

**Before the Hearing Commissioners  
at Queenstown**

**In the Matter of**

the Resource Management Act 1991

**And**

**In the Matter of**

a proposed variation to the  
Queenstown Lakes Proposed District  
Plan – Te Pūtahi Ladies Mile

**Statement of Evidence of  
Alex John Dunn  
for Roman Catholic Diocese of Dunedin**

Dated: 20 October 2023

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## INTRODUCTION

### Qualifications and Experience

1. My name is Alex John Dunn.
2. I hold the qualification of Bachelor of Environmental Management and Planning from Lincoln University and have eight years' experience as a planner.
3. I have previously worked for Westland District Council from 2014 to 2016 and for Queenstown Lakes District Council (QLDC) from 2017 to 2021. During this period, I was predominantly employed as a Planner, processing variety of land use and subdivision consents on behalf of Council. I also held the role of Team Leader for Subdivision and Development Contributions from 2019 to 2021 at QLDC.
4. Since July 2021, I have been employed by Southern Planning Group Limited. In this role, I have been responsible for applying for a number of land use and subdivision consents. I also consult to QLDC assisting with the processing of s223 and s224c subdivision applications.
5. Throughout my professional career I have attended a number of hearings, both as the s42a Council Officer and as a planning expert for applicants.
6. I have been an Associate Member of the New Zealand Planning Institute since 2014.

### Code of Conduct

7. While this is not an Environment Court hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

## SCOPE OF EVIDENCE

8. My evidence will deal with the following:
  - (a) background;
  - (b) statutory framework;
  - (c) rezoning relief sought;
  - (d) planning assessment;
  - (e) response to Council Report; and

(f) conclusion.

## EXECUTIVE SUMMARY

9. This Evidence outlines the relief sought; which would provide for a specific 'Education and Place of Worship Precinct' with a clear consenting pathway to enable education and community activities on the Diocese site.
10. Securing a clear consenting pathway will ensure that that wider community's needs with regard to education and community activities are met while providing a level of comfort to the landowner that such activities could be established on the site.
11. The notified objectives and policies (including the amended s42a objectives and policies) do not provide a clear consenting pathway for such activities. In the event that education and/or community activities are not established on the site, the provisions of the Medium Density Residential Precinct would apply.
12. The relief sought by way of this Evidence would ensure that a school, church (and associated activities) would not be discouraged by the proposed rules.
13. The relief sought is consistent with the overarching objectives and policies of the wider Variation and seeks to ensure that education and community activities are sufficiently provided for on the site.

## BACKGROUND

14. I have been asked by the Roman Catholic Diocese of Dunedin (**Diocese**) to provide evidence on the Te Pūtahi Ladies Mile (**TPLM**) Variation (**Variation**) to the Queenstown Lakes District Plan.

## STATUTORY FRAMEWORK

15. Section 7 of the Council's s42a report sets out sets out the statutory framework for the functions of territorial authorities in meeting the purpose of the Act, for the preparation and content of District Plans, and for changes and variations, to plans. I agree with Council's summary of the statutory framework.
16. Section 32 is of particular importance to the proposed Variation. This section sets out the relevant statutory tests that must be carried out to determine the most appropriate way to achieve the purpose of the Act.
17. Section 32(1)(b) requires an examination whether the provisions of the proposal are the most appropriate way to achieve the objectives.

18. Section 32(2) requires that an assessment under subsection (1)(b)(ii) must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.
19. My assessment below has considered the requirements of s32 and provides what I consider the most appropriate response to the objectives to achieve the outcomes sought by the Diocese, as well as what the Variation seeks to achieve.
20. In carrying on that assessment, when determining the relevant objectives of the variation I have relied on both the proposed provisions, and also the background assessment prepared by council in support of the variation.

