minimum net site area of 4000m² was retained, and this area was distinguished by being given a separate zoning of 'Large Lot Residential B' (LLRBZ). In response to questioning, it was confirmed by Ms Picard that all LLRAZ land is within the urban boundary, and that increasing residential density was seen as better achieving the strategic objectives of the PDP. There were no appeals on the decisions relating to the LLRAZ, or indeed on Chapter 11 generally[11].

1.11. The minimum lot sizes specified in Chapter 27, Rule 27.6.1 adopt the term "Net Site Area" (Site or Lot). This is defined[12] as follows:

Means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to any site or lot, and/or any strip of land less than 6m in width"

1.12. Because the term net site area excludes the area of an access leg to a rear lot, the minimum net site area cannot be achieved where an existing allotment is (or is close to) 4000m² in area. Failure to achieve the 2000m² minimum net site area results in an application having to be processed as a noncomplying activity. We were advised that a number of applications have been processed on both a non-notified and publicly notified basis which has raised concerns with respect to

[8] Section 32 Evaluation, paragraph 3.1

[9] Studholme Road/Meadowbank Road

[10] Decisions on Submissions, Report 9A, Stream 6 – Chapter 11, paragraphs 391 and 392

[11] Section 32 Evaluation, paragraph 3.3

[12] PDP, Definitions, Chapter 2

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uncertainties and additional costs. None of these applications have been declined[13].

1.13. At this point it is helpful to set out the objective and policy in the PDP – to the extent that these are relevant to the subject of density – as applied within the LLRAZ.

11.2.1 Objective – A high quality of residential amenity values are maintained within the Large Lot Residential Zone.
Policies
11.2.1.1 Maintain low density residential character and amenity through minimum allotment sizes that efficiently utilise the land resource and infrastructure (Area A) and require larger allotment sizes in those parts of the zone that are subject to significant landscape and/or topographical constraints (Area B).

1.14. Given this context, and the issues arising with the administration of the density rules within the LLRAZ, it was noted in the Section 32 Evaluation that:

"A planning regime where the majority of resource consent applications for subdivision of the LLR A Zone are noncomplying activities where the total area of the site (and subsequent residential density) still achieves 2000m² is not considered the most appropriate way to achieve Objective 11.2.1, the strategic provisions of the PDP and the National Policy Statement on Urban Development 2020[14].

1.15. The Section 32 Evaluation also goes on to note that as a consequence of amending Rule 27.6.1 (subdivision) it is appropriate to enable future residential activity on those allotments by amending the associated residential activity density standard in Rule 11.5.9. This rule stipulates that within the LLRAZ, there is a maximum of one residential unit per 2000m² net site area. Our understanding is that if the proposed amendment was only made to Rule 27.6.1, a non-compliance may still arise as a resultant allotment may not have a minimum net site area of 2000m² as required by Rule 11.5.9.1. The amendment proposed to Rule 27.6.1 would allow a minimum area of 1500m², but an average of 2000m², such that (for example) if a 4000m² lot was subdivided, any 1500m² lot created would need to be averaged out by the balance lot having an area of 2500m². As notified, the proposal is to allow for one

[13] Section 32 Evaluation, paragraph 3.8
[14] Ibid, paragraph 3.7

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residential unit *per site* instead, but that any *additional* residential units[15] still be required to achieve an average density of one residential unit per 2000m².

1.16. The amendments proposed to Rule 11.5.9 as notified with the Variation accordingly proposed to remove the 2000m² minimum net site area requirement from Rule 11.5.9.1 and replace it with a requirement of no more than one residential unit *per site*. An additional new rule 11.5.9.2 was proposed to be added requiring that any *additional* residential units beyond that permitted by amended Rule 11.5.9.1 be limited to no more than one residential unit per 2000m². The following Rule 11.5.9.2 relating to the LLRBZ, would be renumbered to 11.5.9.3.

1.17. As will become apparent in this recommendation, in response to submissions some further refinements to the wording of these rules were proposed through Ms Picard's s42A report.

Reason for the Variation – Policy 11.2.1.2

1.18. The amendment proposed to Policy 11.2.1.2 is not directly related to the two preceding amendments concerning density. As currently worded, this policy reads as follows:

Maintain and enhance residential character and high amenity values by controlling the colour, scale, location and height of buildings and in Area B require landscaping and vegetation controls.

1.19. We were informed that this policy is intended to maintain high amenity values, but subject to *additional* requirements within the LLRBZ. Within the LLRAZ the policy is intended to be restricted to controlling the scale, location and height of buildings, but the policy as currently worded also makes reference to controlling the *colour* of buildings. However, Rule 11.5.10 (Building Materials and Colours) which is a rule intended to implement Policy 11.2.1.2, only makes reference to colours being controlled within the LLRBZ. This creates an anomaly, as restrictions on colour are only intended to apply within the LLRBZ, because this area has a particularly distinctive landscape character being located on the slopes of Mount Iron.

[15] Ibid, paragraph 1.4

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1.20. To address this anomaly, it is proposed to amend Policy 11.2.1.2 by clearly differentiating between the LLRAZ and the LLRBZ by clarifying that controls over colour are only intended to apply within the latter.

2.0 STATUTORY CONSIDERATIONS

2.1 In preparing or changing its District Plan, the matters to be considered by a territorial authority are specified under section 74 RMA. Relevantly, these include its functions under section 31, the provisions of Part 2, its obligations to prepare and have regard to an evaluation report under section 32, a national policy statement, and a regional policy statement.

2.2 As a preliminary comment, there have been no appeals lodged with respect to the Council's decisions on the provisions of Chapter 11 of the PDP, which can now be treated as operative[16]. We note that this variation does not propose to alter any objectives in the PDP in Chapter 11 (Large Lot Residential), or in Chapter 27 (Subdivision).

With respect to consultation[17], Ms Picard's report noted that the variation was considered to be 'relatively uncontentious' generating a low level of interest from the wider community, and on that basis community wide consultation had not been undertaken[18]. Although issues related to the extent of consultation have to be treated with considerable caution, we agree with her conclusions to the extent that the scope of the variation is narrow. Furthermore, we are satisfied that the Variation does not attempt to change a significant policy direction in the PDP, or even within the two chapters that it affects. We believe the ambit of the variation is confined to addressing existing provisions within the PDP which have restricted infill subdivision within the LLRAZ.

[16] S86F RMA

[17] Clause 3, First Schedule, RMA

[18] S32 Evaluation, paragraph 5.1

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2.3 The potential issues arising through the variation impact those owners of properties in the LLRAZ who are or may seek subdivision or additional residential units on their properties, or those who wish to see further subdivision restricted.

2.4 As required, the Council undertook a section 32RMA evaluation, within the ambit of subsection (3) which requires that if the proposal is an amending proposal – that is, one which will amend a plan that is already proposed – the examination under subsection (1)(b) must relate to:

(a) the provisions and objectives of the amending proposal; and
(b) the objectives of the existing proposal to the extent that those objectives –
(i) are relevant to the objectives of the amending proposal; and
(ii) would remain at the amending proposal were to take effect.

2.5 The objective of the proposal (the variation) is described as improving the efficiency and effectiveness of the (plan) provisions so as to achieve Objective 11.2.1 of the PDP[19]. The Council's s32 evaluation considered the 'reasonably practicable options' as being:

(1) no change to subdivision rule 27.6.1 or to policy 11.2.1.2;
(2) to amend policy 11.2.1.2 to refer only to the LLRAZ;
(3) to amend Rule 27.6.1 to specify that the 2000m² minimum site size only applies to the gross or total area of the site;
(4) to amend Rule 27.6.1 to specify a minimum net area of 1500m² while retaining a minimum 2000m² to each proposed site and to amend Rule 11.5.9 to enable future residential activity where the site created as a net area of less than 2000m²;
(5) to amend Rule 27.6.1 by removing any minimum allotment size but requiring an average density across sites of 2000m².

2.6 The evaluation concluded that Options 2 and 4 above were the preferred options. We go on to assess this later.

2.7 We are obliged under Section 32AA to undertake a further evaluation upon considering the proposed variation in the submissions made to it. We have approached our duties under section 32AA noting that under subsection (1)

[19] S32 Evaluation, paragraph 9.1.

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"*(a) a further evaluation is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes)".*

2.8 Subsection (1)(c) requires that the assessment *"…… be undertaken at a level of detail that corresponds to the scale and significance of the changes……."*

2.9 Subsection (1)(d) requires that either an evaluation report be made available or that the duties under Section 32AA *(ii) "be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section".*

2.10 There are no changes to any of the objectives in the PDP, and the only change to a policy is to amend the wording of Policy 11.2.1.2 to clarify that consideration of colour is only relevant within the LLRBZ.

2.11 The Council's evaluation also had regard to the National Policy Statement on Urban Development Capacity 2020 (the NPS). The relevant provisions of the NPS were set out in detail in the Council's s32A evaluation and we will not repeat them here, except to say that we consider the NPS to be highly relevant, and in summary it requires consideration of:

(a) well-functioning urban environments;
(b) housing affordability;
(c) urban environments including their amenity values changing over time;
(d) evidence-based decision-making.

