

Before the Independent Hearings Panel  
Central Otago District Council

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*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions in relation to Plan  
Change 19 to the Central Otago District Plan

*and:* **Retirement Villages Association of New Zealand  
Incorporated**

*Submitter 158*

*and:* **Ryman Healthcare Limited**

*Submitter 160*

Statement of Evidence of **Nicola Marie Williams** on behalf of the  
Retirement Villages Association of New Zealand Incorporated and  
Ryman Healthcare Limited

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Dated: 3 May 2023

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**STATEMENT OF EVIDENCE OF NICOLA MARIE WILLIAMS ON  
BEHALF OF THE RETIREMENT VILLAGES ASSOCIATION OF NEW  
ZEALAND INCORPORATED AND RYMAN HEALTHCARE LIMITED**

**INTRODUCTION**

- 1 My full name is Nicola Marie Williams and I am an Associate with Mitchell Daysh Limited. Mitchell Daysh Limited is a specialist environmental consulting practice with offices in Auckland, Hamilton, Napier, Nelson and Dunedin.
- 2 I hold a Bachelor of Regional Planning from Massey University (1988) and I am a member of the New Zealand Planning Institute and the Resource Management Law Association. I have worked as a consultant and in local government and I have had approximately 30 years of experience as a resource management adviser including 20 years' local government experience including plan preparation, policy planning work and resource consents.
- 3 Prior to joining Mitchell Daysh Limited I was the Manager for Research, Policy and Planning with Kāpiti Coast District Council and I had the primary responsibility for the Proposed District Plan and leading three variations to the Proposed District Plan, being:
  - 3.1 Variation 2: Waikanae Beach & Beach Character Setback;
  - 3.2 Variation 3: County Road, Otaki Low Density Precinct; and
  - 3.3 Variation 4 (A-H): Miscellaneous Changes and Corrections.
- 4 I was also previously the Principal Planner with Thames Coromandel District Council responsible for the resource consent team and involved as a member of planning project teams in a range policy planning projects including:
  - 4.1 Peer review of the Thames Coromandel Draft District Plan;
  - 4.2 Plan Change 21 Whitianga Town Centre;
  - 4.3 Whitianga Waterways Structure Plan; and
  - 4.4 Variation 2 – Whitianga Airfield.
- 5 I am an accredited Hearing Commissioner (with a Chair's endorsement) under the Ministry for the Environment's 'Making Good Decisions' course and have acted as a Hearings Commissioner on a number of occasions, most recently as an Independent Hearings Commissioner for Auckland Council.

- 6 I have been involved in the preparation of a number of applications for new retirement villages in Wellington, Christchurch and Auckland and in various applications for variations to existing villages across New Zealand.
- 7 I have prepared this statement of evidence at the request of the Retirement Villages Association (*RVA*) and Ryman Healthcare Limited (*Ryman*).
- 8 In preparing this statement of evidence, I have reviewed:
- 8.1 The National Policy Statement on Urban Development 2020 (*NPS-UD*);
  - 8.2 The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*);
  - 8.3 The Operative Central Otago District Plan (*District Plan*);
  - 8.4 Proposed Plan Change 19 (*PC19*) of the District Plan;
  - 8.5 The *RVA* and *Ryman's* submissions and further submissions on *PC19*;
  - 8.6 The relevant sections of the section 32 evaluation of *PC19*;
  - 8.7 The section 42A report and appendices of *PC19*; and
  - 8.8 The Partially Operative Otago Regional Policy Statement 2019 (*Partially Operative RPS*) and the Proposed Otago Regional Policy Statement 2021 (*Proposed RPS*).

#### **EXPERT WITNESS CODE OF CONDUCT**

- 9 I have read the Environment Court's Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I am satisfied that the matters which I address in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **SCOPE OF EVIDENCE**

- 10 My evidence will:
- 10.1 For context, provide an overview of the submissions made by the *RVA* and *Ryman*;

- 10.2 Comment on the overall planning framework that applies to PC19, including the requirements under section 32 of the Resource Management Act 1991 (*RMA*) and the relevant provisions of the NPS-UD, the Enabling Housing Act, both RPSs and the District Plan;
- 10.3 Comment on the specific planning matters raised in the submissions, and provide my response to the recommendations in the section 42A report; and
- 10.4 Set out my conclusions.

