

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE CENTRAL OTAGO  
DISTRICT COUNCIL**

**IN THE MATTER OF** The Resource Management Act 1991 (**RMA** or **the Act**)

**AND**

**IN THE MATTER OF** Applications to the Central Otago District Council (**CODC**) by **D. J Jones Family Trust and N.R Searell Family Trust** for subdivision and land use resource consents for residential subdivision and building within a Building Line Restriction at 88 Terrace Street, Bannockburn (**RC230398**)

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**MEMO TO COMMISSIONERS**

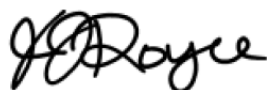
**PREPARED BY**

**KIRSTYN ROYCE, SECTION 42A REPORT WRITER**

**DATED 25 FEBRUARY 2025**

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1. In my review of Craig Barr's pre-circulated evidence, I note at Paragraph 76, he lists a summary of rules under which resource consent required. This list includes **Rule LLRZ-R12 – Comprehensive Residential Development (CRD)** and **Rule SUB-R5 - Subdivision of land where a land use consent has been obtained, or is applied for concurrently, under LLRZ-R12, LRZ-R16 or MRZ-R2** as introduced by Plan Change 19.
2. At paragraphs 56-64 of his evidence, Mr Barr discusses CRD as he considers it pertains to the proposal, including the relevance of Rule SUB-R5. Mr Barr also assesses the application against Policy LLRZ-P9 – Comprehensive Development.
3. While the applicant has applied for both subdivision and land use consent, in my reading of the application, the land use component applied for is restricted to buildings within the BLR only (Operative District Plan Rule 12.7.7)<sup>i</sup>.
4. The application does not seek approval for CRD or any other residential development across the wider site. The application does not include details of a comprehensively planned and designed residential development nor does it include an assessment of the relevant matters of discretion relevant to Rule LLRZ-R12.
5. I recognise that the application was lodged prior to notification of PC19 and before LLRZ- R12 came into being. However, the applicant did not amend the application to seek consent under LLRZ-R12 – CRD. The pre-circulated evidence appears to be the first reference to an application under LLRZ-R12.
6. Given that there is no application made under LLRZ-R12, I consider that subdivision Rule SUB-R5 which provides for subdivision where there is an application under LLRZ-R12 is not pertinent to this application. As such, Rule SUB-R6 is the relevant subdivision rule applicable to this application, notwithstanding any trigger for Rule SUB-R7 – Hazards.
7. Furthermore, given there is no application under LLRZ-R12, I consider that policy LLRZ – P9 is not relevant to this application.



Kirstyn Royce

**Consultant Planner and Section 42A report writer**  
**Southern Planning Solutions**

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<sup>i</sup> See Section 5, pages 29 and 30 of the application for RC230398