

**BEFORE THE HEARINGS PANEL
FOR THE CENTRAL OTAGO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

**IN THE MATTER of the Central Otago District Plan – Plan
Change 19**

Statement of Evidence of Rachael Maree Law

On behalf of Brian De Geest (#21) Freeway Orchards (#30), Goldfields Partnership (#31), Molyneux Lifestyle Village Limited (#32), Mary & Graeme Stewart (#33), D & J Sew Hoy, Heritage Properties Ltd (#51), Thyme Care Properties Ltd (#145), and Paterson Pitts Group (Cromwell) Submitter #165

12 April 2023

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Professional Details

1. My name is Rachael Maree Law. I hold the qualifications of a Bachelor of Resource and Environmental Planning from Massey University and a Masters of European Studies from Leuven University, Belgium.
2. I have seven years' experience as a planner. This experience comprises four years' experience for Queenstown Lakes and Porirua City Councils working as a Policy Planner during their respective District Plan reviews, and three years for Private Consultancies undertaking policy planning and resource consenting.
3. My experience encompasses resource consenting, policy planning, and presenting evidence at hearings for Plan Changes.
4. For the past two years I have worked as a planner for Paterson Pitts Group. Paterson Pitts Group is a land development consultancy employing surveyors, engineers, and planners undertaking a variety of rural and urban subdivision, resource consent applications, and plan change work.
5. While this is a Council hearing, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2022. This evidence has been prepared in accordance with it and agree to comply with it. I confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by others, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Reference Documents

6. In preparing this evidence I have reviewed:
 1. The s32 report for Plan Change 19
 2. S42a reports as follows:
 - i. Plan Change 19 – Residential Chapter Provisions Section 42A Report – Report on Submissions and Further Submissions PART 1 (Provisions) prepared by Liz White (including attachments)

Scope of Evidence

7. My evidence addresses the matters set out in the submissions of Brian De Geest (#21) Freeway Orchards (#30), Goldfields Partnership (#31), Molyneux Lifestyle Village Limited (#32), Mary & Graeme Stewart (#33), D & J Sew Hoy, Heritage Properties Ltd (#51), Thyme Care Properties Ltd (#145), and Paterson Pitts Group (Cromwell) (#165) while there are some differences between submissions as my evidence is on behalf of each of the submitters and in the interest of brevity, I have consolidated my evidence together. Submissions points for specific submission are included in tables as **Appendix A**. The evidence is structured by issue as follows:

1. Background
2. Relocatable Buildings
3. Excavation
4. Retirement villages
5. Density/Minimum Lot Sizes
6. Outdoor Living Space
7. Landscaping
8. Service and Storage Space
9. Outlook Space
10. Fencing
11. Habitable Rooms
12. Reverse Sensitivity

Background

8. Paterson Pitts Group (PPG) undertakes a variety of rural and urban subdivision, resource consent applications, and plan change work. Due to the nature of the work that PPG undertakes the District Plan provisions and the workability of provisions is of importance to PPG.

9. The intention of the submission and subsequent evidence on behalf of PPG is to provide expert planning input on the workability of provisions to best achieve the purpose of the Resource Management Act (RMA) and other strategic documents while not creating unwarranted resource consents for matters which are able to be managed either elsewhere or by other means.
10. While CODC is not subject to the NPS-UD due to the size, the direction provided by this is useful to consider given the wider context of the neighbouring territorial authorities of Queenstown Lakes District and Dunedin City. It is also acknowledged that Cromwell is an area which provides housing for people who work in Queenstown and Wanaka and faces some issues similar to that in the Queenstown Lakes District.
11. The Section 42A report¹ provides recommendations on submissions, where these are consistent with the intent of submissions, these are generally supported. The matters of disagreement between the recommendations of the S42A author and the submission are outlined further below with supporting reasoning.

Relocatable Buildings

12. The S42A author provides an appropriate recommendation and reasoning related to the activity status of relocated buildings. However, it is considered inappropriate to include the conditions in LRZ-R3, MRZ-R4, and LLRZ-R3. The recommended conditions do not appear to manage RMA matters, rather, they appear to manage building act or code matters. There is no equivalent treatment for buildings constructed onsite to be completed within a specified timeframe and therefore a building could be constructed on site and halted halfway through with no requirement for a resource consent. Whereas a relocatable building has a number of requirements to comply with which appear to be unrelated to RMA matters. I consider the effects of building onsite and having a relocatable building placed onsite are similar, however, the threshold for a relocatable building appears to be higher. This is not necessary and therefore these conditions should not be included as recommended by the S42A author.

¹ Plan Change 19 – Residential Chapter Provisions Section 42A Report – Report on Submissions and Further Submissions PART 1 (Provisions). Prepared by Liz White

Excavation

13. The S42A author provides an appropriate recommendation in respect to managing the effects of earthworks for the construction of buildings approved by a building consent, this approach is supported. The 200m³ volume recommended is also considered an improvement on the notified provisions and considered appropriate for LRZ and MRZ sites. However, 200m³ remains as a relatively small volume for larger sites such as Large Lot Residential Zone (LLRZ) sites when considering earthworks undertaken for landscaping which may be undertaken in the form of bunds and/or earthworks for accessory buildings that are not covered by a building consent (noting that buildings under 30m² do not require building consent).