### **EXECUTIVE SUMMARY**

- 11 In summary, the submissions by the RVA and Ryman seek to ensure that PC19 provides a planning regime that:
  - 11.1 Recognises and responds to the needs of the ageing population within Central Otago; and
  - 11.2 Adopts provisions that are fit for purpose for the functional and operational characteristics of retirement villages and their residents' housing care needs.
- 12 The submitters are seeking a consistent regime for planning to house an elderly population across New Zealand, including in Central Otago. Consistency between councils will better enable common approaches to consent applications to be developed over time and increase efficiency.
- 13 By way of summary, and because the section 42A report recommends that most of the relief sought be rejected, key aspects of the submissions by the RVA and Ryman, and which I address in my evidence, are as follows:
  - 13.1 The proportion of New Zealanders moving into their retirement years is growing, placing increasing pressures on their accommodation and healthcare needs. To provide some context to this growth, the demand for retirement villages is already outstripping supply and the population aged 75+ is forecasted to more than double up to 833,000 people nationally by 2048.<sup>1</sup> In Central Otago, the growth in the 75+ age bracket is even greater. The 2018 census estimated 1,890 people were aged over 75 and by 2048, this number is

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<sup>1</sup> Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, June 2021, page 7.

forecasted to more than triple to 5,960.<sup>2</sup> This reflects the overall growth trend in the Central Otago District, which had a 2.4% growth rate in the June 2021 year, compared to the national average of 0.6%.<sup>3</sup> How the planning framework responds to this growth and subsequent accommodation and healthcare demands is therefore considered to be a key issue in this hearing process.

- 13.2 More specifically, the RVA and Ryman consider, and I agree, that the notified planning regime does not adequately provide for retirement villages. Although retirement villages are a subset of multi-unit residential activity, and therefore generally fit under the Medium Density Residential Standards (MDRS) category of “four or more” residential units, the proposed provisions of the MDRS do not acknowledge or provide for the distinguishing features of retirement villages or the different specialist units and amenities within them, particularly well. Therefore, the RVA and Ryman have used the MDRS as a “base case” for the relief they seek but have adapted it to ensure it accounts for the unique needs and features of retirement villages and their residents.
- 14 In case there is any doubt, retirement villages are fundamentally a residential activity as confirmed in the definition of retirement villages in the National Planning Standards 2019. This definition states that retirement villages are:
- “a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities”.*
- 15 However, as the definition implies, retirement villages are not “typical” residential developments (particularly with regards to design and layout), and it is important that the specific needs of elderly people that reside in these villages are recognised and provided for via a bespoke and nuanced planning regime.
- 16 Further, I consider it appropriate that the objectives and policies of PC19 provide specific direction as to the different housing typologies that may be necessary to support different demographics – which includes retirement villages and an understanding of their functional and operational needs. These provisions would sit alongside and be

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<sup>2</sup> Statistics New Zealand, Subnational population projections, by age and sex, 2018(base)-2048.

<sup>3</sup> Statistics New Zealand, Subnational Population Estimates at 30 June 2021 (provisional).

read together with other objectives and policies which seek to manage effects.

- 17 Likewise, I consider that the land use component of a retirement village (the activity of retirement living) should be provided for as a permitted activity in the same manner as other residential activities in PC19 (e.g. residential activity<sup>4</sup>, residential units<sup>5</sup> and visitor accommodation<sup>6</sup>). This approach would avoid potential debate about whether retirement villages are appropriate land uses in residential areas of the Central Otago District. The development aspects (the physical built construction of retirement village buildings) should, however, be assessed as a restricted discretionary activity, which is consistent with other multi-unit residential proposals. This will ensure the external effects of the development are well managed and appropriate for the scale of development proposed. Making the distinction between the use of land and the effects of the built form associated with those activities is standard planning practice.
- 18 The specific amendments that I consider necessary (noting that these provisions are in some cases specific to retirement villages but also have general application) are to:

- 18.1 Include a new 'ageing population' objective within the Low Density Residential Zone (LRZ) and the Medium Density Residential Zone (MRZ), noting this provision would be applicable to all forms of housing for older people, not just retirement villages:

**LRZ / MRZ-OX: Ageing population**

Recognise and enable the housing and care needs of the ageing population.

- 19 Insert three new policies within the LRZ and MRZ, to replace the current retirement village policy. It is noted that the proposed 'retirement villages' policy is adapted from the original RVA and Ryman submission, however amendments have been made to better reflect both the enabling of retirement villages and the need to align with the planned urban character of the residential zones in which they will be located:

**LRZ-P4 / MRZ-P5: Retirement Villages:**

Enable retirement villages to:

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<sup>4</sup> Rule LRZ-R5 and MRZ-R6, PC19.

<sup>5</sup> Rule LRZ-R1 and MRZ-R1, PC19.

<sup>6</sup> Rule LRZ-R6 and MRZ-R7, PC19.

- a. Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;
- b. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day to-day needs of residents as they age and the types of retirement units they live in;
- c. Encourage the scale and design of the retirement village to:
  - i. be of a high-quality and compatible with the planned urban character;
  - ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and
  - iii. achieve an appropriate level of residential amenity at neighbouring properties, in circumstances where relevant built form standards are exceeded.

**LRZ / MRZ-PX: Larger sites**

Recognise the intensification opportunities provided by larger sites within the [insert zone] by providing for more efficient use of those sites.

**LRZ / MRZ-PX: Changing communities**

To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.

