

## Submitter: Lyndendale Farms

### Submission number: 761

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
761.1			<b>Retain</b> proposed Rural zoning for the property at 180 Horsham Downs Road, Horsham Downs (Lot 5 DP 505127) and surrounding properties in the immediate area.	Accept	Decision Report 28O: Zoning - Rest of District
FS1062.107	Andrew and Christine Gore	Support	Allow submission point 761.1.	Accept	
FS1387.1112	Mercury NZ Limited for Mercury D	Oppose		Reject	
761.2			<b>Amend</b> to clarify whether the requiring authority for Designation U13 is Chorus New Zealand or Transpower New Zealand. AND Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Reject	Decision Report 31: Designations
761.3			<b>Retain</b> the designation for the Waikato Expressway (J17) as shown on the planning maps running alongside the southern boundary of the property at 180 Horsham Downs Road, Horsham Downs.	Accept	Decision Report 31: Designations
761.4			<b>Amend</b> the Rural Zone provisions in Chapter 22 to include specific provisions for new Retirement Village activities, including the proposed Lyndendale Lifestyle Village at 180 Horsham Downs Road, Horsham Downs (Lot 5 DP 505127). AND <b>Amend</b> the Proposed District Plan to make any	Reject	Decision Report 22: Rural Zone

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			consequential amendments that are required to give effect to the submission.		
FS1379.307	Hamilton City Council	Oppose		Accept	
FS1387.1113	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.5			<b>Amend</b> to Rule 22.1.3 Restricted Discretionary Activities to a new rule RD3 to include specific provisions for a new Retirement Village, or alterations to an existing retirement village as follows: <u>RD3- A new retirement village, or alterations to an existing retirement village at 180 Horsham Downs Road (legally described as Lot 5 DP 505127) that meets all of the following conditions: a) Minimum living court or balcony area and dimensions: i) Apartment- 10m<sup>2</sup> area within minimum dimension horizontal and vertical of 2.5m. ii) Studio unit or 1 bedroom unit- 12.5m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or iii) 2 or more bedroomed unit- 15m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; b) Minimum service court is either: i) Apartment- communal outdoor space (i.e. no individual service courts required); or ii) All other units- 10m<sup>2</sup>. c) Building height does not exceed 10m; d) Building setbacks- a 7.5m setback is required from a local road, and a 1.2m setback is required from all other boundaries; except internal site boundaries where no setback shall apply. e) The following</u>	Reject	Decision Report 22: Rural Zone

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
			<p><u>Land Use- Effects rule in Rule 22.2 do not apply: i. Rule 22.2.6.1 (Signs- General). ii. Rule 22.2.6.2 (Signs- Effects on traffic). f.) The following Land Use- Building rules in Rule 22.3 do not apply: i. Rule 22.3.1 (No. of Dwellings); ii. 22.3.6 Building Coverage iii. Rule 22.3.7.1 Building Setbacks iv. Rule 22.3.7.2 Building Setback- Sensitive Land Use. g) The following Infrastructure and Energy rule in Chapter 4 does not apply: Rule 14.12.1 P4(1.)d.) Traffic Generation</u> AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.</p>		
FS1379.308	Hamilton City Council	Oppose		Accept	
FS1387.1114	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.6			<p><b>Amend</b> Rule 22.1.5 NC5 non-complying activities so that NC5 does not apply to a retirement village activity (including the proposed retirement village at 180 Horsham Downs Road) in the Rural Zone. AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.</p>	Reject	Decision Report 22: Rural Zone
FS1379.309	Hamilton City Council	Oppose		Accept	
FS1387.1115	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.7			<p><b>Amend</b> Rule 22.2.6 Signs- General so that the signage provisions in Rules 22.2.6.1 and</p>	Accept in Part	Decision Report 22: Rural Zone

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			<p>22.2.6.2 do not apply to a retirement village (including the proposed retirement village at 180 Horsham Downs Road, Horsham Downs- the Lyndendale Lifestyle Village') by adding the following: <u>3.) Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village.</u> OR <b>Amend</b> Rule 22.2.6.1 Signs-General and Rule 22.2.6.2 Signs-Effects on Traffic so that signage provisions do not apply to a retirement village. OR <b>Add</b> a new rule to Rule 22.2.6.1 Signs-General as follows: <u>(x) Rules P1, P2, P3 and RD1 above do not apply to a retirement village.</u> AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.</p>		
761.8			<p><b>Amend</b> Rule 22.2.6 Signs-effects on traffic so that signage provisions in Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village by including the following: <u>(3) Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village.</u> OR <b>Amend</b> Rule 22.2.6.1 Signs-General and Rule 22.2.6.2 Signs- Effects on traffic so that the signage provisions do not apply to a retirement village AND <b>Add</b> to Rule 22.2.6.2 Signs - effects on traffic the following: <u>(x) Rules P1 and D1 above do not apply to a retirement village.</u> AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.</p>	Accept in Part	Decision Report 22: Rural Zone