Retirement Villages

14. The S42A author provides an appropriate recommendation in respect to managing the matters of discretion. However, the requirement to comply with density rules for retirement villages is not necessary nor the best use of land for retirement villages. Therefore, it is sought that compliance with the density standard is removed from LLRZ-R10, LRZ-R12, and MRZ-R13 (I note the scope of submission for Thyme Care Properties Ltd (#145) is for the MRZ only, however, suggest removal from LLRZ and LRZ for consistency across the plan).
15. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with the other standards as identified in LLRZ-R10, LRZ-R12, and MRZ-R13 protects the character and amenity of the zone when experienced from outside of the site. The compliance with density for a retirement village has no benefit to the wider environment, however, not being restricted by a density standard may have benefits internally to a retirement village to provide for more homes suitable for the needs older persons. Higher densities generally allow for shorter distances from housing to services which is beneficial to older persons. Therefore, removing the density standard compliance better allows for retirement village providers and older persons to provide for the health,

safety, and wellbeing of our older members of our community while maintaining the amenity from outside of the village.

Density/Minimum Lot Sizes

16. The submissions addressed by this evidence sought smaller lot sizes than notified. Smaller lot sizes have become increasingly popular in Cromwell and Alexandra and is consistent with achieving more affordable housing, a wider range of housing options, and allowing people to better provide for their social and economic wellbeing.
17. The s42A report notes that 250m² lots have only rarely occurred is incorrect when considering the development over the past 5 years. Given the District Plan is intended to look forward to the next 10 years this most recent time period is more important than that since 1990. In the past there was lower demand for smaller houses and smaller lots. However, the housing situation in New Zealand and in the Central Otago District and neighbouring districts has changed in recent years with more demand for small (less than 100m²) houses with little or no garden to maintain, particularly for retired persons, first home buyers, or rental properties. The housing in Molyneux Estate, Alexandra, are on 300m² to 330m² sections. Anecdotally, the developer of these houses has relayed that there are constant requests from members of the public requesting similar products.
18. Recent green field developments in Cromwell and Alexandra reflect the current housing market, increasing costs of the land resource, and the consumer preferences. These include Council's own subdivisions at Dunstan Park and Gair Estate, the Wooing Tree in Cromwell, the new Sunderland Park subdivision in Clyde, as well as the last stage of Molyneux Estate in Alexandra. These recent subdivisions have lot sizes in the range of 300m² – 450m², with some lot sizes below this. These developments have high demand and sell out fast.
19. Given the growth rate of the district, the minimum lot size in the residential zones should provide for development similar to this density and provide for the trends of recent times rather than that of historic subdivision patterns. A smaller lot size allows for a more compact urban form, and infill subdivision. These aspects are also positive when considering infrastructure and potential future active or public transport provision and better works towards the goal of a well-functioning urban

environment. Further, a smaller lot size results in greater protection for the rural land including highly productive land and outstanding natural landscapes and features.

MRZ

20. The Section 42A author considers that 200m² provides for a range of medium density building typologies while encouraging more compact semidetached or terraced housing options². I agree with this reasoning and the 200m² density, however, consider that this should be the only provision associated with density in the MRZ as the density should be consistent across the zone. Limiting density due to reticulated sewage in an urban zone seems counter intuitive, and contrary to the purpose of a MRZ. There are also different onsite solutions which can work for sites that are smaller than 800m², this unduly limits the ability of development to appropriate scales given appropriate technology exists. Further, I do not consider that the removal of point two result in adverse effects if more than one dwelling is constructed on a site as all new buildings are required under the Building Act and the Building Consenting process to be connected to appropriate sewage disposal. Therefore, there is no risk that new dwellings will be built that do not have appropriately set up wastewater connections.
21. Removing the connection to reticulated sewage requirement better achieves the purpose of the RMA and allows people to better provide for their social and economic wellbeing and their health and safety.

LRZ

22. The recommendation by the S42A author to lower the density to 400m² to be consistent with the Vincent Spatial Plan is considered more appropriate than the 500m² as notified and is consistent with other documents.
23. To note is there was no spatial plan prepared for Ranfurly, Omakau, Roxburgh or Naseby prior to PC19 being notified. Therefore, there is no spatial plan direction with which to justify the effective doubling the minimum lot sizes in these towns.
24. However, the 300m² as sought in the submissions allows for greater flexibility for infill subdivision. While I consider that consistency across a zone is important, an alternative to having a smaller minimum lot size across the zone could be to have

² Paragraph 157.

an additional point as part of the standard that recognises that it may be appropriate for infill subdivision to result in smaller lot sizes, particularly due to the access not being considered as part of the lot size. Alternative wording is provided below:

LRZ-S1 Density

1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is ~~540~~400m².
 2. Where the residential unit is constructed as part of infill development, the minimum site area per unit is 300m². ~~Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m².~~
25. As above, limiting density due to reticulated sewage in an urban zone seems counter intuitive, and contrary to the purpose of a LRZ. Further, I do not consider that the removal of point two will result in adverse effects if more than one dwelling is constructed on a site as all new buildings are required under the Building Act and the Building Consenting process to be connected to appropriate sewage disposal. Therefore, there is no risk that new dwellings will be built that do not have appropriately set up wastewater connections. The suggested amendment above better achieves the purpose of the RMA and allows people to better provide for their social and economic wellbeing and their health and safety.