- 19.1 Insert a permitted activity for the use of land for a retirement village in the LRZ and MRZ; and
- 19.2 Include new matters of discretion for retirement villages which limit assessment matters to the external effects of a village on the wider environment. The matters of discretion are amended from that contained in the original RVA and Ryman submission. On further consideration of the planning framework I consider the proposed new amendments better reflect the clear linkage between the policies and assessment criteria, and clarify the provisions that apply for retirement village developments:

- a. The effects of the retirement village on the safety of adjacent streets or public open spaces;
- b. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects;
- c. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;
- d. The matters in LRZ/MRZ P1, LRZ-P4/MRZ-P5, and PX [New policies]; and
- e. The positive effects of the construction, development and use of the retirement village.

- 20 The RVA and Ryman also seek amendments to the notification clauses to preclude both public and limited notification with respect to retirement village developments where relevant standards are complied with.
- 21 While the section 42A report recommends rejecting the majority of the RVA and Ryman submission points, I note that the reporting officer has recommended that some of the key outcomes sought by the submissions be incorporated into the amended provisions of the LRZ and MRZ. The Reporting Officer, in this respect, recognises the uniqueness of a retirement village development and the recommended relief goes some way to enabling retirement villages within the Central Otago District.
- 22 However, I consider the submissions by the RVA and Ryman provide a framework that better aligns with the NPS-UD and Enabling Housing Act. I consider that the suggested RVA and Ryman amendments will ensure that the District Plan provides a consistent and enabling regulatory framework for the establishment of retirement villages within the Central Otago District, with proportionate management of potential adverse effects. They do this through acknowledgement that retirement villages are a legitimate residential use that can be developed in an appropriate manner within the LRZ and MRZ.

### **BACKGROUND AND STATUTORY CONTEXT**

- 23 In my opinion, the suggested amendments by the RVA and Ryman are necessary in order to provide a framework within the District Plan that reflects the national direction outlined within the NPS-UD and Enabling House Act.
- 24 A key point raised in the submissions by the RVA and Ryman is that PC19 does not adequately provide for the needs of the retirement



village sector in the Central Otago District. Both submissions seek that the District Plan provides a more nuanced planning framework to enable the establishment of retirement villages in alignment with national direction.

- 25 In my opinion, responding to the specific issues associated with an ageing population and the provision of suitable housing to meet the needs of elderly residents is critical, in order that suitable provision for this specific type of housing is made. This is also necessary to ensure the social, economic, and cultural wellbeing of people and communities in Central Otago in accordance with Objective 1 of the Enabling Housing Act. I explain this further below.

**National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021**

- 26 The NPS-UD seeks to ensure that new development capacity enabled by local authorities is of a form and in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments.
- 27 As set out in the section 42A report at present, the towns and centres within Central Otago are not currently at the population level where the provisions of the NPS-UD would apply (being a tier 3 local authority and containing urban environments less than 10,000 people). However, as detailed in the Cromwell Master Plan<sup>7</sup> (one of the largest and fastest growing towns in Central Otago), Cromwell's population is set to reach 9,450 by 2028, 10,900 by 2038, and over 12,000 by 2048; such that, and as confirmed in the section 42A report<sup>8</sup>, the NPS-UD is relevant.
- 28 From a planning perspective, I consider that the NPS-UD provides clear direction that the built form of the urban environments will need to change over time in order to provide for the housing demands of a range of demographics. The population of Central Otago is forecasted to grow to a level where the NPS-UD provisions will apply, and therefore, in alignment with national direction.<sup>9</sup> The district's population is also ageing and is growing at a much faster rather than the national average. PC19 therefore, needs to clearly reflect the NPS -UD directive and in particular to have proper regard to the specific evolving and changing housing needs of our ageing population.

**Otago Regional Policy Statement**

- 29 The Otago Region currently has two relevant regional policy statements, being the Partially Operative RPS and the Proposed

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<sup>7</sup> Cromwell 'Eye to the Future' Masterplan Spatial Framework, dated 29 May 2019.

<sup>8</sup> Paragraph 28 of the Council Officers' Section 42A Report.

<sup>9</sup> Particularly, Objectives 1 and 4, and Policies 2 and 6 of the NPS-UD.

RPS. The Proposed RPS contains a standalone chapter on urban form and development, which includes a number of provisions that give effect to the objective and policy direction of the NPS-UD. These provisions are therefore considered directly relevant in the context of PC19. The Proposed RPS framework directs the following:

- 29.1 Ensure the form and function of Otago’s urban areas reflects the diverse and changing needs and preferences of Otago’s people and communities, now and in the future;<sup>10</sup>
- 29.2 The development and change of Otago’s urban areas improve housing choice, quality, and affordability, delivers good urban design outcomes, and improves liveability;<sup>11</sup> and
- 29.3 A number of urban intensification policies, including one that seeks to contribute to establishing or maintaining the qualities of a well-functioning urban environment.<sup>12</sup>

#### **SPECIFIC PROVISION FOR RETIREMENT VILLAGES IN PC19**

30 As detailed in the RVA and Ryman submissions, retirement villages are different from typical residential dwellings and therefore do not necessarily fit in with the typical controls imposed on residential developments. In that regard, I agree with the RVA and Ryman submissions that the provision of fit for purpose District Plan provisions for retirement villages is required, and which should include:

- 30.1 Appropriate retirement village activity status within zones where such activities are likely to occur;
- 30.2 Identified matters of discretion; and
- 30.3 Clear, targeted and appropriate development standards to guide the notification and planning assessment of retirement village developments. I note that these standards are largely aligned with the MDRS provisions for multi-unit residential developments (four or more residential units). There are some subtle changes to the MDRS to address internal amenity effects, supported by a new definition of “retirement unit”. Also, the proposed assessment matters are more targeted to the particular effects (positive and adverse) of retirement villages.