2.12 We think it is important to record at this point that the NPS did not exist at the time of the Hearings Panels consideration of submissions on the provisions of Chapters 11 and 27 of the PDP in 2018.

2.13 We consider that matters of particular significance under the NPS with respect to this variation include the competitive operation of land and development markets (and housing affordability), accessibility, sustainability in terms of climate change, amenity, and development capacity. It also addresses the management of change over time[20],

[20] NPSUD, Policy 6(b)

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which is a matter of some significance in a zone intended to provide for low density residential development.

2.14 The Council also undertook an evaluation of the variation in the context of the provisions of the PDP, in terms of the Strategic Objectives in Chapter 3 and the relevant objectives and policies in Chapters 11 and 27.

The National Policy Statement on Urban Development Capacity 2020 (the NPS)

2.15 Before considering the detailed matters raised in submissions, we consider it is important to give effect to and understand the provisions of the National Policy Statement on Urban Development 2020, which came into force on 20 August last year, and how it might impact on this particular Variation. Territorial authorities must prepare and change the district plans in accordance with a range of matters including the provisions of a national policy statement[21].

2.16 This is important is because the NPS contains a clear policy direction supporting the intensification of land-use and subdivision within urban environments[22]. We consider this has clear implications for any submissions promoting the retention of restrictions on further subdivision, or even retaining existing areas of low density subdivision such as rural residential development within an urban boundary. This is directly relevant to the LLRAZ.

2.17 Under the NPS, Queenstown (but not Wānaka, or other urban areas within the District) is a 'Tier 2' local urban area, which means most of the LLRAZ is classified as a Tier 3 urban area[23]. We understand that the Council has defined the Wānaka Urban Environment as including Wānaka, Albert Town, Luggate and Lake Hāwea under the NPSUDC housing and business development assessment undertaken in 2017. An update is underway under the NPSUD with the draft currently being finalised. Consistent with the 2017 Council approach will be that the entire district be treated as Tier 2 on the basis that the NPS applies to urban environment and qualifying districts, not limited to the urban environment specified in the table. Clause 2.1 of the NPS contains eight objectives, all of which are relevant to Tier 1 – Tier 3 urban areas including Wānaka. Clause 2.2 of the NPS contains 11 policies,

21 S74(1)(ea)

22 NBS, Clause 1.4 Interpretation: Urban Environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that (a) is, or is intended to be predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.

23 NPS, Appendix 1 Table 2; NPS Interpretation, Clause 1.4

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eight of which are relevant to Tier 3 urban areas. The majority of the LLRAZ is located within the urban boundary of Wānaka.

2.18 Some of these provisions are specific to density within urban areas, which as already advised by Ms Picard, includes the areas contained in the LLRAZ. Objective 3 of the NPS states:

Regional policy statements in district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:
(a) the area is in or near a centre zone or other area with many employment opportunities;
(b) the area is well serviced by existing or planned public transport;
(c) there is a high demand for housing or for business land in the area relative to other areas within the urban environment.

2.19 It is apparent to us that subclause (c) applies to urban areas within Queenstown Lakes District generally, and arguably subclause (a) also applies. Objective 4 goes on to say:

New Zealand urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

2.20 Policy 1 refers to the need to make planning decisions which among other things enable provision for a variety of homes, but the only reference to *densities* as discussed shortly, uses the term *"increased and varied*".

2.21 Policy 6 sets out a range of matters to which decision-makers must have particular regard to when making planning decisions that affect urban environments. Subclause (b) states:

(b) that the planned urban built form and those RMA planning documents may involve significant changes to an area, and those changes:
(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
(ii) are not, of themselves, an adverse effect.

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2.22 There is a clear implication that within urban areas, increases in urban densities (which would logically include reduced lot sizes for dwellings) are to be provided for and encouraged. This policy also states that changes such as increasing densities (including providing for smaller lot sizes) are not necessarily an adverse effect.

2.23 Other provisions within the NPS have the same effect of promoting increases in density, albeit more indirectly. These include land supply and housing affordability (Objective 2, Policy 1(d), Policy 5(b), Policy 6(d)); and reductions in greenhouse gas emissions and the effects of climate change (Objective 8(b), Policy 1(e), Policy 1(f), Policy 6(e), and Policy 8).

2.24 Some submissions on the Variation[24] have raised concerns that it will reduce good subdivision design through infill development, inconsistent visual layout, a loss of amenity and visual cohesiveness. There is at least some justification to these concerns. At the time of an original subdivision, purchasers may have acquired their properties on the specific basis that large rural residential lot sizes would be maintained into the future, with low density rural residential densities based on physical separation from neighbours, space for large dwellings, and ample scope for the development of planting within large grounds.

2.25 Over time, or as properties change hands, future owners may conclude that their existing property is too large and seek to subdivide in order to reduce the area of land to be maintained and/or to release capital. The location of a dwelling within such a property may in future require the creation of a rear lot and additional access point; it may reduce the setbacks between dwellings and boundaries and the sense of openness enjoyed by neighbours; and over time change the visual appearance and character of the neighbourhood.

2.26 It is a reasonable observation that if higher densities through subdivision are going to eventuate at a subsequent stage, a better subdivision layout can be achieved by designing for a higher density of subdivision at the outset, rather than piecemeal subdivision at a later stage. From an urban design perspective, the presence of a large proportion of rear sections is regarded as less than optimal in that future dwellings don't 'address the street', and potentially reduce security and surveillance. That said, it must be acknowledged that others have a strong preference for living on rear sections.

[24] S.Verbeist #3 and #4; P Wilkins #7; G Nelson #24

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2.27 Maintaining a compact urban area, and reducing journey times, clearly implies increasing densities over time. This in turn potentially reduces energy consumption and greenhouse gas emissions, although the extent to which this may occur is dependent on a range of factors including the availability of alternative transport options. In some cases, the impact of such densification may be relatively modest.

2.28 Turning to the matter of amenity, Ms Picard reminded us that even if a proposal complies with the minimum net site area standard within the LLRAZ under Rule 27.6.1, it still requires consent as a restricted discretionary activity[25] and is assessed against various matters of discretion.

2.29 It is apparent to us that the effect of the NPS will be to encourage infill development including within rural residential areas *where these are located within an urban boundary*, as is the case with the LLRAZ. Put another way, it will be difficult to discourage or prevent infill development through regulatory means, unless the basis for this can be justified by factors such as long-term servicing restrictions or landscape protection. Certainly, it will be difficult to use regulatory means to restrict infill development on a basis of protecting rural residential lifestyles within urban boundaries. Within the provisions of the LLRAZ as intended, lots of 2000m², or even 1500m², still represent low densities and a future opportunity to provide more land for housing.

3.0 ASSESSMENT OF EVIDENCE AND SUBMISSIONS

The Officers Report

3.1 In her pre-circulated s42A report, Ms Picard recommended a number of amendments to the Variation as notified in response to submissions. Perhaps the most significant was to promote the concept of a 'total area' based on the PDP definition of net area, which defines the area of a site or lot as the total area specifically excluding access to any rear lot. Her recommended amendments were as follows:

Rule 11.5.9.1
(a) a maximum of one residential unit per site; <u>or</u>

[25] PDP, Rule 27.5.7

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(b) a maximum of one residential unit per 2000 m² (total area).

Rule 27.6.1
1500 m² providing the ~~total area of the site~~ average lot size is not less than 2000m² ~~average~~ (total area not net area).

3.2 The basis of her recommendations with respect to the wording was that it improved clarity, provided a better link between subdivision Rule 27.6.1 and Rule 11.5.9, would be the most appropriate way to achieve Objective 11.2.1, and would more effectively address the concerns of those who had supported the Variation in principle. (Her amendments would also mean that new Rule 11.5.9.2 would no longer be required).

Submissions

3.3 There were 34 submissions made on the Variation, with 65 submission points. 49 submission points supported the variation and 16 were in opposition. 82 further submission points from two further submitters were received on the original submissions[26].

3.4 Strongly contrasting evidence was presented to the hearing, with those submitters presenting to the hearing expressing views which were very clear and considered.

3.5 Two submitters appeared at the hearing to present brief statements of written evidence opposing the Variation, these being Nick Page (submitter #5) and Phil Wilkins (submitter #7). A further written submission was tabled to the hearing prepared by Sarah Verbiest (submitter #3) also in opposition to the Variation. We understand all of these submitters own properties or are resident within the Ridgecrest component of the LLRAZ. The matters raised in their evidence were generally consistent.

3.6 Their first concern was that the variation was an attempt to 'fiddle' with planning rules which had already been thoroughly considered during the PDP hearings process in 2018. It was their contention that the Hearings Commission had considered the matter of subdivision within the LLRAZ, and there was no justification in revisiting it so soon after the hearings. Mr Page stated:

[26] S42A Report, paragraph 2.5

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"Throughout the PDP process it was clear that the zone objective of maintaining a high quality of residential amenity values in the LLR zones was considered paramount. The NET area requirements for sites in the zone are long-standing, and while a decision was made late in the PDP process to move more LLR areas into the higher density A section of the zone, this was specifically recorded as not to be at the expense of maintaining acceptable amenity values".