## REZONING RELIEF SOUGHT

21. The proposed zone as notified in the Variation for land located at 14 Lower Shotover Road, Lake Hayes (Lot 2 DP 586767) is TPLM - Medium Density Residential Precinct. It is noted that at the time the original submission was made, the land had a different legal description. In the intervening time, resource consent RM220154 has had s224c certification issued and new Titles have been created.
22. The Diocese lodged a submission on the variation which I had drafted. The Diocese does not seek to amend the zoning as notified in the Variation, but seeks that a specific overlay be applied over the site as 'Education and Place of Worship'. The extent of the site is shown on **Annexure A**. This would include a new definition in the District Plan to cover this specific activity.
23. Should the specific overlay not be accepted, the Diocese seeks that the objectives, policies and rules of the Variation are altered to ensure that education and community activities are provided for and given a clear and efficient consenting pathway within residential precincts of the Te Putahi Ladies Mile Zone.

## Refined Relief

24. To ensure consistency and integrity with the Variation, I have supported a further precinct rather than an overlay to provide for education and worship activities which is a refinement to the relief since I drafted in the submission.
25. Establishing an 'Education and Place of Worship Precinct' would be more consistent with the wording of the proposed TPLM zoning and ensure plan integrity and consistency.
26. I support the same rules for the relevant land with regard to residential density, height, and other requirements would continue to apply to the land in the event that the land is not used for education or community (church) purposes.

27. I have **attached** at **Annexure B** the refined relief that I support.

## **SECTION 32AA PLANNING ASSESSMENT**

### **Suitability of Site for Education and Worship Activities**

28. I consider the site at **Annexure A** to be appropriate for educational and worship activity. Design Principle 4 of the TPLM Final Masterplan seeks to create self-sustained and connected communities. One way this can be achieved is by establishing a community and commercial heart for both existing and new neighbourhoods.
29. The TPLM zone itself is expected to accommodate between 2100 and 2400 new residential units, which in turn would allow the Eastern Corridor to reach a population of around 10,000.
30. The substantial increase in the number of residents will result in additional demand for community, social, spiritual and education needs.
31. It is therefore important that the TPLM specifically provides for these activities in certain areas to ensure the overarching principles of the TPLM Final Masterplan, which have heavily influenced the notified provisions for the TPLM zone, are specifically accommodated for.
32. I consider that the Diocese's site is appropriate for these activities. The site is on the edge of the TPLM zone. To the west is Lower Shotover Road and the wider Wakatipu Basin Rural Amenity Zone. The Lower Shotover Cemetery is also located on the western side of Lower Shotover Road (zoned as Open Space and is within the Cemetery Subzone).
33. In addition, a buffer area is proposed alongside the zone boundary. A submission that related to this buffer zone was received from GW and SE Stalker (original submitter #71) that buildings be 25 metres setback from their boundary (Lot 5 DP 438514/ 70 Lower Shotover Road). This width was considered excessive by Council in the s42a report based on the expert of advice of Mr Steve Skelton (Landscape) and Mr Michael Lowe (Urban Design). With regard to the buffer zone, Council suggested the buffer be no less than 6m in width and shall include:
- (i) a diverse range of 70% native species to enhance biodiversity values with a minimum plant spacing of 1.5m; and
  - (ii) no less than 30% of planting which will reach a mature height of over 10 meters; and

- (iii) no less than 30% of planting which shall reach a mature height of over 4 meters; and
  - (iv) the balance of planting may be comprised of shrubs and small trees which contribute to biodiversity and amenity values.
34. I note that this amended requirement has been added to Table 4 – Standard for the Open Space Precinct. Sub Area A as shown on the General Structure Plan is not within the Open Space Precinct. I assume that this is a drafting error.
35. The 42a report at 12.123 – 12.125 recommends Mr Lowe’s and Mr Skelton’s evidence that the request of an 8 metre height limit adjoining the submitter’s (GW and SE Stalker) property be accepted. This amended height limit would be reflected by changing the Structure Plan map that shows the building heights. The proposed change to the building height plan is specifically shown at section 12.123 of the s42a.
36. I support those conclusions by Mr Lowe and Mr Skelton and consider that a 6 metre wide buffer zone and also the additional area of land that would be subject to the 8 metre maximum height rule to be appropriate.

