

**Mr Wilson, Answers to Questions on PDP Medium Density s42A
Hearing Stream 7A**

Paragraph or Plan reference	Question
Para 59	<p>Is the submitter really attempting to define constraints, or is this a case of the submitter is suggesting some examples of constraints to be included so as to assist with interpretation of what might validly be considered constraints?</p> <p>I can see two approaches to interpreting this. I agree that these are types of constraints, as put forward by the submitter, but if written as an explicit list of constraints, then this may become more official than intended by the submitter.</p> <p>Or, the submitter intended this to be a list of exceptions.</p> <p>I prefer that the concept of constraint is left as general as possible, noting that it may not be possible to anticipate all future constraints in advance.</p>
Para 68	<p>As per our question to Mr McLennan (his para 79 for RESZ and LLRZ): The advice note reads as if it applies only to permanently relocated buildings, i.e. not to ‘regular’ buildings.</p> <p>Would it be clearer by addition of the word ‘also’? “This rule also applies to permanently relocated buildings.”</p> <p>Please review this recommendation in light of recommendations made by other Zone chapter authors in respect to the same submission point(s).</p>

	<p>I agree that “also” improves the clarity of the wording. This is the same position as Mr McLennan.</p> <p>I am of the opinion that the advice note improves the clarity of the plan, but not all report authors agree on this. I believe that the PDP should be consistent on this, and that if an advice note is to be inserted, it should be across the plan. Similarly, if no advice note is inserted, then this should also be across the plan.</p>
<p>Para 79 & 80</p>	<p>As per our question to Mr McLennan (his para 382):</p> <p>Is it really necessary to have a permitted activity rule for “gardening, cultivation and disturbance of land for fence posts”?</p> <p>If these activities are excluded from the definition of earthworks, it would mean they are not managed by the Earthworks Chapter.</p> <p>However, it is not clear why such benign activities would automatically be subject to the ‘catch all rule’ and therefore be discretionary activities. Would it not be a case of de minimis or negligible effects and therefore they are simply not controlled in a District Plan?</p> <p>This is to provide certainty, as not every plan-user is inclined to read exceptions to definitions.</p>
<p>Para 115</p>	<p>As per our question to Mr McLennan (his para 396): “... how will the deletion of all hours of operation restrictions for schools (educational facilities) be consistent with maintaining the amenity of a residential neighbourhood – is there an evidential basis that you are relying on for this recommendation, and is it appropriate to rely entirely on noise standards to control all coming and going, and activities on a site, after hours?”</p> <p>This applies to the smaller educational facilities, with GFAs under 200m2. As with Mr McLennan, I consider that NOISE-</p>

	<p>R19 provides an appropriate set of considerations for these smaller activities.</p>
<p>Para 191</p>	<p>Other reporting officers have recommended a 4m setback applies in respect to the rail corridor. Please explain why you consider a 5m setback should apply to the MRZ, compared to 4m in other zones.</p> <p>Other chapters set a “minimum of 4m from any site boundary with the rail corridor”.</p> <p>Kiwirail requested a 5m setback in respect of residential zones, however, other authors have not recommended this, keeping it at 4m, which Kiwirail appear to accept (in their evidence for hearing stream 7A and 7B).</p> <p>In the context of the MRZ, i am conscious that given the greater site density, there are more people affected by noise and vibration from the rail corridor, as well as a greater likelihood of development occurring right up to the setback limit. In the less dense zones, developments are less likely to be pushed right to the setback boundary.</p>
<p>Para 210</p>	<p>Please consider that part of the Waimakariri DC submission point which requests that “pedestrian or cycle facilities” be included in clause 1.</p> <p>I did not include this relief as it is already included within the clause as follows “or within 2m of a site boundary with a public reserve, walkway or cycleway shall be”</p>