Activity Status of Noncompliance with Density Rules

26. As notified the density rules have a Non-Complying activity status for activities that do not comply with the density rules. The activity status for non-compliance is more suitable to be a Discretionary activity status rather than Non-Complying.
27. The replacement for the Resource Management Act 1991 (RMA) currently before Parliament eliminates the non-complying category. One of the justifications for Plan Change 19 (PC19) was that it attempts to front foot the new Act, and in particular the centralised spatial planning regime proposed in the Act i.e. PC19 could be incorporated into any new spatial plan covering the District under the new legislation. To be consistent with this approach, the non-complying category for breaches of the lot size rules should be removed.
28. A discretionary activity status gives Council full discretion as to whether or not grant a consent and impose conditions. This is considered sufficient control needed to

assess the effects of an application for subdivision. A Non-Complying activity status signals that the activity is not anticipated within the plan which is contrary to the development patterns observed recently. Non-complying consents is therefore a higher threshold which is not appropriate in this instance.

Outdoor living space

29. The recommendations of the S42A author are supported in part, however, I consider that the primary relief sought by the submitters allows for greater flexibility for the use of a site.
30. While the alternative relief sought is in part what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for an 8m x 1.5m square. i.e., this could be the only reason that somebody may need a resource consent which could have negative impacts on the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for an effective use of space on sites.

Landscaping

31. This type of control unnecessarily creates consent applications for landowners who seek low maintenance sites. Which could unintentionally disadvantage older persons or persons with disabilities.
32. This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.
33. Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards. Therefore, the relief sought appropriately allows for people to provide for their health, safety, and wellbeing while maintaining the amenity of residential areas.

Service and Storage Space

34. The recommendations of the S42A author are supported in part, however, I consider that the primary relief sought by the submitters allows for greater flexibility for the use of a site.
35. This standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.

Outlook Space

36. I consider that this standard is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.

Fencing

37. The recommendations of the S42A author are supported in part, however, I consider that the primary relief sought by the submitters allows for greater flexibility for the use of outdoor space.
38. Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.

Habitable Rooms

39. The S42A author recommendation is supported in part and I agree that the recommend change improves the clarity in relation to residences located entirely above ground floor, however, having it as a matter of discretion provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size however allows council to consider it as part of resource consent applications that do not comply with other rules/standards.

Reverse sensitivity

40. Inserting the provision as per the submission (Mary & Graeme Stewart #33) into all residential zones protects the interests and activities from potential reverse sensitivity effects from new or additions to existing residential activities in the vicinity of their site. The site is requested and suitable to be rezoned to Light Industrial Zone, and from other areas of Light Industrial in the District. The proposed standard offers two options for mitigation, through a physical setback of 30m or through a construction standard and applies only to habitable rooms within residential units.

41. The restriction to habitable rooms is to allow for bathrooms, or other such rooms which are infrequently used, to be exempt from this standard. The proposed standard reflects current best practice noise standards and is consistent with the Noise and Vibration Standard of the National Planning Standards 2019.

42. This approach of a construction standard has also been applied in other district plans, (in particular for airport noise) therefore, provides a suitable mitigation technique useful to this scenario of residential activities adjacent to Light Industrial Activities.

Signature of Rachael Law

Dated 11 April 2023



Appendix A – Assessment against the submission points

Appendix A - Assessment against the submission points

Submitter: #21 Brian De Geest

Notified Provision	Accepted y/n	Response
MRZ-R11 Excavation	<p>No - amendment which is improved from notified</p> <p>2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m²³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u></p>	<p>Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued.</p> <p>However, does not address any earthworks not associated with building consents.</p>
MRZ-R13 Retirement villages	No amended by other submissions	<p>Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.</p>
MRZ-S4 Building coverage	No – amended to remove net area	<p>Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.</p> <p>An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>

Notified Provision	Accepted y/n	Response
MRZ-S6 Setback from internal boundary	N 15m upheld	The definition of margin of lake is still ambiguous and thus it is difficult to support the continuation of the 15m setback recommended without a clear idea of the consequences on the ground. Seek term is defined and 7m reconsidered as in primary relief sought.

Submitter: #30 Freeway Orchards

Notified Provision	Accepted y/n	Response
MRZ-P6 Other non-residential activities	Y partially.	Support in part the recommendations of the S42A report. Consider the original relief sought regarding change of 'only allow' to the wording 'provide for' is preferable. This sets out that these activities contribute to the zone and the community purpose is for the health and wellbeing of the people and community, recognizing ultimately that non-residential activities (including commercial) help to make a residential area an attractive place to live, and provide spaces for the community to meet and socialize together, thus improving overall community happiness and wellbeing.
MRZ-R5 Accessory buildings and structures	Y with small amendments	Support S42A recommendation
MRZ-R11 Excavation	No - amendment which is improved from notified 2. The maximum volume or area of land excavated within any site in any 12-month period does not	Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued.