3.7 He went on to say:

"Further, it is clear that it was never envisaged that one lot per 2000m² was some sort of target density for the LLR A zone, as is implied by a number of supporters of these variations. Rather, as with every other zone, it is quite clear that it is a minimum allowable NET site area".

3.8 In his evidence, Mr Page repeatedly emphasised that the scheme of the PDP, as set out in Clause 27.6 of the PDP, was to maintain lot sizes based on a net area formula. He rejected the claim in the officer's report that the purpose of the Variation was to provide greater certainty and clarity, but rather was to change the rules to more easily facilitate subdivision. In his opinion the proposed change would result in amenity outcomes within the zone being significantly and seriously degraded. He added that his opposition to the Variation extended beyond Ridgecrest to all components of the LLRAZ.

3.9 He also asserted that:

"Having a confusing and different definition of the mechanism for subdivision or one relatively minor zone, LLR A, is just as likely to add, not subtract from admin costs".

3.10 With respect to the proposal to change the wording of Policy 11.2.1.2, where the Variation sought to remove reference to controlling colour of buildings, he said that no change was proposed to section 11.1, the zone purpose clause, even though that clause also specifically included reference to controlling colour within the LLRAZ.

3.11 Mr Wilkin's submission made very similar comments, and like Mr Page his opposition to the Variation extended to the entire LLRAZ. He considered that the zone was important to the 'feel of Wānaka'. He did not consider that costs to prospective subdividers was an issue of any significance, and added the following comment with respect to the Council's role:

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"The rights of existing owners in LLR A zones need to be their priority, not sacrificed for the ease of Council convenience or that of an applicant. It should also not be forgotten that under rule 11.5.9 and owner seeking to subdivide less than a net 2000 m² could consult with neighbours, and went through a process of dialogue/negotiation and possibly still achieve their desired outcome. The critical point, the applicant must consult, address issues of local concern which ensures an understanding and acceptance of amenity value between the applicant and effected parties".

3.12 He opposed increasing density at the expense of amenity and saw the proposed amendment is simply a play on words to enable intensification for the advantage of a few.

3.13 In his evidence he said liberalising subdivision rules would contribute to the loss of existing owner's amenity, citing irregular lot shapes, loss of privacy, loss of view corridors, right-of-ways often also irregular in shape, changes to landscape, erection of high fences, loss of open landscaped gardens and general openness, noise, and glare from lighting.

3.14 The written submission tabled by Ms Verbiest raised similar concerns, but by contrast her primary emphasis was the potential effect of the Variation on the amenity values of the Ridgecrest subdivision. The submission stated:

"I was not objecting to the reduced sizing of potentially 1500 applying to newly opened up subdivisions (there are many of these on the outskirts of Wānaka, Albert town and Hāwea and thus, no shortage of new housing near Wānaka). There is a huge difference between the likely impact of a further reduction in size of sections on streets like ours (The Terraces and Ridgecrest) and a new subdivision in (for example) Hāwea".

3.15 In her view while a high level of residential amenity may be achieved with an average 2000m² site in new housing neighbourhoods, in older and long established neighbourhoods amenities would be compromised by infill housing including through increased traffic, noise and visually incohesive housing that can be seen from the lake. She also raised issues with respect to inadequate water pressure in the Ridgecrest subdivision. She recommended that the Council make an exception to the proposed new rules for The Terraces, Ridgecrest, and Beacon Point Road.

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3.16 Four submitters presented evidence to the hearing in support of the Variation, although one submitter (Mr Rogers) sought more liberal provision down to lot sizes of 1500m². The submitters in support were Jude Battson (submitter #10), Darryl Rogers (submitter #34), Mr Duncan White (Patterson Pitts Ltd Partnership submitter #16) who also appeared on behalf of Philippa O'Connell and Jeremy van Reil (submitter #12), Babak Hadi (submitter #14), Rohit Khanna (submitter #15), David Lumsden (submitter #23), Andrew and Jodie Howard (submitter #30) and Alastair Seyb (submitter #31). Finally, Daniel Curley presented verbal evidence accompanied by Ms Nicole Malpass, both of IP Solutions (submitter #17, #19, #20, #21, and #32). The submitter also supported and opposed numerous other submissions as set out in Appendix 2.

3.17 Jude Battson was the previous owner of the properties at 20C and 20D Sam John Place in Hāwea. We understood at the hearing that she was the first prospective subdivider to encounter problems with subdividing her property as a result of the application of the net site area minimum standard. She explained the background to development within the area and considered a 2000m² minimum density standard was appropriate for the area and would provide a 'soft entrance' to Hāwea. In her recollection, the issue with subdividing 4000m² lots had been acknowledged in the Hearings Commissioner's decision in 2018.

3.18 Mr Rogers addressed the hearing by way of teleconference from Australia, and said he was also the owner of a property Sam John Place, Hāwea. He said he had sought a 1500m² minimum lot size during the PDP hearings in 2018 and considered that adopting this lot size as minimum would be a simpler solution than that proposed by the Council. He was concerned that the current subdivision standards in the PDP resulted in inefficient use of land and infrastructure, and that even a 2000m² lot was too large within the urban boundary. He contended that the infrastructure serving the LLRAZ was designed to accommodate urban development, not rural residential.

3.19 Mr White of Patterson Pitts, accompanied by Mr Botting, spoke to his pre-circulated evidence, which supported the amendments to the variation proposed by Ms Picard in her report. His evidence primarily focused on the details of the proposed wording changes, rather than addressing the difficulties or otherwise with the current regime, except to the extent that it was apparent from the original submissions that the rules as currently drafted made the subdivision of lots at or slightly above 4000m² difficult.

3.20 Like Mr Curley, he said that an anomaly with the current subdivision rule was that it

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was possible to put two dwellings as of right on a 4000m² lot under the net lot site area formula under Rule 11.5.9, but that difficulties only arose later should the owner seek to subdivide the two dwellings into separate lots. In response to a question, he did not agree that the rule as sought to be amended would be complex and difficult to administer.

3.21 Mr Curley stated that he preferred Ms Picard's recommended amendments to the wording of the rules in the Variation as notified. He maintained that efficiencies of land supply within the urban boundary were an important issue. He said that the cost of obtaining consent for subdivision could amount to more than $40,000, which he considered was an untenable position given that two houses could be built as of right on the same 4000m² lot.

3.22 He said that two dwellings on a 4000m² allotment could be established such that the dwellings only needed to comply with rules on setback, site coverage, and height. It would be possible for a second dwelling for example, to be informally 'allocated' an area of land of much less than 1500m². There was no need to comply with a shape factor with respect to the siting of a second house on a lot. The two houses within the lot could be separated by fencing, have a driveway access to the rear, could obstruct neighbour's views and effectively create all of the adverse effects which were of concern to the opponents of the Variation, but without having to be subdivided. Up to 15% (600 m²) of a 4000ha site could be occupied by buildings[27], which was physically substantial. In these circumstances, a subsequent subdivision application only raised issues of land ownership, and not effects on the environment.

3.23 In response to questions as to how common this scenario actually was, he was of the opinion that examples of this were already apparent within the LLRAZ, particularly given the high rental yields that were now obtainable. Subsequently Mr White also produced an example of such a scenario having occurred in Wānaka[28].

Analysis of the evidence

Does the variation address a significant resource management issue?

3.24 We considered it was important to begin by analysing the scale of the issue (or 'problem') which the Variation was attempting to address. For lots with an area of

[27] PDP, Chapter 11 Rule 11.5.2.1

[28] 143/145 Anderson Road Wanaka

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less than 4000m², the Variation will have no effect and any such applications will continue to be assessed as noncomplying applications. Any issue with failure to meet the net site area may not apply in those circumstances where a subdivision does not require an access leg – that is, the 4000m² allotment can be subdivided into two parts with both parts having frontage to the street. However, from our understanding of the evidence this is not a common occurrence, and we have proceeded on the basis that the subdivision of 4000m² or similar sized lots would normally be sought on the basis that the additional allotment will be a rear section).

3.25 In addition, existing allotments which are comfortably in excess of 4000m², of which there are many in the LLRAZ, will also continue to be able to be subdivided into two (or in some cases more) lots, so the variation will not have any impact with respect to those lots.

3.26 This leads to the need to identify how the proposed Variation impacts on subdivision within the LLRAZ. It appears that there are two scenarios where subdivision is currently prevented (or made difficult) under the PDP as it currently stands.

3.27 The first concerns those 4000m² allotments which have already been developed containing two dwellings, and which upon subsequent subdivision, would fail to achieve the current required standard of 2000m² net site area for each lot as a result of the access leg being excluded from the calculation of net site area. The second scenario involves those lots which are sought to be subdivided in circumstances where the area of the access leg serving a new rear allotment is of sufficient size such that the 2000m² net site area cannot be achieved for one of the lots, or as an average area.

3.28 We questioned Mr Curley and Mr White at the hearing to obtain some idea of what size an original lot would need to be to achieve a 2000m² minimum net area for each lot excluding the access leg. From what we could ascertain, a typical 4000m² lot might have dimensions of 50m X 80m, such that the access leg would have a length of 40m and a width of 5m, a total of 200m². This means the original lot would need to have a net site area of approximately 4200m² to enable subdivision under the current net area formula. We appreciate that this simplifies reality, as some access legs might be shorter and smaller, while others might be longer and larger. We also note that there are a significant number of existing rear lots served by accessways which would also impact on the ability to subdivide. However, we believe a net site area of 4200m² provides a useful yardstick.