### **Appropriateness of an Education and Place of Worship Precinct**

37. In response to the Diocese’s submission, the author of the s42a details each rule within the notified provisions that would need to be applied for to establish a school and community activities (a church). The s42a author concludes that this existing notified framework to be appropriate, as firstly there is no guarantee that the proposed activity would definitely locate on this site to require a site specific overlay/activity area; and secondly, a discretionary status enables a broad consideration of positive and potential adverse effects and the objectives and policies.
38. I do not consider the overarching zone wide objectives and policies have been taken into consideration with this assessment. Firstly, the notified provisions require that development be undertaken in accordance with the Structure Plan. As the Diocese’s site is zoned for residential purposes, any non-residential activity would automatically become non-complying by default.
39. From experience, when applying for resource consents in other areas of the District with Structure Plans in place where non-residential activities have a restricted discretionary, or non-complying activity status, Council’s processing planners have pushed back on consents and have stated that such areas are residential – with the non-complying activity status indicating that non-residential activities should be discouraged. As such, I do not consider the variation will enable the efficient or certain resource consenting of any school or worship activities. Objective 49.2.2 and its

associated policies deal with housing within the residential precincts. Policy 49.2.2.1 b) states:

*Avoiding development that does not achieve the residential densities required in each Precinct, and avoiding low density housing typologies including single detached residential units.*

40. Avoid policies are directive. Further, this policy conflicts with Objective 49.2.5 and its associated policies which provide for a range of activities within the zone. There is no direction within the objectives regarding which objective should take precedence. As there is a clear avoid policy associated with Objective 49.2.2 to avoid development that does not achieve residential densities required, should the Diocese seek consent to establish a church and school under the rules as they are currently drafted, there is the potential that any consent application may not be supported by Council as there would be no residential use of the land.

41. This concern is further highlighted by the purpose of each precinct. The purpose of the Medium Density Precinct is:

*The Medium Density Residential Precinct provides for a range of housing typologies including terrace, semi-detached, duplex, and townhouses on the north side of State Highway 6, to a density of at least 40 units per hectare, within easy walking distance to facilities.*

42. The omission of education and commercial activities within the MDR Precinct Purpose provides further guidance that non-residential activities may not be supported. In the event that they are potentially supported, the consenting pathway is likely to be difficult.

43. Policy 49.2.5.1 states:

*Enable education activities throughout the Zone and ensure that any potential adverse effects of the education activities, including buildings, on neighbourhood amenity are minimised by: a. promoting a high standard of building and site design including the location of open space and setbacks; b. the efficient provision and design of vehicle access and carparking.*

44. Policy 49.2.5.3 states:

*Provide for community activities in the Zone where these support the health and safety and the social and economic well-being of the local community and adverse effects on the residential Precincts are minimised.*

45. I consider that there is a serious disconnect between the objectives and policies that will create confusion by consent planners if an application was lodged within the MDR

Precinct to establish either a school or a community activity. The Diocese's proposal conflicts with the Structure Plan and policy framework.

46. It is clear that Council is wanting to create a community that is self-sustained as much as possible. Objective 49.2.6 and its associated policy 49.2.6.1 state:

*49.2.6 Objective - Development in the Zone minimises the generation of additional vehicle trips along State Highway 6, and reduces, as far as practicable, vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile.*

*49.2.6.1 Provide for a range of activities to serve residents of the Zone and residents within adjoining Ladies Mile residential areas (including areas on the south side of State Highway 6 and Threepwood) that reduce the need for travel along State Highway 6, including:*

*a. Educational facilities;*

*b. A variety of commercial activities to provide for the day-to-day needs of the Ladies Mile communities;*

*c. Recreational and open space areas; and d. Other community facilities including sportsgrounds and buildings for community uses*

47. Providing a school/place of worship will assist with the wider Ladies Mile community, including the existing Lake Hayes Estate and Shotover Country urban areas, being a self-sustaining community.

48. The Variation seeks to add in new policies 4.2.2.21 and 4.2.2.22 within the Urban Development Chapter.

49. Proposed Policy 4.2.2.21, as suggested to be amended by the s42a report, seeks to enable community and education activities. The relief sought is consistent with this policy.

50. Proposed Policy 4.2.2.22 states:

*Avoid subdivision and development that does not achieve the residential density range required within the Medium and High Density Residential Precincts of the Te Putahi Ladies Mile Zone, to ensure a sufficient population to support viable public transport and social amenities*

51. Once again, I consider this Policy to conflict with Policy 4.2.2.21 which seeks to enable community and education activities. The wording of Policy 4.2.2.22 may result in consent applications to establish community and education activities being recommended for refusal by Council due to the directive 'avoid' policy.