31 I agree with the submissions made by the RVA and Ryman that retirement villages should be recognised as their own bespoke

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<sup>10</sup> Objective UFD-01 (form and function of urban areas), Proposed RPS.

<sup>11</sup> Objective UFD-02 (development of urban areas), Proposed RPS.

<sup>12</sup> Policy UFD-P3 (urban intensification), Proposed RPS.

activity within the residential umbrella of activities. They should also have an activity-specific definition, policy and rule framework. I note that the regime I propose is not fully 'standalone' and the "built form" objectives and policies would still be relevant.

### **Objectives and Policies – LRZ and MRZ**

#### ***RVA and Ryman Submissions***

- 32 The RVA and Ryman submissions sought to introduce one new objective, replace the existing 'retirement living' policy with a new bespoke 'retirement village' policy, and introduce two new additional policies that recognise intensification opportunities provided by larger sites and that the developmental needs of communities will change overtime in response to demand. These changes are set out in the above paragraphs of my evidence and within the proposed track changed provisions at **Appendix A**.

#### ***Section 42A Report***

- 33 The Reporting Officer recommends rejecting all of the RVA and Ryman objective and policy recommendations, on the basis they provide no direction for how the effects of retirement villages are to be managed.<sup>13</sup>

- 34 Rather, the Reporting Officer recommends the following amendments to the existing policy:

- 34.1 Deleting clause 1 relating to managing effects, as this is addressed through the requirement for retirement villages to meet the standards;<sup>14</sup>
- 34.2 Removing the direction to 'maintain' the character and amenity values in clause 2, and instead ensure that the design and layout of any villages responds to what is anticipated in the surrounding area;<sup>15</sup>
- 34.3 Removing those matters which relate to effects or outcomes which are internal to the site (clause 3), as the matters which the District Plan should focus on are those which relate to how any proposed retirement village integrates with the surrounding environment, rather than internal amenity;<sup>16</sup>

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<sup>13</sup> Paragraph 136 of the Council Officers' Section 42A Report.

<sup>14</sup> Paragraph 136(a) of the Council Officers' Section 42A Report.

<sup>15</sup> Paragraph 136(c) of the Council Officers' Section 42A Report.

<sup>16</sup> Paragraph 136(e) of the Council Officers' Section 42A Report.

34.4 Adding explicit reference to the functional and operational needs of retirement villages;<sup>17</sup> and

34.5 Removing the requirement for connectedness to commercial areas and community facilities as this fails to take into account that retirement village developments often contain facilities for residents on site.<sup>18</sup>

**Response**

35 The Reporting Officer's recommended amendments go some way to recognising that retirement villages are unique residential activities. These recommended amendments are supported. However, these recommended changes to the objectives and policies in PC19 do go far enough to enable retirement villages or fully address their unique features.

36 In my view, the proposed new policies appropriately recognise the functional and operational needs of retirement villages (through more enabling language such as 'provide for' and 'may require') and better provides for a variety of housing types for all people.<sup>19</sup> I consider the wording I propose provides greater clarity regarding the considerations applying to the development of retirement villages, (e.g. the fact that they have atypical elements compared to conventional housing, such as hospital level care and resident amenities such as hair salons), whilst also ensuring that externalities arising from the building form are appropriately managed and that it fits into their neighbourhood context.

37 The Officer's proposed policy wording provides for retirement villages, and acknowledges their functional and operational limitations when considering design that responds to the character and amenity of the surrounding area. However, I consider it is important that policy direction also provides for good quality on-site amenity, and in particular, acknowledges that greater density is appropriate for retirement village developments (compared to other forms of residential activity). It is my experience that council officers often inappropriately seek to apply 'standard' residential density standards to retirement village applications. Clear policy direction will assist in this regard.

38 The policies proposed will also enable the efficient use of the larger sites that the likes of Ryman and the RVA often need to utilise, and minimise complications at the consenting process (for example, in relation to standards prescribing the maximum number of dwellings permitted on a site - which are often infringed due to the larger sites used when compared to typical residential development). The

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<sup>17</sup> Paragraph 136(d) of the Council Officers' Section 42A Report.

<sup>18</sup> Paragraph 136(f) of the Council Officers' Section 42A Report.

<sup>19</sup> Policy 1 of the NPS-UD.

specific recognition of changing communities will ensure decision makers have proper regard to the evolving and changing housing needs of our ageing population, as required by the NPS-UD and the Proposed RPS.