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3.29 We requested Ms Picard to provide some additional information to give us a more accurate idea of the potential for subdivision within the range of 4000m² – 4200m² allotments, which the Variation might enable[29]. From this we were obtained the following information:

(1) the western edge of Albert Town adjacent to Aubrey Road – 39 lots between 4000m² and 4200m², and 48 lots of more than 4200m²;
(2) the western edge of Wānaka north and south of Aubrey Road – 29 lots between 4000m² and 4200m², and 51 lots of more than 4200m²;
(3) the northern end of Wānaka adjacent to Beacon Point Road – 31 lots of between 4000m² and 4200m² and 48 lots larger than 4200m²;
(4) the southern edge of Hāwea township north of Cemetery Road – 29 lots of between 4000m² and 4200m²;
(5) the arc of LLRAZ around the southern and western fringe of Wānaka – 49 lots of between 4000m² and 4200m² and 88 lots of more than 4200m².

3.30 Put another way, if this variation was given effect to, a theoretical maximum of 177 additional lots could be created within the LLRAZ. The ability to subdivide down to 1500m² provides some additional flexibility but would still be caught with a requirement to achieve an *average* minimum area of 2000m². The primary benefit of this provision would be to provide flexibility where subdivision is taking place around two existing dwellings.

3.31 Accordingly, it can be concluded that the benefits of the variation will only extend to a minority of allotments within the LLRAZ, and many landowners may choose not to subdivide at all. Nevertheless on balance, we consider that even though the potential number of lots that would benefit from the Variation comprises a minority of those within the LLRAZ, they still constitute a significant number of lots which could provide scope for additional housing within the urban boundaries of Wānaka and Hāwea.

Does the Variation create an inconsistency within the rules structure?

3.32 This was an issue raised by the submitters in opposition, and by Mr Rogers. It was confirmed by Ms Picard at the hearing that all of the minimum area rules for subdivision in chapter 27 of the PDP use the net site area formula. Accordingly, the

[29] As at July 2021

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adoption of 'total area' as proposed in Rule 27.6.1 and in Rule 11.5.9 specifically for the LLRAZ as recommended by Ms Picard would be inconsistent with the site area formula used elsewhere in the PDP, although as she pointed out the words 'total area' are contained in the definition of 'site area' or 'net area' under the PDP.

3.33 A variation does not create a precedent effect in the same way as a resource consent[30]. We are conscious that it may be argued that since other minimum area standards also use the net site area formula, that it may encourage subdivision proposals on a similar basis to that proposed through this Variation. However, we consider that the Large Lot Residential Zones contain residential lots of such a large size as to differentiate them from other residential zones elsewhere in the district.

Does the Variation create difficulties with interpretation or enforcement?

3.34 While we agree that the adoption of a total site area formula is inconsistent with the net site area provision used elsewhere under Rule 27.6.1, we consider the proposed rule is quite clear, and would not be difficult to administer. We do not consider it would be ambiguous and lead to problems of interpretation.

Is this Variation appropriate given the decisions made by the Hearings Commission in 2018?

3.35 Submitters in opposition raised the point that the provisions contained in Chapter 11 and Chapter 27 had been carefully considered by the Hearings Commissions on the PDP as recently as 2018, and that it was inappropriate and unnecessary to revisit the issue now. We note that a Council has the discretion to introduce a variation at any time it considers it appropriate, but this argument nevertheless does have some force behind it. A key issue for us though, is whether the Commission at the time specifically turned its mind to the relatively narrow matter raised through this Variation – that is, the appropriateness or otherwise of the net site area formula being used to set minimum lot sizes.

3.36 From what we could ascertain from the Commission's decisions on Chapter 11 and Chapter 27 of the PDP, the Commission did not turn its mind to the appropriateness or otherwise of using a net site area or total area formula as a basis for determining lot sizes in the LLRAZ or LLRBZ. The only issue they considered was whether the

[30] Section 104(1)(c) RMA

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minimum lot size should be 2000m² or 4000m².

Does the Variation create an inconsistency with the policy framework?

3.37 This question has two components to it. The primary issue is the proposed amendments to part of Rule 27.6.1 insofar as it applies to the LLRAZ, and related Rule 11.5.9.1. No changes are proposed to be made to the objectives and policies specific to these minimum area standards through the Variation.

3.38 The relevant objective and policy in Chapter 11, which is now operative, was set out earlier in paragraph 1.13 of this recommendation. Objective 11.2.1 simply seeks to maintain a high level of amenity values within the LLRAZ. Effectively, this requires us to consider whether allowing subdivision of some existing allotments between 4000m² and 4200m² (approximately) would have an adverse effect on amenity – bearing in mind that two dwellings can be built as of right on allotment of 4000m² subject to height, coverage, and setback requirements[31]. We also need to take into account that a subdivision could be undertaken as of right of lots of approximately 4200m², or possibly slightly less than this, noting that such lots are not uncommon in the LLRAZ.

3.39 Submissions in opposition to the Variation seem to imply that amenity is directly proportional to density – that is, the larger the minimum lot size, the higher the level of amenity. We consider that is not necessarily the case – a large 4000m² allotment that is maintained with high quality landscaping, gardens, planting etc may indeed achieve a high standard of amenity, but if the lot is largely taken up with storage, placement of vehicles and containers, or is left in an undeveloped state, the resultant standard of amenity can be quite poor. Examples of both of these outcomes were readily apparent during our site visit.

3.40 Policy 11.2.1.1 seeks to maintain low density residential character within the LLRAZ which efficiently utilises the land resource and infrastructure, while requiring larger allotment sizes within the LLRBZ (with the latter having a 4000 m² minimum net site area requirement). To us this clearly signals that residential lot sizes in the LLRAZ are intended to be smaller than those in the LLRBZ. We consider it is plain that whether the current net site area requirement remains, or a total area formula is adopted (as proposed through Ms Picard's report), there is no conflict with the objective and policy. However, given the focus of Policy 11.2.1.1 is on efficient

[31] Height (Rules 11.5.1.1 – 11.5.1.4; Coverage (Rule 11.5.2.1); Setbacks (Rules 11.5.3.1 and 11.5.4)

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utilisation of the land resource and infrastructure, we consider the Variation would *better* achieve the policy, as it would enable more lots and dwellings to be established in the LLRAZ. This is important as the zone is within the urban boundary and can be serviced.

3.41 It is unusual for an objective or policy to specify a minimum lot area – that is normally implemented through rules. The proposed 80 ha minimum lot size standard for the Wakatipu Basin Rural Amenity Area (subject to appeal) is a rare exception to this[32]. The provisions of Chapter 11 do not specify in numeric terms what is meant by low density residential.

3.42 We have also considered the objectives and policies in Chapter 27 (Subdivision). The policy of most relevance appears to be 27.2.1.4 which reads as follows:

Discourage non—compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:
a. desirable urban design outcomes;
b. greater efficiency in the development and use of the land resource;
c. affordable or community housing.

3.43 This policy is silent on how "minimum allotment sizes" are to be defined, or the basis for the net site area formula that is currently adopted in Rule 27.6.1. However, as is the case with Policy 11.2.1.1, urban design outcomes and greater efficiency in the development and use of the land resource are relevant matters.

3.44 We note that there is a specific rule for the LLRAZ between Studholme Road and Meadowstone Drive and west of Beacon Point Road in Wānaka, with respect to the height restrictions[33], but these do not impact on lot sizes.

3.45 However, none of the above policies provide any specific assistance with determining whether the minimum area standard should be based on net site area or total site area, with the exception of a consistent theme about efficient use and development of the land resource. We do not consider that the Variation creates any inconsistency with the objective and policy framework with respect to how minimum lot sizes are defined.

[32] Policy 24.2.1.1
[33] Chapter 11, Rule 11.5.1.2

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3.46 The second component to the potential inconsistency issue concerns the amendment to Rule 11.2.1.2 (reference to colour) which is addressed below in the discussion on amendments.

What is the effect of erecting two dwellings on lots?

3.47 This was a point raised by Mr Curley, and also by Mr White in their presentations. Rule 11.5.9 presently provides for a maximum of one residential unit per 2000m² net site area, the implications of which were summarised in our summary of Mr Curley's evidence in paragraph 3.22 above. The key point to be taken from this, is that two residential units can be developed on a 4000m² allotment with all the associated physical effects on the environment. When an attempt is made to subdivide the property, the issue largely comes down to one of ownership. This can perhaps be regarded as a misalignment between the minimum area standards for dwellings on one hand, and those for subdivision on the other. The key point to be taken from this is that developments containing residential units on a 4000m² allotment can be established as of right, subject to compliance with bulk and location standards, which would not be difficult on most sites.