52. From a plan administration perspective, having a specific overlay area or precinct to expressly provide for school and church activities creates certainty regarding where such activities could be appropriate to be established. It is also consistent with the overarching zone wide objectives and policies which seek to enable education and community activities to serve residents of the TPLM zone and wider Eastern Corridor.
53. In the event that a school and church is not established on the site as per the Diocese's proposed overlay, the provisions of the underlying MDR Precinct would continue to apply to the site. This would effectively render the overlay redundant, yet still provide for residential land. For this reason, I consider an overlay to be appropriate.

### **Planning Documents/Higher Order Direction**

54. The QLDC Proposed District Plan (**PDP**) contains higher order objectives and policies relevant to consideration of the variation. These are contained within Chapters 3 and 4.

### **Chapter 3 – Strategic Direction**

55. Strategic Policy 3.2.2 seeks that urban growth is managed in a strategic and integrated manner. This includes by ensuring urban development contains a high-quality network of open spaces and community facilities.
56. Specifically providing for an education and place of worship activity area will ensure that the community's needs can be met as a church will be provided. I consider the relief sought will be consistent with this policy.
57. Strategic Policy 3.2.6 states:

*The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.*

*3.2.6.1 The accessibility needs of the District's residents and communities to places, services and facilities are met.*

*3.2.6.2 A diverse, resilient and well-functioning community where opportunities for arts, culture, recreation and events are integrated into the built and natural environment.*

*3.2.6.3 The contribution that community social, recreational and cultural facilities and activities make to identity and sense of place for residents of the District is recognised and provided for through appropriate location and sound design.*

58. The establishment of a specific precinct for education and a place of worship activities will ensure the growing population of the Eastern Access Corridor will have a sufficient

level of community and cultural needs met. The relief sought is therefore deemed to be consistent with this Policy.

59. Overall, I consider the relief sought is consistent with the relevant objectives and policies of Chapter 3.

#### **Chapter 4 – Urban Development**

60. The Site is identified as an “indicative future expansion area” within the Queenstown Lakes District Urban Environment Map contained within this chapter.
61. While this chapter predominantly deals with plan making itself, it is clear that the Site has been marked for future inclusion within the urban growth boundary. While the proposal is not urban in nature as the zoning of the site has not yet changed to urban, I consider that education and worship activities on the site are appropriate as the variation, if approved, will result in the site being within an urban zone.

## **PART 2**

### **Assessment Against Part 2**

#### **Section 5**

62. The purpose of the Act as stated in s5(1) is “to promote the sustainable management of natural and physical resources”.

63. Section 5 (2) of the Act defines “sustainable management” as:

*... managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their healthy and safety while –*

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment*

64. As detailed throughout my evidence, I consider that a precinct for education and worship on the land at **Annexure A** represents a more appropriate use for development land than proposed.

65. The relief supported in my evidence is considered to represent sustainable management where adverse effects on the environment have been appropriately

mitigated whilst providing for the social, cultural and economic wellbeing of the community.

### **Section 6**

66. Section 6 relates to matters of national importance. Of specific relevance to the subject application are:

(b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; and*

(h) *the management of significant natural hazards*

67. These matters have been addressed above in detail and the proposal is considered to be consistent with Section 6 matters.

### **Section 7**

68. Section 7 relates to 'other matters'. The matters of relevance are considered to be as follows:

(b) *the efficient use and development of natural and physical resources*

(c) *the maintenance and enhancement of amenity values*

(f) *the maintenance and enhancement of the quality of the environment*

69. These matters have also been assessed above in detail and the proposal is considered to be consistent with the relevant matters of Section 7.

### **Section 8**

70. In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi. The proposal is not considered to be at odds with the principles of the Treaty of Waitangi.

71. Consequently, taking the assessment contained within this report into account, the proposal is considered to achieve Part 2 of the Act.

### **Section 32AA Assessment**

72. I have undertaken an assessment of the proposed rezoning against the relevant statutory context, in the preceding sections.

73. After undertaking these assessments, I have found that the proposed rezoning sought by the Diocese better achieves the relevant planning provisions and the purpose of the Act than the version supported in the S42A report.