- 39 In my opinion, the new policies I propose better reflect both the enablement of retirement villages, but also the need to align with the planned urban character of the residential zones in Central Otago.
- 40 I wish to stress that the objectives and policies that have been proposed by the RVA and Ryman do not seek to exempt retirement villages from the wider objectives and policy framework for residential zones. Instead, they are designed to provide specific additional provisions so as to better provide for retirement villages and support the proposed rules and standards. Overall, in my opinion, the regime I have proposed adopts a clearer, more proportionate, and less restrictive approach than the notified provisions that will enable the better delivery of a specialist housing type for a vulnerable group of the population that has pressing and sizable development capacity needs, whilst, at the same time, managing their adverse effects.

**Activity Status, Notification and Matters of Discretion  
RVA and Ryman Submissions**

- 41 Ryman and the RVA's submissions sought amendments to the notification clauses and matters of discretion within the LRZ and MRZ.
- 42 The key aspects of the submission sought:
- 42.1 A permitted activity for the use of land for a retirement village (the RVA and Ryman's submissions supported the existing restricted discretionary rule for the buildings and built form of retirement villages);
- 42.2 New matters of discretion limited to managing the external effects of a village on the wider environment (as detailed earlier in this evidence); and
- 42.3 A presumption of non-notification for retirement villages that meet the relevant building standards.

**Section 42A Report**

- 43 The Reporting Officer recommendation rejects the proposed matters of discretion, however, proposes a number of amendments to the existing matters of discretion including:
- 43.1 Referencing the use of landscaping or open space 'to integrate the proposal into the surrounding area';

- 43.2 Removing references to onsite amenity and the design of pedestrian circulation;
- 43.3 Removing reference to residential amenity for neighbours; and
- 43.4 Adding reference to 'functional or operational requirements'.
- 44 The Reporting Officer also recommends rejecting the RVA and Ryman submission point which sought to preclude public notification, or limited notification where built form standards are complied with. The Reporting Officer's reason for this was that "the matters to be considered extend beyond 'boundary' effects and may have wider impacts on the surrounding area" and so did not agree that public or limited notification should be precluded".<sup>20</sup>
- 45 The Reporting Officer did not comment on the proposed permitted activity rule relating to retirement villages as a land use activity.

***Response***

- 46 I agree with the RVA and Ryman submissions that retirement villages, as a land use, should be provided for as a permitted activity within the LRZ and MRZ. In addition, I agree with the restricted discretionary activity relating to the construction of retirement village buildings with specific and tailored matters for discretion ensuring the scale, design and layout of the development can be appropriately managed.
- 47 In terms of the retirement village rule, there is a distinction to be made between the residential use of retirement villages and the effects of the physical structures associated with constructing them. For this reason, I support a restricted discretionary activity status for the construction/built form related aspects.
- 48 While the Officer's proposed amendments to the matters of discretion make some steps in the right direction, these do not go far enough. I consider it preferable that relevant effects to be assessed should be linked wherever possible to relevant standards that apply to retirement villages (where these standards are exceeded). In particular 'design, form, and layout of the retirement village' should not be a matter of discretion. As noted above, it is my experience that council officers inappropriately seek to apply standard residential activity concepts to retirement villages. The matters of discretion set out in the submission are, in my assessment, suitable for appropriately managing the potential effects of retirement village development on the adjoining environment.

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<sup>20</sup> Paragraph 137 of the Council Officers' Section 42A Report.

- 49 With respect to the matter of limited or public notification, ultimately, if a proposed development is able to comply with the rules that apply to its boundary interface, there is no resource management reason for notifying neighbours of the application. If there is a breach, then limited notification may be appropriate, but not full public notification. This approach is also adopted in other district plans around New Zealand (including Christchurch and Auckland). As such, I consider PC19 needs to provide clear direction regarding the non-notification and limited notification of resource consent applications for retirement villages in the manner set out in the submissions by the RVA and Ryman.
- 50 In order to simplify how PC19 deals with retirement village development, and to better align it with the directives of the NPS-UD and Enabling Housing Act, I consider it necessary to:
- 50.1 permit retirement villages as a land use, and retain the restricted discretionary activity status related to their construction;
  - 50.2 provide tailored matters of discretion for the built form in alignment with the RVA and Ryman submission; and
  - 50.3 include presumptions for notification specifically related to these activities and aligned with the MDRS regime.
- 51 I therefore support the amendments sought in the RVA and Ryman submissions and the further amendments set out above.

### **CONCLUSION**

- 52 The population of Central Otago is increasing, including their ageing population, which places greater demand for medium to high housing options for the elderly.
- 53 As noted within this evidence, the submissions by the RVA and Ryman are seeking to ensure that PC19 provides an enabling regulatory framework for retirement villages and that their environment effects are managed within the LRZ and MRZ zones within Central Otago.
- 54 In my opinion, the LRZ and MRZ require amendments to acknowledge that retirement villages are an appropriate and legitimate use of residentially zoned land, by including retirement villages (that is of the same or similar scale as other forms of residential development) as permitted activities with the construction of the villages being managed through a restricted discretionary activity. This framework would provide a consistent approach throughout the country to ensure efficient, clear, and

appropriately focused assessments of effects and consenting of retirement villages.