Notified Provision	Accepted y/n	Response
	exceed 200m ²³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	However, does not address any earthworks not associated with building consents.
MRZ-R13 Retirement villages	No amended by other submissions	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
MRZ-S4 Building coverage	No – amended to remove net area	<p>Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.</p> <p>An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>
MRZ-S6 Setback from internal boundary	Y with small amendment, same intent as sought	Support S42A recommendation
New Rule	Y with amendment, same intent as sought	Support S42A recommendation
MRZ-S7 Outdoor Living Space	Y to alternative relief	<p>Support in part.</p> <p>Primary relief sought allows for greater flexibility for the use of a site.</p> <p>While the alternative relief sought what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for a 8m x 1.5m square. i.e. this could be the only reason that somebody may need a resource consent which could have negative impacts on</p>

Notified Provision	Accepted y/n	Response
		the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for a good use of space on sites.
MRZ-S8 Landscaping	N	<p>Seek original relief sought. This type of control unnecessarily creates consent applications for applicants who seek low maintenance sites.</p> <p>This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.</p> <p>Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.</p>
MRZ-S9 Service and Storage Space	Y to alternative relief	<p>Support in part.</p> <p>Primary relief allows more flexible use of a site.</p> <p>Standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.</p>
MRZ-S10 Outlook Space	No amended by other submissions	Seek original relief sought. It is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.
MRZ-S11 Fencing	Y to part alternative relief	<p>Support in part.</p> <p>Primary relief offers more flexibility to landowners.</p>

Notified Provision	Accepted y/n	Response
		Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.
MRZ-S12 Habitable Rooms	No amended by other submissions	Support in part S42A author recommendation improves on the notified version. Primary relief sought provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size.

Submitter: #31 Goldfields Partnership

Notified Provision	Accepted y/n	Response
MRZ-R11 Excavation	No - amendment which is improved from notified 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m ³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued. However, does not address any earthworks not associated with building consents.
MRZ-R13 Retirement villages	No amended by other submissions	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside

Notified Provision	Accepted y/n	Response
		of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
MRZ-S4 Building coverage	No – amended to remove net area	<p>Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.</p> <p>An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>
MRZ-S6 Setback from internal boundary	Y with small amendment, same intent as sought	Support S42A recommendation
New Rule	Y with amendment, same intent as sought	Support S42A recommendation
MRZ-S7 Outdoor Living Space	Y to alternative relief	<p>Support in part.</p> <p>Primary relief sought allows for greater flexibility for the use of a site.</p> <p>While the alternative relief sought what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for a 8m x 1.5m square. i.e. this could be the only reason that somebody may need a resource consent which could have negative impacts on the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for a good use of space on sites.</p>
MRZ-S8 Landscaping	N	<p>Seek original relief sought. This type of control unnecessarily creates consent applications for applicants who seek low maintenance sites.</p> <p>This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create</p>

Notified Provision	Accepted y/n	Response
		<p>balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.</p> <p>Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.</p>
MRZ-S9 Service and Storage Space	Y to alternative relief	<p>Support in part.</p> <p>Primary relief allows more flexible use of a site.</p> <p>Standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.</p>
MRZ-S10 Outlook Space	No amended by other submissions	<p>Seek original relief sought. It is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.</p>
MRZ-S11 Fencing	Y to part alternative relief	<p>Support in part.</p> <p>Primary relief offers more flexibility to landowners.</p> <p>Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.</p>

Notified Provision	Accepted y/n	Response
MRZ-S12 Habitable Rooms	No amended by other submissions	Support in part S42A author recommendation improves on the notified version. Primary relief sought provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size.

Submitter: #32 Molyneux Lifestyle Village Ltd

Submission point	Accepted y/n	Response
LLRZ-R10 Excavation	No - amendment which is improved from notified. 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m ³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	Support as this removes a maximum area and includes excavation for construction of a building for which building consent has been issued. Note does not address any earthworks not associated with building consents.

Submitter: #33 Mary & Graeme Stewart

Submission point	Accepted y/n	Response
Insert new provision to all Residential Zones	N	Seek original relief sought. Inserting the provision as per the submission into all residential zones protects the interests and activities from potential reverse sensitivity effects from new or additions to existing residential activities in the vicinity of their site. The site is requested and suitable to be rezoned to Light Industrial Zone, and from other areas of Light Industrial in the District. The proposed standard offers two options for mitigation, through a physical setback of 30m or through a construction standard, and applies only to habitable rooms within residential units.

