

MEMORANDUM

Our reference: DPP12-5-45

To: Commissioner Lisa Bridson

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From: Corinna Tessendorf – Senior Environmental Policy Analyst

Date: 13 April 2017

PROPOSED PRIVATE PLAN CHANGE 45 – MANDEL MEWS

OFFICER'S RESPONSE TO MINUTE #1

On 11 April 2017 Commissioner Lisa Bridson issued Minute #1 which contained directions and questions to Council officers and the applicant in response to the Sec 42A report.

Below is my response to the directions/questions to officers:

- a. *Please forward the final officers report to the applicant for comment.*

The Commissioner's Minute #1 and the Officer's report have been emailed to Cuttriss Consultants Ltd (acting for the applicant) on 11 April 2017 together with the commissioner's request to receive feedback by end of business Thursday 13 April 2017

- b. *The site at 1N is quite an odd shape. I have a question about what rules, if any, would likely trigger the requirement for a resource consent if the site was developed? Of those rules, in the officer's opinion, what is the likelihood that the nearby residents would be notified?*

It is rather difficult to comment on potential non-compliance with standards and the need for notification without an actual development proposal.

The most likely rules to be breached by any future development proposal are probably the yard and recession plane requirements. However, depending on the actual proposal, there may be non-compliance with other standards and requirements which are impossible to predict without an actual application.

The notification requirements for resource consent applications are outlined in sections 95 to 95G of the RMA. Any proposed development will be assessed at the time of application based on the requirements under the RMA and a notification decision will be made based on the anticipated effects of the proposed development. While limited notification of affected neighbours (most likely Kiwirail) may be required depending on the anticipated effects of the proposal, full notification appears rather unlikely. Again in the absence of an application this can only be an estimate.

- c. *We have several other odd strips of land in the city, for instance along the rail corridor. How does the district plan currently treat those strips of land, and how does that compare to the proposal for this section of land.*

I am not aware of any other strips of land with similar site specific provisions in the District Plan. In general all sites are zoned in the plan and the resource consent process controls the site specific development potential of properties within the general framework laid down by the District Plan.

There are ways outside the District Plan to restrict or control development e.g. by covenants, conditions and restrictions on the property title.

Corinna Tessendorf

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