3.48 Mr Curley said the same issue arose with development within the LLRBZ, and it may well be an issue with other zones in the plan as well, although that is outside the scope of this process. There was some uncertainty as to just how common the scenario of owners electing to build two dwellings on a single allotment actually is, and there was only limited evidence available on this point. Nevertheless, we are satisfied from questioning of witnesses and Ms Picard, that developments involving the construction of two units on single 4000m² allotments (without subdivision) can and do take place.

Does increased density result in poor design outcomes?

3.49 This was a point raised by the submitters in opposition and identified in the evidence of Mr Wilkins. As already noted, there is some force to this argument, because if subsequent re-subdivision is ultimately expected to eventuate, this is better designed at the outset with appropriate lot sizes, so that dwellings can be located and sited to fit within them. Subsequent re-subdivision of existing lots can result in an incoherent pattern of lot sizes and dwellings. It can also result in a plethora of rear lots, which are attractive to some purchasers, but are generally regarded as alienating dwellings from the street. This is acknowledged in

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Subdivision Policy 27.2.3.2, which reads as follows:

While acknowledging potential limitations, encourage small-scale and infill subdivision in urban areas to:
a. ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
b. Where possible, locate lot so that they overlook and front road and open spaces;
c. avoid the creation of multiple rear sites, except where avoidance is not practicable;
d. Where buildings are constructed with the intent of the future subdivision, encourages site and development designed to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
e. Identify and create opportunities for connections to services and facilities in the neighbourhood.

3.50 However, even if a subdivision proposal complies with the minimum area standard under Rule 27.6.1, it still remains a restricted discretionary activity, and the matters of discretion include *"subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions*"[34]. In addition, lots within the LLRAZ need to be able to accommodate a 30mx30m square[35].

3.51 A further factor here is that a 4000m² lot is very large, being equivalent in size to approximately six 'normal' suburban sections, which even allowing for a large dwelling located towards the centre of the site, provides a reasonable degree of flexibility with respect to the location of a second dwelling and the identification of a future lot and access. Under the 15% site coverage allowed, it is possible to establish building coverage of 600m², and to a height of two storeys. Even a 1500m² or 2000m² allotment is quite large and could readily accommodate a large dwelling. We do not accept that there is a direct relationship between amenity and lot sizes, and other parameters are also important.

Does the Variation promote efficient use of the land resource?

3.52 This was specifically raised by Mr Curley in his evidence and is identified as a factor in Policies 11.2.1.1 and 27.2.1.4b. It is also clearly a factor in the NPS as we go on to discuss below. To the limited extent that the Variation will enable further

[34] Rule 27.5.7a
[35] Rule 27.7.19

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subdivision within the LLRAZ, and thereby increase the stock of residential housing, the Variation would promote more efficient use of the land resource. Even the subdivision of 4000m² lots down to 2000m² lots within the LLRAZ, results in a density of urban development which is significantly lower than 'traditional' suburban allotments which range between 500m² and 750m² in area.

3.53 Rural residential subdivision, particularly within urban boundaries as is the case within the LLRAZ, can have the following results:

- underutilisation and inefficient use of urban services such as water and wastewater;
- increased pressure for the outward expansion of urban areas into the rural area;
- the need to extend roading networks and associated increase in vehicle emissions;
- results in densities which mitigate against the efficiency of existing or future public transport provision.

3.54 To illustrate this point, 100ha of land would provide for up to 250 households on the basis of 4000m² lot sizes, 500 households on the basis of 2000m² lot sizes and approximately 1500 households on the basis of 600m² lot sizes. The implications of this in terms of consumption of land, and the provision of services are readily apparent. Its significance is even greater when it is considered that the LLRAZ occupies significant tracts of land within the urban boundaries of Wānaka and Hāwea.

3.55 This Variation however is more limited in its scope, as it will only 'benefit' the owners of lots containing two existing residential units, or which have an area of between approximately 4000m² and 4200m² within the LLRAZ. Nevertheless, to that extent, the Variation would enable more efficient use to be made of the land resource, and of urban infrastructure.

3.56 A further important point is that under the ODP, much of the land within what is now the Large Lot Residential Zones were classified as *rural residential*, with 4000m² approximating to the old imperial '1 acre' standard. This has evolved under the PDP with the description of '*large lot residential'*, and as noted elsewhere, an average lot size of 2000m² is still very large by residential standards.

Is the Variation consistent with the National Policy on Urban Development Capacity

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3.57 The NPS was discussed earlier in paragraphs 2.15 to 2.29 of this recommendation, so we will not repeat it here. Following from our preceding discussion on the efficient use of land resources, to the extent that the Variation would enable an increase in density within the LLRAZ and having regard to the emphasis on the NPS on the efficient use of resources and to the need to increase the availability of land for housing, the Variation is consistent with and would better achieve the policies of the NPS.

Does the Variation have the effect of reducing community input?

3.58 Our understanding from evidence to the hearing is that present practice at the Council is to notify applications where subdivision proposals do not meet the net site area requirement (i.e. in the range of lot sizes between 4000m² and 4200m² approximately), or where subdivision is sought of allotments in the same circumstances where there are already two dwellings on the site. In the case of the latter scenario, many of the 'effects' have already occurred, and we agree with Mr Curley that the purpose of the consent is primarily limited to a change of ownership which the subdivision would permit, rather than effects on the environment. Similarly, a neighbour may also consider themselves affected by a complying subdivision where the lot size might be only approximately 4200m² but find that they are unable to have any formal input.

3.59 The Variation will nevertheless have an impact if there were a large number of allotments (and occasional lots containing two dwellings) within that narrow band of lot sizes where further subdivision would be enabled by the proposed Variation. Balanced with this is that the effects of proposed buildings in terms of height, coverage and setbacks can also be addressed should these rules be breached, and that the subdivision would still be a restricted discretionary in status.

3.60 In considering submissions, be they on a resource consent or a variation such as this, we are not dealing with a 'numbers game'. Although the proposed Variation was criticised as simply benefiting 'a few', it was publicly notified, and the small proportion of LLRAZ landowners who did submit primarily submitted in support of the Variation. There have not been a large number of submissions opposing the Variation.

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Transaction Costs

3.61 There was some debate during the hearing as to the significance of costs which were imposed on applicants (and to some extent the Council) from the need for consents to be obtained with associated public notification. The processes under the RMA allow for public submission, particularly on noncomplying activity applications, but the cost of this needs to be justified by enhanced environmental outcomes. We understand that none of these applications have been declined, and given the narrow ambit of lot sizes affected, we consider that the costs associated with notification in these circumstances are difficult to justify.

Is there a case for excluding Ridgecrest?

3.62 From our site visit, it was readily apparent to us that there was a distinct difference in the character of the Ridgecrest component of the LLRAZ, particularly compared to those parts of the zone in Hāwea and Albert Town. Many of the properties in the former contained large dwellings with extensively planted and landscaped grounds. This may be because (as we were informed) that this is an older and more established area, but it appeared that socio-economic factors may also be significant in terms of the apparent physical contrast with other parts of the LLRAZ.

3.63 Ms Verbeist, who submitted in opposition to the Variation, was the one submitter at the hearing who specifically identified this distinction. She also raised the issue that the Ridgecrest area was visible from the surface of Lake Wānaka.

3.64 We have carefully considered whether there is a reasoned basis for excluding Ridgecrest from the amendments to Rules 11.5.9 and 27.6.1 as they apply to the LLRAZ. This could be achieved by altering the wording of the rules by way of an exception/and or attaching an Appendix to Chapter 11 defining the Ridgecrest component of the LLRAZ and applying the same minimum net site area as within the LLRBZ. We consider that such an amendment would be within scope.

3.65 The information provided by Ms Picard indicated that the primary scope for further subdivision is within that part of the LLRAZ east of Beacon Point Road with 34 lots already exceeding 4200m² in area, and another 31 between 4000m² and 4200 m². Overall, the case for providing a distinction for Ridgecrest is finely balanced.

3.66 In the final analysis, we have not elected to make an exception for Ridgecrest. In that respect we considered the following matters are relevant:

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- it is still possible to build two dwellings on a 4000m² allotment without subdivision, even if the variation did not proceed. This could create the potential adverse effects that are of concern to the submitters, and even if potential applications were notified, the issues primarily then focus on change of ownership;
- we are not convinced that if the Variation were to proceed, there would necessarily be a significant amount of subdivision;
- we were advised by submitters that there was strong local opposition to further subdivision, which raises the prospect of exploring an agreement to impose restrictive covenants outside the District plan, of a similar nature to those covenants that we understand have recently expired;
- it would be difficult to justify excluding Ridgecrest having regard to the need to give effect to the NPS.

Assessment of amendments proposed to the Variation

Policy 11.2.1.2

3.67 Six submissions specifically supported the amendments proposed to Policy 11.2.1.2 contained in the Variation, with further submissions in support [36]. Seven submitters opposed the variation in its entirety. We were advised by Ms Picard that these did not directly address Policy 11.2.1.2, although we noted Mr Page criticised the Variation the on the basis that Section 11.1 of the PDP (third paragraph, Zone Purpose) specifically refers to colour being a matter of control under the LLRAZ and the LLRBZ, and no change to this was proposed under the Variation.