- 55 Overall, I agree with the submissions by Ryman and the RVA that further amendments to PC19 are warranted in order to provide a planning framework that appropriately aligns to the NPS-UD, responds to the retirement housing and care shortage, and enables a consistent approach across the country.

**Nicola Marie Williams**

3 May 2023





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# Central Otago District Plan

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## Plan Change 19 – Residential Chapter Provisions Changes Recommended in Section 42A Report

*The following sets out the provisions sought by the RVA and Ryman within the Low Density Residential Zone and the Medium Density Residential Zone Chapters as part of Plan Change 19 to the Central Otago District Plan.*

*Text highlighted with underlining represents the RVA and Rymans proposed insertions. Text highlighted with ~~strikethrough~~ represents the RVA and Rymans proposed deletions.*

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## GLOSSARY OF ABBREVIATIONS

<b>CON</b>	Controlled activity status
<b>DIS</b>	Discretionary activity status
<b>PER</b>	Permitted activity status
<b>RDIS</b>	Restricted discretionary activity status
<b>LLRZ</b>	Large Lot Residential Zone
<b>LRZ</b>	Low Density Residential Zone
<b>MRZ</b>	Medium Density Residential Zone
<b>NC</b>	Non-complying activity status

# LARGE LOT RESIDENTIAL ZONE

## Introduction

The Large Lot Residential Zone (LLRZ) is located in some of the outer residential areas within the townships of Alexandra, Clyde and Cromwell, as well as in Bannockburn, Lowburn, Pisa Moorings and Roxburgh, along with some isolated areas of existing large lot residential ~~near~~ located along the eastern side of Lake Dunstan.<sup>1</sup>

The densities ~~is~~ are within the Large Lot Residential Zone ~~is~~ are the lowest of all the residential zones, providing for detached houses on large sites, maintaining a high open space to built form ratio. Generous setbacks are also provided from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.

The focus of the zone is residential, with limited commercial and community facilities anticipated.

Within Precinct 1, slightly higher densities are anticipated, which reflects the ~~historie~~ existing<sup>2</sup> pattern of development. Within Precincts 2 & 3, a lower density is anticipated, to maintain the existing amenity and character in these areas.

The Future Growth Overlay identifies any area that has been signalled in the Vincent Spatial Plan for Large Lot Residential zoning, in future. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development.

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the LLRZ.<sup>3</sup>

## Objectives and Policies

Objectives	
<b>LLRZ-O1</b>	<b>Purpose of the Large Lot Residential Zone</b>
The Large Lot Residential Zone provides primarily for residential living opportunities.	
<b>LLRZ-O2</b>	<b>Character and amenity values of the Large Lot Residential Zone</b>
The Large Lot Residential Zone is a pleasant, low-density living environment, which: <ol style="list-style-type: none"><li>1. contains predominantly low-rise and detached residential units on large lots;</li><li>2. maintains a predominance of open space over built form;</li><li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li><li>4. is well-designed and well-connected into the surrounding area.</li></ol>	
<b>LLRZ-O3</b>	<b>Precincts 1, 2 &amp; 3</b>
The density of development in the Large Lot Residential Precincts recognises and provides for maintenance of the amenity and character resulting from existing or anticipated development in these areas.	

## Policies

<sup>1</sup> #146

<sup>2</sup> #146

<sup>3</sup> Relates to #128.

<b>LLRZ-P1</b>	<b>Built Form</b>
<p>Ensure that development within the Large Lot Residential Zone:</p> <ol style="list-style-type: none"> <li>1. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>2. provides safe and appropriate access and on-site parking;</li> <li>3. maintains a high level of spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites;</li> <li>4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>5. provides generous usable outdoor living space for residents and for tree and garden planting;</li> <li>6. maintains the safe and efficient operation of the <u>road network</u><sup>4</sup>;</li> <li>7. mitigates visual effects through screening of storage areas and provision of landscaping; and</li> <li>8. encourages water efficiency measures.</li> </ol>	
<b>LLRZ-P2</b>	<b>Residential activities</b>
<p><u>Provide for</u> <del>Enable residential activities within</del> a range of residential unit types and sizes <u>to meet the diverse and changing residential demands of communities</u><sup>5</sup>.</p>	
<b>LLRZ-P3</b>	<b>Home business</b>
<p>Provide for home businesses where:</p> <ol style="list-style-type: none"> <li><del>1. they are ancillary to a residential activity;</del><sup>6</sup></li> <li><del>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</del></li> <li><del>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with</del><sup>7</sup> do not compromise the amenity of adjoining sites.</li> </ol>	
<b>LLRZ-P4</b>	<b>Retirement Living</b>
<p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and:</p> <ol style="list-style-type: none"> <li><del>1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</del><sup>8</sup></li> <li><del>2. the scale, form, composition and design of the village responds to</del> maintains the <u>anticipated character and amenity values of the surrounding area, while recognising the functional and operational needs of retirement villages;</u> and<sup>9</sup></li> <li><del>3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</del></li> <li><del>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</del></li> <li><del>5. road</del> the <u>safety and efficiency of the road network is maintained;</u><sup>10</sup> and</li> <li><del>6. they are well connected to commercial areas and community facilities.</del><sup>11</sup></li> </ol>	
<b>LLRZ-P5</b>	<b>Other non-residential activities</b>
<p><del>Avoid</del> <u>Only allow</u> other non-residential activities and buildings, <del>including the expansion of existing non-residential activities and buildings, unless where:</del><sup>12</sup></p> <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> </ol>	