Submission point	Accepted y/n	Response
		<p>The restriction to habitable rooms is to allow for bathrooms, or other such rooms which are infrequently used, to be exempt from this standard. The proposed standard reflects current best practice noise standards and is consistent with the Noise and Vibration Standard of the National Planning Standards 2019.</p> <p>This approach of a construction standard has also been applied in other district plans, (in particular for airport noise) therefore provides a suitable mitigation technique useful to this scenario of residential activities adjacent to Light Industrial Activities.</p> <p>The elevation to RDIS for noncompliance with this standard and the matters of discretion proposed allow for the consideration of alternative noise mitigation options taking into account specific site characteristics.</p> <p>Alternative relief sought: Should the rezoning of the site to Light Industrial Zone not be accepted, it is sought instead that the same rule and setbacks for residential activities is applied to the site specifically. This will enable the protection sought from reverse sensitivity effects from any new residential activities.</p>

Submitter: #51 D & J Sew Hoy, Heritage Properties Limited

Submission point	Accepted y/n	Response
MRZ – R11	No - amendment which is improved from notified 2. The maximum volume of area of land excavated within any site in any 12-month period does not exceed 200m ³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	<p>Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued.</p> <p>However, does not address any earthworks not associated with building consents.</p>
MRZ- R13	No amended by other submissions	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of

Submission point	Accepted y/n	Response
		the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
MRZ – S1	No – no changes from notified	Seek as per submission to be DIS. The policy direction in the subdivision and MRZ chapters is sufficient to guide decision makers without requiring a NC resource consent pathway.
MRZ – S4	No – amended to remove net area	<p>Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.</p> <p>An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>
MRZ – S6	Y with small amendment, same intent as sought	Support S42A recommendation
MRZ – S7	Y to alternative relief	<p>Support in part.</p> <p>Primary relief sought allows for greater flexibility for the use of a site.</p> <p>While the alternative relief sought what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for a 8m x 1.5m square. i.e. this could be the only reason that somebody may need a resource consent which could have negative impacts on the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for a good use of space on sites.</p>
MRZ – S8	N	<p>Seek original relief sought. This type of control unnecessarily creates consent applications for applicants who seek low maintenance sites.</p> <p>This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create</p>

Submission point	Accepted y/n	Response
		<p>balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.</p> <p>Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.</p>
MRZ – S9	Y to alternative relief	<p>Support in part.</p> <p>Primary relief allows more flexible use of a site.</p> <p>Standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.</p>
MRZ – S10	No amended by other submissions	<p>Seek original relief sought. It is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.</p>
MRZ – S11	Y to part alternative relief	<p>Support in part</p> <p>Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.</p>
MRZ – S12	No amended by other submissions	<p>Support in part</p> <p>S42A author recommendation improves on the notified version.</p>

Submission point	Accepted y/n	Response
		Primary relief sought provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size.
ALT relief		
LRZ-R10	No - amendment which is improved from notified. 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m ²³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	Support as this removes a maximum area and includes excavation for construction of a building for which building consent has been issued. Note does not address any earthworks not associated with building consents.
LRZ-R12	N	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
LRZ-S1	Part, min site area changed to 400m ²	Support in part as improved from notified, however, 300m ² provides for a more compact urban form and is consistent with many current/recent subdivisions. Increased density provides for greater housing supply in an area with significant pressures on the housing market and allows for greater choices for developers and the landowner to build as the market decides consistent with existing subdivision and land use patterns. Seek still the elevation change to DIS from NC.
LRZ – S4	No amended by other submissions	Seek original relief sought. Increasing building coverage to 50% allows for greater flexibility for use of a site, and allows landowners and families to better provide for their social and economic wellbeing through design of homes which will be of a

Submission point	Accepted y/n	Response
		<p>suitable size for the different stages of their lives rather than building a smaller house and having to move for different stages of life.</p> <p>An increase from 40% to 50% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>

Submitter: #145 Thyme Care Properties Ltd

Submission point	Accepted y/n	Response
MRZ-R11	<p>No - amendment which is improved from notified</p> <p>2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u></p>	<p>Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued.</p> <p>However, does not address any earthworks not associated with building consents.</p>
MRZ- R13	No amended by other submissions	<p>Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.</p>
MRZ – S1	No – no changes from notified	<p>Seek as per submission to be DIS. The policy direction in the subdivision and MRZ chapters is sufficient to guide decision makers without requiring a NC resource consent pathway.</p>

Submission point	Accepted y/n	Response
MRZ – S4	No – amended to remove net area	<p>Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.</p> <p>An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>
MRZ – S6	Y with small amendment, same intent as sought	Support S42A recommendation
MRZ – S7	Y to alternative relief	<p>Support in part.</p> <p>Primary relief sought allows for greater flexibility for the use of a site.</p> <p>While the alternative relief sought what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for a 8m x 1.5m square. i.e. this could be the only reason that somebody may need a resource consent which could have negative impacts on the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for a good use of space on sites.</p>
MRZ – S8	N	<p>Seek original relief sought. This type of control unnecessarily creates consent applications for applicants who seek low maintenance sites.</p> <p>This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.</p> <p>Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.</p>
MRZ – S9	Y to alternative relief	Support in part.