3.68 He suggested that Rule 11.5.10 should instead be amended to effectively require control over the colour of buildings throughout the entire LLRAZ. We doubt whether such an amendment could be achieved within the scope of the Variation without publicly notifying the amendment he suggested. While we agree he has identified an anomaly, a 'Zone Purpose' is a descriptive provision and does not have the same status as a rule or a policy. It may be that the Council could amend the Zone Purpose under clause 16(2) of the 1st Schedule RMA. It seems to us that this is an example of a 'minor error' as described in the Schedule.

3.69 We are satisfied that the amendment to the wording of Policy 11.2.1.2 simply

[36] Submission 6.3 by A Anderson; Submission 12.1 by P O'Connell; Submission 14.1 by H Babik; Submission 15.1 by K Rohit ; Submission 16.1 by D White and Submission 23.1 by D Lumsden; supported by Further Submissions 36.16, 36.21, 36.24, 36.27, 36.30, 37.6, 37.7, 37.10, 37.13, and 37.16.

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removes a discrepancy between a rule and a policy, and that there is clearly no intention to impose controls over the colour of buildings within the LLRAZ. Mr White's evidence noted that the amendment to the policy was supported as the proposed wording was efficient, effective and clear. We agree with this and the findings in Ms Picard's evidence.

3.70 Given that no proposed changes were sought to the wording of the policy through submissions, we resolved that the submissions and further submissions in support of the amendments to the policy be accepted.

Rules 11.5.9.1 and 11.5.9.2

3.71 Four submitters supported the intent of the Variation but sought amended wording to the version as notified with respect to Rules 11.5.9.1 and 11.5.9.2[37]. The proposed wording of these rules as notified through the Variation are shown in paragraph 1.3 of this recommendation.

3.72 Mr White presented a joint statement of evidence on behalf of submitters Lumsden and Seyb. The thrust of these submissions was to remove the words "net site area", and that proposed new Rule 11.5.9.2 was unnecessary. Another submission[38] expressed concern that Rule 11.5.9.1 as drafted would result in an interpretation that more than one residential unit would be noncomplying and trigger a discretionary activity. This should be addressed by a reference back to Rule 27.6.1, and that there be no more than one residential unit per site.

3.73 Ms Picard considered that while providing for one residential unit per site through Rule 11.5.9.1 remained appropriate, she considered there would be benefit in linking the lot area standards from Rule 27.6.1 (in the subdivision chapter) by referencing the 2000m² *total* lot size. As a consequence of this amendment, she considered that proposed new Rule 11.5.9.2 would no longer be necessary. She recommended the following wording (with new text shown as underlined):

Large Lot Residential A:
(a) a maximum of one residential unit per site, or
(b) a maximum of one residential unit per 2000 m² (total area).

[37] Submission 16 by D White, Submission 23 by D Lumsden, Submission 31 by A Seyb and Submission 30 by S Edgar.
[38] Submission 19 by N Malpass

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3.74 Our understanding of this amendment is that it makes it clear that residential units are limited to one per site and introduces the term “total area”. This is to differentiate the wording of this particular rule from the term “net area” which is used elsewhere in the PDP in terms of subdivision.

3.75 On behalf of the group of submitters[39], Mr White initially seemed to consider that the use of the words ‘total area’ was ‘not necessary’ and was not used elsewhere in the PDP, but ultimately concluded that it provided more clarity. He went on to say that as proposed in Ms Picard’s amendment, a residential unit can be constructed as a permitted activity on a site of less than 2000m², which was important as it enabled a vacant lot to be created between 1500m² and 2000m². We note however that the rule as proposed to be amended would not allow for the creation of multiple 1500m² lots, given the wording proposed for Rule 27.6.1 as discussed below. In the final analysis, Mr White agreed that the proposed wording was appropriate and preferable to that sought in any other submission.

3.76 We agree that the wording proposed through Ms Picard’s amendment is not particularly elegant, and results in a definition of lot size that is inconsistent with the terminology used for lot sizes elsewhere in the plan, notably subdivision rule 27.6.1. Nevertheless, we consider her further amendment to Rule 11.5.9.1 as a pragmatic solution to addressing the inefficiencies contained within the current rule, and should not result in any difficulties in interpretation. We also note that the words ‘total area’ form part of the definition of net site area, so is not incongruous in terms of the rules.

Rule 27.6.1

3.77 This rule is perhaps the crux insofar as this Variation is concerned. We are satisfied that more efficient use of land within the LLRAZ can be achieved by enabling 4000m² lots to be subdivided into two lots, rather than the ‘de facto’ minimum of 4200m² (or thereabouts) which is required as a consequence of current rule’s application of ‘net site area’ which excludes land area taken up by accessways.

3.78 In our opinion, opposition to the Variation is primarily based on concerns about potential effects on the Ridgecrest area. Essentially it seems to us that the intention is to prevent further subdivision within this area by maintaining what would effectively be a 4000m² minimum lot size. We understand this applied previously

[39] Evidence of D White and M Botting, paragraph 2.4

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under now time expired private covenants, and the zoning regime established by the Operative District Plan. We understand the submitters reasoning, but we were not convinced on the evidence before us that the proposals contained in the Variation, including amendments as outlined by Ms Picard, would necessarily result in a loss of amenity values. Allotments with an average area of 2000m² represent a very low density by residential standards and allow ample scope for landscaping and for the erection of large dwellings.

Conclusions

3.79 We are satisfied that the amendments proposed by Ms Picard in her s42A report are appropriate and provide greater clarity then the wording contained in the Variation as notified.

3.80 Our overall conclusions, having considered the evidence from the submitters, is that while the scope of the Variation is limited to a relatively small band of lot sizes within the LLRAZ, it will achieve more efficient use of the residential land resource. On balance we are satisfied that the evidence supports the proposed Variation for the following reasons:

(1) we are required to give effect to the NPS, the content of which we consider strongly favours enabling increased densities as a means of addressing housing supply;
(2) there is evidence that some of the effects of further enabling subdivision within the zone can already occur as of right (subject to compliance with bulk and location standards) through the erection of two units on 4000 m² allotments;
(3) the adoption of a total area approach is inconsistent with that taken for other rules under Rule 27.6.1, but the rule itself would be straightforward to interpret and administer;
(4) other rules relating to bulk and location, height, and the ability to assess subdivision as a restricted discretionary activity provide adequately for the protection of amenity;
(5) the Variation is consistent with the relevant objective and policy framework in Chapters 11 and 27 of the PDP, and on balance would better achieve these provisions;
(6) an average lot size of 2000 m² still represents low density and provides ample scope for the erection of dwellings , landscaping, and flexibility for the siting of buildings and access;
(7) the Variation as amended through the recommendations of Ms Picard provides

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greater clarity than the wording originally notified with the Variation.

4.0 SECTION 32AA

4.1 The proposed Variation does not change any objectives of the PDP and only proposes to make minor changes to one policy, which is limited to the application of a control over the colour of buildings. This is not the primary focus of the Variation, which is limited to managing density within the LLRAZ. Even then, the scope of the Variation is further limited through its application to a relatively narrow band of lot sizes within the LLRAZ, which will have no effect on the large number of lots which are either less than 4000m², or well in excess of 4200m², of which there are many – certainly in excess of 55% of the lots in the LLRAZ.

4.2 We consider that the Variation is consistent with the provisions in Chapter 3 of the PDP (Strategic Direction), and in particular Strategic Objective 3.2.2.1 and Strategic Policies 3.3.14 and 3.3.15. We also consider that the Variation on balance is clearly supported by the objective and policy framework for Urban Development in Chapter 4 of the PDP, including Objective 4.2.1, Objective 4.2.2A, and particularly Policies 4.2.1.2, 4.2.1.3, 4.2.1.4, 4.2.2.2, and 4.2.2.8.

4.3 There was no suggestion that this Variation raised issues of regional significance, or that the Variation was inconsistent with the provisions of the (Partially Operative) Otago Regional Policy Statement. The variation is not considered to be inconsistent with Objective 4.5 and Policies 4.5.1 – 4.5.3 with respect to Urban Growth and Development.

4.4 The limited scope of the Variation did not raise any of the relevant matters of national importance under section 6 RMA or the Treaty of Waitangi under Section 8 of the RMA. With respect to the need to have particular regard to the matters under section 7 RMA, there was clearly debate as to whether the Variation would adversely affect the maintenance and enhancement of amenity values (section 7(c)) or the maintenance and enhancement of the quality of the environment (section 7(f)). In considering this, we think it important to acknowledge that the LLRAZ is part of the defined urban environment within the district. It is described as having a low density residential character, not a rural residential character. In that context we consider that increasing the scope for subdivision down to an average of 2000m² lot sizes (using a total area formula) still provides a lot of sufficient size which is readily capable (in conjunction with other rules) of maintaining a high standard of amenity. We are also

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in no doubt that the Variation is consistent with section 7 (b) of the RMA in that it will promote more efficient use and development of natural and physical resources.

4.5 Overall, we consider that the Variation, as proposed to be amended to Ms Picard's recommendations, would better achieve the purpose of the RMA in terms of Section 5.