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761.9			<b>Retain</b> Rule 23.4.1.1 PI Height- Building-General as notified.	Accept	Decision Report 18: Country Living Zone
761.10			<b>Amend</b> the Rule 22.4- Subdivision to allow for subdivision associated with the proposed Retirement Village at 180 Horsham Downs Road, Horsham Downs; including subdivision to separate the proposed retirement village from the balance of the rural property. <b>AND Amend</b> Rule 22.4.1.1- Prohibited Subdivision to exclude subdivision associated with a retirement village activity. <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Reject	Decision Report 22: Rural Zone
FS1379.303	<i>Hamilton City Council</i>	<i>Oppose</i>		<i>Accept</i>	
FS1387.1116	<i>Mercury NZ Limited for Mercury D</i>	<i>Oppose</i>		<i>Accept</i>	
761.11			<b>Amend</b> Rule 22.4- Subdivision to allow for subdivision associated with the retirement village activities at 180 Horsham Downs Road as a Restricted Discretionary Activity. <b>AND Add</b> Rule 22.4.1.2 RD1 to provide for subdivision associated with a retirement village at 180 Horsham Downs Road, Horsham Downs as a Restricted Discretionary Activity. <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Reject	Decision Report 22: Rural Zone

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FS1379.304	Hamilton City Council	Oppose		Accept	
FS1387.1117	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.12			<b>Amend</b> Section 5.1- The Rural Environment, Section 5.2- Productive Versatility of Rural Resources and Section 5.3- Rural Character and Amenity to provide for Retirement Village Development within the Rural Zone, only at 180 Horsham Downs Road, Horsham Downs. AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Reject	Decision Report 22: Rural Zone
FS1379.305	Hamilton City Council	Oppose		Accept	
FS1387.1118	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.13			<b>Amend</b> the definition of "Residential Activity" in Chapter 13: Definitions to specifically include (and refer to) a Retirement Village. AND <b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Reject	Decision Report 30: Definitions
FS1379.306	Hamilton City Council	Oppose		Accept	
FS1387.1119	Mercury NZ Limited for Mercury D	Oppose		Accept	
761.14			<b>Delete</b> the definition of "Rest home" from Chapter 13- Definitions. AND <b>Amend</b> the	Accept	Decision Report 30: Definitions

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			Proposed District Plan to make any consequential amendments that are required to give effect to the submission.		
FS1387.1120	<i>Mercury NZ Limited for Mercury D</i>	<i>Oppose</i>		<i>Reject</i>	
761.15			<b>Retain</b> the definition for "Retirement Village" in Chapter 13-Definitions as notified.	Reject	Decision Report 30: Definitions
FS1387.1121	<i>Mercury NZ Limited for Mercury D</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 30: Definitions</i>
761.16			<b>Amend</b> Chapter 13-Definitions to include definitions for "habitable" and "non-habitable" buildings. <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Accept	Decision Report 30: Definitions
FS1387.1122	<i>Mercury NZ Limited for Mercury D</i>	<i>Oppose</i>		<i>Reject</i>	
761.17			<b>Delete</b> the following standards from Table 14.12.5.7- Required parking spaces and loading bays: Retirement Village: 1 car space per dwelling or unit. Housing for the elderly/residential care: 1 car space per 4 occupants. Hospital or care facilities associated with retirement village: 2 car spaces per 3 patients accommodated plus 1 per 2 full time staff equivalents. <b>AND Add</b> the following standard to Table 14.12.5.7- Required Parking spaces and loading bays: <u>Retirement Village: 1 car space per 4 occupants that the facility can accommodate and one per dwelling or freestanding unit.</u> <b>AND Amend</b> the	accept	Decision Report 13: Infrastructure

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			Proposed District Plan to make any consequential amendments that are required to give effect to the submission.		
761.18			<b>Amend</b> Rule 14.12.1.4(1)d)-Traffic Generation so that it does not apply to a retirement village at 180 Horsham Downs Road. <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	reject	Decision Report 13: Infrastructure
761.19			<b>Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Accept in Part	Decision Report 22: Rural Zone
761.20			<b>Retain</b> Rule 22.3.4.1 P2 Height- Building-General insofar as it excludes the property at 180 Horsham Downs Road, Horsham Downs, which is not identified as having a Significant Amenity Landscape. <b>AND Retain</b> the property at 180 Horsham Downs Road, Horsham Downs as not having a Significant Amenity Landscape identified on it.	Accept in Part	Decision Report 22: Rural Zone
761.21			<b>Retain</b> the height to boundary requirement (37 degrees at 2.5m above ground level) in Rule 22.3.5 Daylight admission. <b>AND Amend</b> Rule 22.3.5 PI Daylight admissions so the height control plane only applies to the external boundaries of Retirement Villages and not to any internal boundaries for individual certificate of title boundaries. <b>AND Amend</b> the Proposed District Plan to make	Accept in Part	Decision Report 22: Rural Zone



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			any consequential amendments that are required to give effect to the submission.		
761.22			<b>Retain</b> Rule 22.3.5 RDI-Daylight admission as notified.	Accept in Part	Decision Report 22: Rural Zone
761.23			<b>Amend</b> Rule 22.3.6- Building coverage so that the building coverage requirements do not apply to a Retirement Village. <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Accept in Part	Decision Report 22: Rural Zone
FS1387.1123	<i>Mercury NZ Limited for Mercury D</i>	Oppose		Reject	
761.24			<b>Amend</b> Rule 22.3.7.1 Building setbacks- All boundaries as follows: <i>Rules P1, P2, P3, P4 and RDI do not apply to the proposed Retirement Village at 180 Horsham Downs Road; and Building setback requirements only apply to the external boundaries of a Retirement Village and there are no internal setback requirements; and there are no internal setback requirements; and The different rules for "habitable and non-habitable" buildings do not apply to a Retirement Village; and Site specific building setbacks are included for a Retirement Village.</i> <b>AND Amend</b> the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.	Accept in Part	Decision Report 22: Rural Zone