Submission point	Accepted y/n	Response
		<p>Primary relief allows more flexible use of a site.</p> <p>Standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.</p>
MRZ – S10	No amended by other submissions	<p>Seek original relief sought. It is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.</p>
MRZ – S11	Y to part alternative relief	<p>Support in part.</p> <p>Primary relief offers more flexibility to landowners.</p> <p>Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.</p>
MRZ – S12	No amended by other submissions	<p>Support in part</p> <p>S42A author recommendation improves on the notified version.</p> <p>Primary relief sought provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size.</p>

Submitter: #165 Paterson Pitts Group (Cromwell)

Submission point	Accepted y/n	Response
Definitions Insert new definition into Section 18	Y	Support
Margin of Lake	N	Seek original relief sought. Many of the standards in the MRZ, LLRZ and LRZ chapters have reference to setbacks from the margin of lake. If this setback is to be retained in the standards, it needs to be defined or its interpretation is unclear. Compliance with standards needs to be clear to both plan user and Council.
Non-notification clauses Support the inclusion of non-notification clauses within the plan. Seek that Council assess their applicability and insert them where appropriate.	N	These provisions are important when giving clarity to the applicant regarding potential notification. In truth, non-notification clauses can assist both the applicant and the processing planner with assessing the potentially affected persons. Relief sought to include these through the residential zones under this plan change.
Large lot residential		
Objs and pols - precincts	N	Support S42A recommendation.
LLRZ P1	N	Seek continued deletion of point 4 in relation to relocated buildings. The difference between a building being built and a relocated building not completed is not clear.
LLRZ P2	N but changed for another submission	Seek original relief sought for clarity for plan users.
LLRZ P3	Y	Support S42A recommendation
LLRZ P4	N and y, amended	Support S42A recommendation
LLRZ P5	N and y, amended	Support S42A recommendation.
LLRZ P6	N	Support S42A recommendation.
LLRZ P7	N	Support S42A recommendation.
LLRZ R2	Y	Support S42A recommendation.
LLRZ R3	Y with amendments	Support in part.

Submission point	Accepted y/n	Response
		Support the permitted status of the rule, but seek the same relief sought for the conditions as per the alternative relief originally sought.
LLRZ R4	Y with amendments	Support S42A recommendation.
LLRZ R6	Y with amendments	Support S42A recommendation.
LLRZ R7	Y with amendments	Support S42A recommendation.
LLRZ R8	Y with amendments	Support S42A recommendation.
LLRZ R9	N	If the intent is to review the signs provisions at a later stage then I support the S42A recommendation to defer to this stage.
LLRZ R10	No - amendment which is improved from notified 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m ²³ per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u>	Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued. However, does not address any earthworks not associated with building consents.
LLRZ R10	No amended by other submissions	Noted that the numbering has not been updated to reflect the double R10s, seek this is rectified. Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
LLRZ R11	Y	Support S42A recommendation.
LLRZ R15	N	If the intent is to review the hazards provisions at a later stage then I support the S42A recommendation to defer to this stage.

Submission point	Accepted y/n	Response
LLRZ S1	N	Support in part with regards to precinct numbering. Seek still the elevation change to DIS from NC. The policy direction in the subdivision and MRZ chapters is sufficient to guide decision makers without requiring a NC resource consent pathway.
LLRZ S2	Y, some aspects n.	Support S42A recommendation.
LLRZ S3	Y some aspects n.	Support S42A recommendation.
LLRZ S4	N	Support in part. Accept that references to precincts is not required to have a PREC format. Seek original relief sought in regards to building coverage changes to Precincts 2 and 3. 10 and 15% are such small percentages that this will be inhibitive to development and use of these sites. The proposed 30% and 20% in the original submission will still maintain the low density sought on these very large sites.
LLRZ S5	Y with amendments	Support in part. Consider that the ability to assess alternatives and other environmental factors on a case by case basis for when within the 80m from a state highway is important and thus seek the inclusion of the original matters of discretion sought.
LLRZ S6	Y with amendments	Support S42A recommendation.
Low density residential zone		
LRZ P1	N	Seek continued deletion of point 4 in relation to relocated buildings. The difference between a building being built and a relocated building not completed is not clear.
LRZ P2	No but amended for other submissions	Seek original relief sought for clarity for plan users.
LRZ P3	Y	Support S42A recommendation.
LRZ P4	N and y amended for other submissions	Support S42A recommendation.
LRZ P5	N and y amended for other submissions	Support S42A recommendation.
LRZ R2	Y and amended for other submissions	Support S42A recommendation.
LRZ R3	N and amended for other submissions	Support in part. Support the permitted status of the rule, but seek the same relief sought for the conditions as per the alternative relief originally sought in LLRZ-R3.

Submission point	Accepted y/n	Response
LRZ R4	Y with some amendments.	Support S42A recommendation.
LRZ R6	Y with some amendments	Support S42A recommendation.
LRZ R7	Y with some amendments	Support S42A recommendation.
LRZ R8	Y with some amendments	Support S42A recommendation.
LRZ R9	N	If the intent is to review the signs provisions at a later stage then I support the S42A recommendation to defer to this stage.
LRZ R10	Y and no with other amendments	Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued. However, does not address any earthworks not associated with building consents.
LRZ R12	N and amended for other submissions	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
LRZ R14	Y	Support S42A recommendation.
LRZ R18	N	If the intent is to review the hazards provisions at a later stage then I support the S42A recommendation to defer to this stage.
LRZ S1	Part, min site area changed to 400m ² .	Support in part as improved from notified, however, 300m ² provides for a more compact urban form and is consistent with many current/recent subdivisions. Increased density provides for greater housing supply in an area with significant pressures on the housing market and allows for greater choices for developers and the landowner to build as the market decides consistent with existing subdivision and land use patterns. Seek still the elevation change to DIS from NC.