4.6 The statutory requirements under section 32 and section 32AA RMA have been set out earlier in paragraphs 2.5 – 2.11 of this recommendation. We have addressed these matters under subsection 32(1) in part 3 of our recommendation above. Having considered the contrasting views expressed through submissions, we have concluded that high standard of residential amenity can be maintained within the LLRAZ as anticipated under Objective 11.2.1.

4.7 In terms of subsection 32(2) RMA we consider that the proposed Variation will have limited relevance to economic growth or employment, but any effects will be positive to the extent that there will be greater opportunities for providing housing within the LLRAZ, while still maintaining the low density character of the zone. We were provided with sufficient information to enable us to come to a clear conclusion on the matters raised in submissions.

4.8 In terms of subsection 32(3), this is an 'amending proposal'. The Variation is a proposal which has the objective of enabling greater opportunities for subdivision within the LLRAZ, while still maintaining an average total allotment size of 2000m² as anticipated through decisions on the hearing of submissions on the PDP, but also taking into account the objectives of the subsequent NPS.

4.9 In terms of subsection 32(4) RMA, we are required to consider whether the proposal will impose a greater or lesser prohibition or restriction an activity which are national environmental standard applies. As already noted in detail through this recommendation, we consider that the Variation as amended would better achieve the objectives of the National Policy Statement on Urban Development than the retention of the current density rules (in terms of how lot sizes are defined) in the LLRAZ.

4.10 We have considered the 'do nothing' option – that is, to retain the subdivision provisions in the PDP as they stand. On balance however, we do not consider this would better achieve the objectives of the PDP, particularly having regard to giving effect to the NPS.

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5.0 CONCLUSION AND RECOMMENDATION

5.1 We recommend that the Variation as amended and set out in attached Appendix 1 be approved, and that the submissions made thereon be accepted, accepted in part, or rejected as set out in Appendix 2.

Chair, Hearings Commission
2 August 2021

APPENDIX 1

Recommended Text Changes – Chapters 11 and 27 affecting Large Lot Residential A Zone

Black underlined shows text to be added to that contained in the Variation following the recommendation of the Hearings Commission.

Black ~~strikethrough~~ shows text contained in the Variation to be removed following the recommendation of the Hearings Commission.

Chapter 11 Large Lot Residential

1. Amend Policy 11.2.1.2 as follows:

11.2.1.2

Maintain ~~and~~ or enhance residential character and high amenity values by controlling the ~~colour~~, scale, location and height of buildings, and in addition within Area B by requiring ~~require~~ landscaping, colour and vegetation controls.

2. Amend Table 2, Standards for Activities, Rule 11.5.9.1 as follows:

11.5.9 Residential Density

11.5.9.1 Large Lot Residential Area A:

(a) a maximum of one residential unit per site; or

(b) a maximum of one residential unit per 2000m² (total area).

~~11.5.9.2 Large Lot Residential Area A: any additional residential unit to that permitted by Rule 11.5.9.1, no more than one residential unit per 2000 m².~~

~~11.5.9.3~~2 Large Lot Residential Area B: a maximum of one residential unit per 4000m² net site area.

Non—compliance: D

Chapter 27 Subdivision and Development

3. Amend Rule 27.6.1 as follows:

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

(Note: in the Large Lot Residential A zone, the minimum or average lot size shall be determined by total area, not net site area)

Zone: Residential

Large Lot Residential A

Minimum Lot Area: 1500m² providing ~~the total area of the site is not less than~~ the average lot size is not less than 2000m² ~~average~~ (total area)

APPENDIX 2 - SUMMARY OF SUBMISSIONS AND RECOMMENDED DECISIONS

Original Submission	Further Submission	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Submission Summary	Staff AcceptReject
OS2.1		Kerie Lee	Uren			1-Variation to Chapter 11	Support	That the variation to Large Lot Residential A is retained as notified.	Accept in Part
OS2.1	FS36.13	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 2.1 is supported.	Accept in Part
OS3.1		Sarah	Verbiest			2-Variation to Chapter 27	Oppose	That the proposed variation to Rule 27.6.1 is opposed so that the permitted minimum net area remains at 2000m2.	Reject
OS3.1	FS36.1	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That relief sought in Submission 3.1 is opposed.	Accept in Part
OS4.1		Sarah	Verbiest			1-Variation to Chapter 11	Oppose	That the proposed changes to Chapter 11 are opposed.	Accept in Part
OS4.1	FS36.2	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Oppose	That the relief sought in Submission 4.1 is opposed.	Accept in Part
OS5.1		Nick	Page			1-Variation to Chapter 11	Oppose	That the proposed changes to Rule 11.5.9 be rejected.	Accept in Part
OS5.1	FS36.3	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Oppose	That the relief sought in Submission 5.1 is opposed.	Accept in Part
OS5.1	FS37.1	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 5.1 is supported.	Accept in Part
OS5.2		Nick	Page			2-Variation to Chapter 27	Oppose	That the proposed change to Rule 27.6.1 be rejected.	Accept in Part
OS5.2	FS36.4	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 5.2 is opposed.	Accept in Part
OS6.1		Andrew John	Anderson			2-Variation to Chapter 27	Support	That the proposed variation to Rule 27.6.1 is retained as notified.	Accept in Part
OS6.1	FS36.14	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 6.1 is supported.	Accept in Part
OS6.1	FS37.4	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 6.1 is supported.	Accept in Part
OS6.2		Andrew John	Anderson			1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part

OS6.2	FS36.15	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 6.2 is supported.	Accept in Part
OS6.2	FS37.5	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 6.2 is supported.	Accept in Part
OS6.3		Andrew John	Anderson			1-Variation to Chapter 11	Support	That Policy 11.2.1.2 is retained as notified.	Accept
OS6.3	FS36.16	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 6.3 is supported.	Accept
OS6.3	FS37.6	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 6.3 is supported.	Accept
OS7.1		Phil	Wilkins			2-Variation to Chapter 27	Oppose	That the proposed changes to Rule 27.6.1 be rejected.	Accept in Part
OS7.1	FS36.5	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 7.1 is opposed.	Accept in Part
OS7.2		Phil	Wilkins			1-Variation to Chapter 11	Oppose	That the proposed changes to Rule 11.5.9 be rejected.	Accept in Part
OS7.2	FS36.6	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Oppose	That the relief sought in Submission 7.2 is opposed.	Accept in Part
OS7.2	FS37.2	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 7.2 is supported.	Accept in Part
OS8.1		Peter David	Allard			1-Variation to Chapter 11	Oppose	That the proposed changes to Rule 11.5.9 be rejected.	Accept in Part
OS8.1	FS36.7	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Oppose	That the relief sought in Submission 8.1 is opposed.	Accept in Part
OS8.2		Peter David	Allard			2-Variation to Chapter 27	Oppose	That the proposed changes to Rule 27.6.1 be rejected.	Accept in Part
OS8.2	FS36.8	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 8.2 is opposed.	Accept in Part
OS9.1		Nicola & Nigel	Scott			1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part
OS9.1	FS36.17	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 9.1 is supported.	Accept in Part

OS9.2		Nicola & Nigel	Scott			2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS9.2	FS36.18	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 9.2 is supported.	Accept in Part
OS10.1		Judith (Jude)	Battson			1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part
OS10.1	FS36.19	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 10.1 is supported.	Accept in Part
OS11.1		Joanna	Underwood			2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS11.1	FS36.20	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 11.1 is supported.	Accept in Part
OS12.1		Phillipa	O'Connell			1-Variation to Chapter 11	Support	That Policy 11.2.1.2 is retained as notified.	Accept
OS12.1	FS36.21	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 12.1 is supported.	Accept
OS12.1	FS37.7	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 12.1 is supported.	Accept
OS12.2		Phillipa	O'Connell			1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part
OS12.2	FS36.22	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 12.2 is supported.	Accept in Part
OS12.2	FS37.8	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 12.2 is supported.	Accept in Part
OS12.3		Phillipa	O'Connell			2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS12.3	FS36.23	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 12.3 is supported.	Accept in Part
OS12.3	FS37.9	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 12.3 is supported.	Accept in Part
OS13.1		Colin	Brosnahan			2-Variation to Chapter 27	Oppose	That Rule 27.6.1 be rejected.	Accept in Part

OS13.1	FS36.9	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 13.1 is opposed.	Accept in Part
OS13.2		Colin	Brosnahan			1-Variation to Chapter 11	Oppose	That the proposed changes to Rule 11.5.9 be rejected.	Accept in Part
OS13.2	FS36.10	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Oppose	That the relief sought in Submission 13.2 is opposed.	Accept in Part
OS13.2	FS37.3	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 13.2 is supported.	Accept in Part
OS14.1		Babak	Hadi			1-Variation to Chapter 11	Support	That Rule 11.2.1.2 is retained as notified.	Accept
OS14.1	FS36.24	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 14.1 is supported.	Accept
OS14.1	FS37.10	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 14.1 is supported.	Accept
OS14.2		Babak	Hadi			1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part
OS14.2	FS36.25	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 14.2 is supported.	Accept in Part
OS14.2	FS37.11	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 14.2 is supported.	Accept in Part
OS14.3		Babak	Hadi			2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS14.3	FS36.26	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 14.3 is supported.	Accept in Part
OS14.3	FS37.12	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 14.3 is supported.	Accept in Part
OS15.1		Rohit	Khanna	Home Factor SI Ltd		1-Variation to Chapter 11	Support	That Rule 11.2.1.2 is retained as notified.	Accept
OS15.1	FS36.27	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 15.1 is supported.	Accept
OS15.1	FS37.13	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 15.1 is supported.	Accept
OS15.2		Rohit	Khanna	Home Factor SI Ltd		1-Variation to Chapter 11	Support	That Rule 11.5.9 is retained as notified.	Accept in Part