## RESPONSE TO COUNCIL S42A REPORT

### Education and Worship Activities Already Appropriately Provided For

74. I do not agree with the S42A Report that education and worship activities are appropriately provided for in the proposed Variation. Any non-residential activity within the MDR Precinct would automatically trigger a non-complying consent for not being in accordance with the Structure Plan and failing to meet residential density requirements.
75. There is a specific requirement within MDR Precincts for developments to meet a minimum residential density. Within the MDR Precinct, this density is between 40 and 48 residential units per hectare. Associated Policy 49.2.2.1 b) seeks to avoid developments that do not meet the required residential density within each residential precinct.
76. In addition to not being in accordance with the Structure Plan, any education and/or community activity would automatically breach the required density rule as these activities are non-residential, and the above 'avoid' policy would need to be assessed as part of a non-complying activity consent that would be required under Rule 49.5.16.1.
77. While education and community activities are provided for as restricted discretionary and discretionary activities, the overarching theme of the Precinct is to ensure that residential densities are met to provide for affordable housing.
78. Council's expert urban designer has stated:
- From an urban design perspective the location of the site in question, within the MDR zone, for such an activity would be appropriate in that it would not be removing developable land (for housing) from high density zones in close proximity to the commercial centre.*
79. In my view, this indicates that Council's own experts appear to be divided on how to deal with non-residential activities on land that is zoned for residential purposes. Community activities and education activities both have the same activity status within the MDR and HDR precincts. In addition, the same objectives and policies apply. However Mr Dun here is inferring that non-residential activities within HDR precincts would not be appropriate and should be left in MDR precincts.
80. Further, Rule 49.5.15 requires development to occur in accordance with the Structure Plan. Any non-residential activity such as a school and/or church would automatically require a non-complying consent under this rule.

81. I consider this conflict could easily be remedied by providing a specific precinct activity area that is enabling of these activities.
82. In the absence of the above, the objectives, policies and rules need to be made clear that residential densities do not apply for developments where the activity being sought is either an education or community purpose seeking to achieve objective 49.2.5 and associated policy 49.2.5.3.

## CONCLUSION

83. Overall, I consider the refined relief I support for the Dioceses more appropriate than the recommendation contained within the Council report for the reasons outlined in my evidence.



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Alex Dunn  
20 October 2023

## **ANNEXURE A – SITE LEGALLY DESCRIBED AS LOT 2 DP 586767**



Map Prepared



# Lot 2 DP 586767

DISCLAIMER: This map/plan is illustrative only and all information should be independently verified on site before taking any action. Whilst due care has been taken, Grip gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

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18 October 2023



## ANNEXURE B – REFINED RELIEF SOUGHT

**Appendix B**  
**Refined Relief Sought**

**Medium and High Density Residential Precincts**

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**48.2.9 Objective – Education and Community Activities are specifically provided for within the Education and Place of Worship Precinct**

48.2.9.1 Require that buildings to be used for education and community purposes adhere to coverage, height and recession plane requirements to protect surrounding residential amenity.

48.2.9.2 Acknowledge that in the event that this Precinct is not used for this purpose, the provision of the Medium Density Precinct shall apply.

**49.4 Rules – Activities**

	<b><u>Activities located in the Te Pūtahi Ladies Mile zone</u></b>	<b>Activity Status</b>
49.4.17	Education Activities within the Low, Medium or High Density Precincts and within the Open Space Precinct for Ministry of Education (or equivalent) operations only.  Discretion is restricted to: ...  <u>Education Activities within the Education and Place of Worship Precinct are covered by Rule 49.4.40</u>	RD
<u>49.4.40</u>	<u>Education Activities within the Education and Place of Worship Precinct (activity only)</u>	<u>P</u>
<u>49.4.41</u>	<u>Community Activities within the Education and Place of Worship Precinct (activity only)</u>	<u>P</u>
<u>49.4.42</u>	<u>Buildings for Education Activities within the Education and Place of Worship Precinct</u>	RD  Discretion is restricted to:  a. <u>The scale of the activity including</u>