Submission point	Accepted y/n	Response
LRZ S2	Y with some amendments	Support S42A recommendation.
LRZ S3	Y with some amendments	Support S42A recommendation.
LRZ S4	No amended by other submissions	<p>Seek original relief sought. Increasing building coverage to 50% allows for greater flexibility for use of a site, and allows landowners and families to better provide for their social and economic wellbeing through design of homes which will be of a suitable size for the different stages of their lives rather than building a smaller house and having to move for different stages of life.</p> <p>An increase from 40% to 50% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.</p>
LRZ S5	Y with amendments	Support in part. Consider that the ability to assess alternatives and other environmental factors on a case by case basis for when within the 80m from a state highway is important and thus seek the inclusion of the original matters of discretion sought.
LRZ S6	Y	Support S42A recommendation.
Medium density residential		
New clyde heritage precinct obj pol	N	Accept that references to precincts is not required to have a PREC format. Maintain that this ordering would provide greater clarity.
MRZ P1	N	Seek continued deletion of point 6 in relation to relocated buildings. The difference between a building being built and a relocated building not completed is not clear. Consider that the remaining points could still be consolidated to be more efficient.
MRZ P2	Y and n, amended	Support S42A recommendation.
MRZ P3	No and amended for other submissions	Support S42A recommendation.
MRZ P4	Y	Support S42A recommendation.
MRZ P5	N and y amended for other submissions	Support S42A recommendation.
MRZ P6	Y partially	Support in part the recommendations of the S42A report.

Submission point	Accepted y/n	Response
		Consider the original relief sought regarding change of 'only allow' to the wording 'provide for' is preferable. This sets out that these activities contribute to the zone and the community purpose is for the health and wellbeing of the people and community, recognizing ultimately that non-residential activities (including commercial) help to make a residential area an attractive place to live, and provide spaces for the community to meet and socialize together, thus improving overall community happiness and wellbeing.
MRZ R2	Y and n amended	Support S42A recommendation.
MRZ R3	Y partially	Support S42A recommendation.
MRZ R4	N and amended for other submissions	Support in part. Support the permitted status of the rule, but seek the same relief sought for the conditions as per the alternative relief originally sought in LLRZ-R3.
MRZ R5	Y with small amendments	Support S42A recommendation.
MRZ R7	Y partially	Support S42A recommendation. Note that while the changes to the matters of discretion have been recommended as accepted by the S42A report, with the removal of MRZ-R7.3 the elevation to RDIS no longer works. Note also that this break in the rule will be the same with the Visitor Accommodation rule in the LLRZ and LRZ chapters also.
MRZ R8	Y amended	Support S42A recommendation.
MRZ R9	Y amended	Support S42A recommendation.
MRZ R10	N	If the intent is to review the signs provisions at a later stage then I support the S42A recommendation to defer to this stage.
MRZ R11	No - amendment which is improved from notified 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m ²³ per site, <u>excluding excavation required for</u>	Support in part as this removes the maximum area and includes excavation for construction of a building for which building consent has been issued. However, does not address any earthworks not associated with building consents.

Submission point	Accepted y/n	Response
	<u>construction of a building for which a building consent has been issued.</u>	
MRZ R13	No amended by other submissions	Seek original relief sought. In most designs retirement villages are much denser in development than usual developments. Requiring compliance with S2, S3, S5 and S6 protects the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village has no benefit to the wider environment, however, may have benefits internally to provide for more homes suitable for the needs older persons, allowing the older persons to better provide for their health, safety, and wellbeing.
MRZ R15	Y	Support S42A recommendation.
MRZ R19	N	If the intent is to review the hazards provisions at a later stage then I support the S42A recommendation to defer to this stage.
MRZ S1	No – no changes from notified	Seek as per submission to be DIS. The policy direction in the subdivision and MRZ chapters is sufficient to guide decision makers without requiring a NC resource consent pathway.
MRZ S2	Y and n, amended for other submissions	Support in part. Support the change from 10m to 12m in the elevation of the rule. Consider that there is still a disconnect with how the rule elevates in relation to the 11m and 3 storeys as the standard, with non-compliance allowing for a 12m high and 4 storeys building at RDIS and 12.5m and 3 storeys would be NC activity status. Seek original relief sought.
MRZ S3	Y with amendments	Support S42A recommendation.
MRZ S4	No – amended to remove net area	Seek original relief sought. Increasing building coverage to 60% allows for greater flexibility for use of a site, and allows development to better provide for the social and economic wellbeing through design of homes on smaller sites.