OS15.2	FS36.28	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 15.2 is supported.	Accept in Part
OS15.2	FS37.14	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 15.2 is supported.	Accept in Part
OS15.3		Rohit	Khanna	Home Factor SI Ltd		2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS15.3	FS36.29	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 15.3 is supported.	Accept in Part
OS15.3	FS37.15	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 15.3 is supported.	Accept in Part
OS16.1		Duncan	White		Paterson Pitts Limited Partnership (Wanaka)	1-Variation to Chapter 11	Support	That Rule 11.2.1.2 is retained as notified.	Accept
OS16.1	FS36.30	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 16.1 is supported.	Accept
OS16.1	FS37.16	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 16.1 is supported.	Accept
OS16.2		Duncan	White		Paterson Pitts Limited Partnership (Wanaka)	1-Variation to Chapter 11	Oppose	That Rule 11.5.9.1 is amended as follows: Large Lot Residential A: A maximum of one residential unit per 2000m2 And, that if Rule 11.5.9.1 is amended, Rule 11.5.9.2 is struck out.	Accept in Part
OS16.3		Duncan	White		Paterson Pitts Limited Partnership (Wanaka)	2-Variation to Chapter 27	Oppose	That Rule 27.6.1 is amended as follows: 1500m2 providing the average lot size is not less than 2000m2.	Accept in Part
OS17.1		Daniel	Curley	IP Solutions Ltd	IP Solutions Ltd	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS17.1	FS36.31	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 17.1 is supported.	Accept in Part
OS17.1	FS37.17	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 17.1 is supported.	Accept in Part
OS17.2		Daniel	Curley	IP Solutions Ltd	IP Solutions Ltd	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS17.2	FS36.32	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 17.2 is supported.	Accept in Part
OS17.2	FS37.18	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 17.2 is supported.	Accept in Part

OS18.1		Nicole	Malpass	IP Solutions Ltd	Guy Alty, Sheryl Alty and Amanda Jack	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS18.1	FS36.33	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 18.1 is supported.	Accept in Part
OS18.2		Nicole	Malpass	IP Solutions Ltd	Guy Alty, Sheryl Alty and Amanda Jack	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS18.2	FS36.34	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 18.2 is supported.	Accept in Part
OS19.1		Nicole	Malpass	IP Solutions Ltd	Abbeyfield Construction Ltd	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS19.2		Nicole	Malpass	IP Solutions Ltd	Abbeyfield Construction Ltd	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS19.2	FS36.35	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 19.2 is supported.	Accept in Part
OS19.2	FS36.36	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 19.2 is supported.	Accept in Part
OS20.1		Nicole	Malpass	IP Solutions Ltd	Ross and jenny Dungey	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS20.1	FS36.37	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 20.1 is supported.	Accept in Part
OS20.2		Nicole	Malpass	IP Solutions Ltd	Ross and jenny Dungey	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS20.2	FS36.38	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 20.2 is supported.	Accept in Part
OS21.1		Nicole	Malpass	IP Solutions Ltd	IP Solutions Ltd	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS21.1	FS36.39	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 21.1 is supported.	Accept in Part
OS21.1	FS37.19	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 21.1 is supported.	Accept in Part
OS21.2		Nicole	Malpass	IP Solutions Ltd	IP Solutions Ltd	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part

OS21.2	FS36.40	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 21.2 is supported.	Accept in Part
OS21.2	FS37.20	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 21.2 is supported.	Accept in Part
OS22.1		Nicole	Malpass	IP Solutions Ltd	Stephanie Georgalli	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS22.1	FS36.41	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 22.1 is supported.	Accept in Part
OS22.2		Nicole	Malpass	IP Solutions Ltd	Stephanie Georgalli	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS22.2	FS36.42	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 22.2 is supported.	Accept in Part
OS23.1		David	Lumsden			1-Variation to Chapter 11	Support	That Policy 11.2.1.2 is retained as notified.	Accept
OS23.2		David	Lumsden			1-Variation to Chapter 11	Oppose	That Rule 11.5.9.1 be amended as follows: Large Lot Residential A: A maximum of one residential unit per 2000m2 And that if Rule 11.5.9.1 is amended, Rule 11.5.9.2 be struck out.	Accept in Part
OS23.3		David	Lumsden			2-Variation to Chapter 27	Oppose	That Rule 27.6.1 be amended as follows: 1500m2 providing the average lot size is not less than 2000m2.	Accept in Part
OS24.1		Antony Guy	Nelson			2-Variation to Chapter 27	Oppose	That Rule 27.6.1 be rejected.	Accept in Part
OS24.1	FS36.11	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 24.1 is opposed.	Accept in Part
OS25.1		Susan	Rutherford			2-Variation to Chapter 27	Support	That Rule 27.6.1 is retained as notified.	Accept in Part
OS25.1	FS36.43	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 25.1 is supported.	Accept in Part
OS26.1		Joseph	Fraser			1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part

OS26.1	FS36.44	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 26.1 is supported.	Accept in Part
OS26.2		Joseph	Fraser			2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS26.2	FS36.45	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 26.2 is supported.	Accept in Part
OS27.1		Amelia	Crofut-Brittingham			1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS27.1	FS36.46	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 27.1 is supported.	Accept in Part
OS27.2		Amelia	Crofut-Brittingham			2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS27.2	FS36.47	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 27.2 is supported.	Accept in Part
OS28.1		Peter	Whitworth			1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS28.1	FS36.48	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 28.1 is supported.	Accept in Part
OS28.2		Peter	Whitworth			2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS28.2	FS36.49	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 28.2 is supported.	Accept in Part
OS29.1		Leeann	Morton		Self	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS29.1	FS36.50	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 29.1 is supported.	Accept in Part
OS30.1		Scott	Edgar	Edgar Planning	Andrew & Jodie Howard	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part

OS30.1	FS36.51	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 30.1 is supported.	Accept in Part
OS30.1	FS37.21	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	1-Variation to Chapter 11	Support	That the relief sought in Submission 30.1 is supported.	Accept in Part
OS30.2		Scott	Edgar	Edgar Planning	Andrew & Jodie Howard	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS30.2	FS36.52	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 30.2 is supported.	Accept in Part
OS30.2	FS37.22	Maree	Baker-Galloway	Anderson Lloyd	Allenby Farms Limited	2-Variation to Chapter 27	Support	That the relief sought in Submission 30.2 is supported.	Accept in Part
OS31.1		Alastair	Seyb	Land Infrastructure Management Ltd	Land Infrastructure Management Ltd	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS31.1	FS36.53	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 31.1 is supported.	Accept in Part
OS31.2		Alastair	Seyb	Land Infrastructure Management Ltd	Land Infrastructure Management Ltd	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS31.2	FS36.54	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 31.2 is supported.	Accept in Part
OS32.1		Nicole	Malpass	IP Solutions Ltd	Edward Trustee Ltd	1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS32.1	FS36.55	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 32.1 is supported.	Accept in Part
OS32.2		Nicole	Malpass	IP Solutions Ltd	Edward Trustee Ltd	2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part
OS32.2	FS36.56	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 32.2 is supported.	Accept in Part
OS33.1		Kelly	Hamilton			1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS33.1	FS36.57	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 33.1 is supported.	Accept in Part
OS33.2		Kelly	Hamilton			2-Variation to Chapter 27	Support	That the proposed changes to Chapter 27 are retained as notified.	Accept in Part

OS33.2	FS36.58	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 33.2 is supported.	Accept in Part
OS34.1		Darryll Leigh	Rogers			1-Variation to Chapter 11	Support	That the proposed changes to Chapter 11 are retained as notified.	Accept in Part
OS34.1	FS36.59	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	1-Variation to Chapter 11	Support	That the relief sought in Submission 34.1 is supported.	Accept in Part
OS34.2		Darryll Leigh	Rogers			2-Variation to Chapter 27	Support	That Rule 27.6.1 be retained as notified. If Rule 27.6.1 is not adopted, retain the 1500m2 minimum lot size in the Lake Hawea Town boundary.	Accept in Part
OS34.2	FS36.60	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Support	That the relief sought in Submission 34.2 is supported.	Accept in Part
OS35.1		Cush	Nelson			2-Variation to Chapter 27	Oppose	That the reduction of minimum lot area to 1500m2 be rejected.	Reject
OS35.1	FS36.12	Nicole	Malpass	IP Solutions	Abbeyfield Construction Ltd Guy Alty, Sheryl Alty and Amanda Jack Ross and Jenny Dungey Stephanie Georgalli Edward Trustee Ltd Dan Curley IP Solutions	2-Variation to Chapter 27	Oppose	That the relief sought in Submission 35.1 is opposed.	Accept in Part