		<u>effects on residential amenity;</u> b. <u>Effects on the transportation network;</u> c. <u>Building design</u>
49.4.43	<u>Buildings for Community Activities within the Education and Place of Worship Precinct</u>	RD <u>Discretion is restricted to:</u> a. <u>The scale of the activity including effects on residential amenity;</u> b. <u>Effects on the transportation network;</u> c. <u>Building design</u>

<b><u>Table 5</u></b>	<b><u>Standards for activities located in the Education and Place of Worship Precinct</u></b>	<b><u>Non-compliance status</u></b>
49.5.59	<p><u>Development shall be consistent with the Structure Plan at 49.8 except that:</u></p> <ol style="list-style-type: none"> <li>a. <u>The location where Collector Road Types A and B intersect with State Highway 6 or Lower Shotover Road may be varied by up to 10m where required to achieve integration with these intersections.</u></li> <li>b. <u>The location of Collector Road Type C may be varied by up to 20m to integrate with the intersection with State Highway 6</u></li> <li>c. <u>The location of the Key Crossing shown on the Structure Plan may be varied by up to 30m.</u></li> </ol> <p><u>In the event the Activity Area is not utilised for this purpose, this area shall be subject to the Medium Density Precinct and be subject to the standards set out in Table 2. If this is the case, then Table 5 becomes redundant.</u></p>	<u>NC</u>

<p><u>49.5.60</u></p>	<p><u>Building Height</u></p> <p>49.5.60.1 <u>Buildings shall not exceed the maximum number of storeys shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.</u></p> <p>49.5.60.2 <u>Buildings shall achieve the minimum number of storeys where specified on the Structure Plan – Building Heights.</u></p> <p><u>Building height shall not exceed the maximum heights shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Any sunlight, shading or privacy effects;</u></p> <p>b. <u>External appearance, location and visual dominance of the building;</u></p> <p>c. <u>Provision of sustainable design responses.</u></p> <p>d. <u>interface between building height requirements outlined in Schedule 49.8 Te Putahi Ladies Mile Structure Plan Building Heights.</u></p> <p>e. <u>Heritage values of the Glenpanel Precinct</u></p>
<p><u>49.5.61</u></p>	<p><u>Recession Plane</u></p> <p><u>Buildings shall not project beyond the following:</u></p> <p>a. <u>Northern boundary: 55 degree recession plane measured 4m above boundary;</u></p> <p>b. <u>Western and eastern boundaries: a 45 degree recession plane measured 4m above the boundary.</u></p> <p>c. <u>Southern boundary: a 35 degree recession plane measured 4m above the boundary.</u></p> <p><u>Exclusions:</u></p> <p>a) <u>Gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</u></p> <p>b) <u>Recession planes do not apply to site boundaries adjoining the Commercial Precinct, fronting a road, swale, or adjoining a park or reserve;</u></p> <p>c) <u>Recession planes do not apply to site boundaries where a common or party wall is proposed between two buildings on adjacent sites</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to any visual, dominance, sunlight, shading or privacy effects created by the proposal on adjacent sites, including effects on the heritage values of the Glenpanel Precinct.</u></p>
<p><u>49.5.62</u></p>	<p><u>Landscape Permeable Surface shall be at least 20%</u></p>	<p><u>NC</u></p>

49.5.63	<u>Maximum building coverage of 45%</u>	RD  <u>Direction is restricted to the following:</u>  a. <u>External appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent sites.</u>
49.5.65	<u>Maximum setbacks for buildings</u>  a. <u>Road boundaries: 3m</u> b. <u>All other boundaries: 1.5m</u>	RD  <u>Direction is restricted to the following:</u>  a. <u>Any privacy effects created by the proposal on the adjacent sites;</u> b. <u>External appearance, location and visual dominance of the building as viewed from the street and adjacent sites;</u> c. <u>Effects on the safety of the transportation network, including pedestrian safety; and</u> d. <u>Heritage values of the Glenpanel Precinct.</u>
49.5.65	<u>Lighting and Glare</u>  49.5.65.1 <u>All exterior lighting shall be directed downward and away from adjacent sites and roads.</u>  49.5.65.2 <u>No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured on any point inside the boundary of the other site.</u>	RD  <u>Discretion is restricted to effects of light and glare on amenity values, the transportation network and the night sky</u>