Submission point	Accepted y/n	Response
		An increase from 40% to 60% provides additional design options as well as allowing for open space and maintaining the amenity of the zone. Further the setbacks provide sufficient space between buildings and neighbouring properties and roads.
MRZ S5	Y and n	Support in part. Consider that the ability to assess alternatives and other environmental factors on a case by case basis for when within the 80m from a state highway is important and thus seek the inclusion of the original matters of discretion sought.
MRZ S6	Y with small amendment, same intent as sought	Support S42A recommendation
MRZ S7	Y to alternative relief	<p>Support in part.</p> <p>Primary relief sought allows for greater flexibility for the use of a site.</p> <p>While the alternative relief sought what is recommended by the S42a author, the other bulk and location standards already limit the buildable area and not all site shapes will provide for a 8m x 1.5m square. i.e. this could be the only reason that somebody may need a resource consent which could have negative impacts on the design of the building. Having it as a matter of discretion of MRZ-S4 Building Coverage better provides for a good use of space on sites.</p>
MRZ S8	N	<p>Seek original relief sought. This type of control unnecessarily creates consent applications for applicants who seek low maintenance sites.</p> <p>This standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open space. As the matters of discretion create balance between built form and open space, and the other bulk and location standards require a minimum site coverage as well as yard minimums.</p>

Submission point	Accepted y/n	Response
		Therefore, the outcome will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.
MRZ S9	Y to alternative relief	<p>Support in part.</p> <p>Primary relief allows more flexible use of a site.</p> <p>Standard is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application.</p>
MRZ S10	No amended by other submissions	Seek original relief sought. It is unnecessary when considered in conjunction with the other bulk and location standards. Setbacks sufficiently address this issue and the relief sought of having it as a matter of discretion allows council to consider it for consent applications.
MRZ S11	Y to part alternative relief	<p>Support in part.</p> <p>Primary relief offers more flexibility to landowners.</p> <p>Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.</p>
MRZ S12	No amended by other submissions	Support in part

Submission point	Accepted y/n	Response
		<p>S42A author recommendation improves on the notified version.</p> <p>Primary relief sought provides more flexibility for design of residential units particularly on sites which are restricted due to shape or size.</p>
Subdivision		
SUB O1	N	<p>Seek original relief sought. Section 13 of the ODP (and the NPStandards for infrastructure and energy) is more related to the management of the development of infrastructure and energy by those industries. What is proposed to be managed here is that subdivision occurs when there is infrastructure to support it. By signalling this in the objective plan users and Council are signalled to the fact that infrastructure is required to support subdivision. This also supports the rule framework which has many references in the RDIS category for provision of infrastructure.</p>
SUB O2	N	Seek original relief sought, as above.
SUB P1	Y and n	<p>Support in part. Accept that the Subdivision chapter 16 of the ODP does have infrastructure provisions in it that direct subdivision have infrastructure support, but consider that reference ought to be made in the new SUB section in relation to Residential chapters that links the plan user to these provisions.</p>
NEW SUB POLS 6 THROUGH 13	N	
SUB R1	Y and n	<p>Support in part. Support that the points 5 and 7 have been removed. Consider that the elevation to DIS is unnecessary and that the matters for which a boundary adjustment would be inappropriate can be managed through an RDIS activity status with the matters of discretion proposed in original relief sought.</p>
SUB R2	Y with amendments	<p>Support in part.</p> <p>Support the title change and removal of points 5 and 7. Consider that there is still a gap where an allotment could be created as part of a subdivision of land for a public utility with the remainder of the land subdivided not being of the minimum density of the zone.</p> <p>Without the proposed relief sought requiring compliance with S1</p>

Submission point	Accepted y/n	Response
		there is a risk that allotments are created which are too small to build on. Seek original relief sought in relation to this matter and the proposed elevation to RDIS.
SUB R3	N	Support in part. Accept that the Subdivision chapter 16 of the ODP does have infrastructure provisions in it that direct subdivision have infrastructure support, but consider that reference ought to be made in the new SUB section in relation to Residential chapters that links the plan user to these provisions.
INSERT NEW SUB RULE	Y with amendments	<p>Support in part.</p> <p>Note that the original relief sought was for all zones and seek this still.</p> <p>Consider that the ‘matters of control’ listed in the new rule proposed by the S42A report are incredibly long, and furthermore the rule does not allow for an instance when the activity does <i>not</i> meet these matters and has thus a broken rule framework. When controlled cannot be achieved there needs to be an elevation.</p> <p>Consider that the matters of control need to be reassessed to consider what is really important, at the moment it appears to be the entire list for the matters of discretion for a full RDIS subdivision application, which does not fit logically for a CON activity if it is just as detailed as an RDIS.</p> <p>Seek original relief sought in terms of elevation to RDIS and matters of control, or similar.</p>
SUB R4	Y partially	<p>Support in part. Support deletion of points 14 and 15.</p> <p>Consider the original relief sought in terms of deletion of repetition in points 7c, 4 and 2 still relevant, as with the changes to 10 which specify the identified landscape areas on the maps.</p>

Submission point	Accepted y/n	Response
		Seek original relief sought in terms of deletion of matters of discretion for repetition with themselves and with other rules and aspects of the plan.
SUB R5	Y and N, with amendments	Support in part. Support the title change for clarity. Seek the same relief sought as originally in regards to the elevation to NC status.
SUB S1	Y and n, with amendments	Support in part. Support the title change for clarity. Seek original relief sought in regards to reticulated sewage and the NC activity status elevation.
SUB S – NEW STANDARDS	N	Support in part. Accept that the Subdivision chapter 16 of the ODP does have infrastructure provisions in it that direct subdivision have infrastructure support, but consider that reference ought to be made in the new SUB section in relation to Residential chapters that links the plan user to these provisions.