<sup>4</sup> #161

<sup>5</sup> Relates to #158

<sup>6</sup> #165

<sup>7</sup> #146

<sup>8</sup> #158

<sup>9</sup> #158

<sup>10</sup> #165

<sup>11</sup> #165

<sup>12</sup> #30, #165

<ol style="list-style-type: none"> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and <u>amenity values qualities</u><sup>13</sup> of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u><sup>14</sup> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>residential</u><sup>15</sup> <del>properties</del> <u>sites</u><sup>16</sup>, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <del>the road</del> <u>safety and efficiency of the road network</u> is maintained<sup>17</sup>; <u>or</u></li> <li>7. <u>the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.</u><sup>18</sup></li> </ol>	
<b>LLRZ-P6</b>	<b>Precinct 1</b>
Provide for development within Precinct 1 at a density consistent with the existing character of the <u>area precinct.</u> <sup>19</sup>	
<b>LLRZ-P7</b>	<b>Precincts 2 &amp; 3</b>
Ensure that development within Precincts 2 & 3 maintains a higher level of open space, consistent with the existing character of <del>the area</del> <u>each precinct.</u> <sup>20</sup>	
<b>LLRZ-P8</b>	<b>Future Growth Overlay</b>
Recognise and provide for rezoning of land within the Future Growth Overlay, where: <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks <u>and transport infrastructure.</u><sup>21</sup></li> </ol>	

## Rules

<b>LLRZ-R1</b>	<b>Residential units</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: PER</b>  <b>Where:</b> <ol style="list-style-type: none"> <li>1. There is no more than one residential unit per site.</li> </ol> <b>And the activity complies with the following rule requirements:</b> LLRZ-S1 to LLRZ-S6	<b>Activity status when compliance is not achieved with R1.1: RDIS</b>  <b>And the activity complies with the following rule requirements:</b> LLRZ-S1 to LLRZ-S6  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>1. The bulk, location, design and density of buildings.</li> <li>2. The extent to which landscaping enhances residential amenity.</li> <li>3. The safety and efficiency of accesses and car parking areas.</li> </ol>

<sup>13</sup> #30, #165

<sup>14</sup> #146

<sup>15</sup> #146

<sup>16</sup> #30, #165

<sup>17</sup> #165

<sup>18</sup> #30, #165

<sup>19</sup> #165

<sup>20</sup> #165

<sup>21</sup> #9

		<p>4. Amenity effects on neighbouring properties and streetscape.</p> <p>5. Provision for privacy between residential units and between sites.</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>LLRZ-R2</b>	<b>Minor Residential Unit</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site.</u><sup>22</sup></li> <li>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage.</li> <li>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</li> </ol> <p><b>And the activity complies with the following rule requirements:</b> LLRZ-S2 to LLRZ-S7.</p>	<p><b>Activity status when compliance is not achieved with R2.1,<del>2</del> NC</b></p> <p><del><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></del><sup>23</sup></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>LLRZ-R3</b>	<b>Relocated buildings</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: <del>CON</del>PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling;</li> <li>2. A building <u>pre-inspection report</u> shall be provided with the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building <u>and shall include certification from the owner of the relocated building that the reinstatement work will be completed within a 12 month period;</u></li> <li>3. <u>The building shall be located on permanent foundations approved by</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1 <del>to</del> R3.4: DIS</b></p> <p><b><u>Activity status when compliance is not achieved with R3.2-R3.4: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

<sup>22</sup> #161, #162

<sup>23</sup> #165

	<p><u>building consent no later than 2 months of the building being moved to the site; and</u></p> <p>4. All <u>other</u> reinstatement work required by the building <u>pre-</u>inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within <del>six</del> <u>12</u> months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations; and</p> <p>5. <del>The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period.</del></p> <p><b>And the activity complies with the following rule requirements:</b> LLRZ-S1 to LLRZ-S7</p> <p><b>Matters of control are restricted to:</b></p> <p><del>a. The time period within which the building will be placed on its foundations.</del></p> <p><del>b. Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></p> <p><del>c. Provision of servicing.</del></p> <p><del>d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del><sup>24</sup></p>	
<b>LLRZ-R4</b>	<b>Accessory buildings and structures</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. The building is ancillary to a permitted activity <u>or other lawfully established activity.</u><sup>25</sup></p> <p><b>And the activity complies with the following rule requirements:</b> LLRZ-S2 to LLRZ-S6.</p>	<b>Activity status when compliance is not achieved with R4.1: DIS</b>

<sup>24</sup> #151

<sup>25</sup> #30, also relates to #165



<b>LLRZ-RX</b>	<b>Additions and alterations to existing non-residential buildings<sup>26</sup></b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. <u>The additions or alterations do not increase the existing gross floor area by more than 30%.</u></p> <p><b>And where the activity complies with the following rule requirements:</b> <u>LLRZ-S2 to LLRZ-S6.</u></p>	<p><b>Activity status when compliance is not achieved with RX.1: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> <u>Refer to Rule Requirement Table.</u></p>
<b>LLRZ-R5</b>	<b>Residential Activity</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: PER</b>	
<b>LLRZ-R6</b>	<b>Visitor accommodation</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. The visitor accommodation is undertaken within a residential unit <u>or minor residential unit</u><sup>27</sup> and is ancillary to a residential activity.</p> <p>2. The maximum occupancy is 6 guests per night; <del>and</del></p> <p>3. <del>The access to the site is not shared with another site.</del><sup>28</sup></p>	<p><b>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</b></p> <p><b>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. <del>the effects of the activity on the amenity and safety of</del> <u>on any sites sharing access of the use of the access on:</u></p> <p>i. <u>amenity; and</u></p> <p>ii. <u>safety and efficient access.</u><sup>29</sup></p>
<b>LLRZ-R7</b>	<b>Home business (unless otherwise specified in LLRZ-R8 or LLRZ-R14)</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. <del>The home business is undertaken within a residential unit and is ancillary to a residential activity;</del><sup>30</sup></p> <p>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</p> <p>3. <del>Any</del> <u>No more than one</u> employee engaged in the home business resides <u>off</u> <del>on</del> site;<sup>31</sup></p>	<p><b>Activity status when compliance is not achieved with R7.1 to R7.5: Discretionary</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> <u>Refer to Rule Requirement Table.</u></p>

<sup>26</sup> #30.

<sup>27</sup> #161

<sup>28</sup> #161, #162

<sup>29</sup> #165

<sup>30</sup> #165

<sup>31</sup> #165

	<p>4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</p> <p>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</p> <p><b>And where the activity complies with the following rule requirements:</b> LLRZ-S10</p>	
<b>LLRZ-R8</b>	<b>Childcare Services</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is <del>ancillary</del> <u>incidental</u><sup>32</sup> to a residential activity.</li> <li>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</li> </ol>	<p><b>Activity status when compliance is not achieved with R8.1 or R8.2:</b> <b>Discretionary</b></p>
<b>LLRZ-R9</b>	<b>Signs</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> <li>5. The sign is fixed and does not move; and</li> <li>6. The sign does not obscure driver visibility to and from access ways.</li> </ol> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	<p><b>Activity status when compliance is not achieved with R9.1 – R9.6: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The effect on amenity values of neighbouring properties.</li> <li>2. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>3. The effect on the safe and efficient operation of the roading network.</li> </ol>
<b>LLRZ-R10</b>	<b>Excavation</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p>

<sup>32</sup> #165

	<ol style="list-style-type: none"> <li>1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u><sup>33</sup></li> </ol> <p><i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority to be obtained from Heritage New Zealand Pouhere Taonga.</i><sup>34</sup></p>	<ol style="list-style-type: none"> <li>1. The location, volume and area of <del>excavation earthworks.</del><sup>35</sup></li> <li>2. The effect on amenity values or safety of neighbouring <u>sites</u> <del>properties.</del><sup>36</sup></li> <li>3. The effect on water bodies and their margins.</li> <li>4. The impact on visual amenity and landscape character.</li> <li>5. Any effects on the road network arising from the excavation.</li> <li>6. Any effects on archaeological, heritage or cultural values.</li> <li>7. Any mitigation measures proposed.</li> </ol>
<b>LLRZ-R10</b>	<b>Retirement Villages</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> LLRZ-S1 to LLRZ-S6</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Integration of vehicle, cycle and pedestrian access with the adjoining road network.</li> <li>b. Provision of landscaping, <u>or use of open space to integrate the proposal into the surrounding area,</u> <del>on-site amenity for residents, recreational facilities and</del></li> <li>c. <u>Adequacy of stormwater systems and wastewater capacity.</u></li> <li>d. <del>Design and layout of pedestrian circulation.</del></li> <li>e. Parking and <u>manoeuvring access.</u></li> <li>f. Traffic generation, including impacts on the <u>safety and efficiency of the wider transport road network.</u></li> <li>g. <del>Residential amenity for neighbours in respect of outlook and privacy.</del></li> <li>h. <del>Visual quality and interest in the</del> <u>The design, form and layout of the retirement village, including buildings, fencing, location and scale</u></li> </ol>	<p><b><u>Activity status when compliance with rule requirement(s) is not achieved:</u></b> <u>Refer to Rule Requirement Table.</u><sup>38</sup></p>

<sup>33</sup> #21 & #30, #31, #32, #51, #123, #137, #145, #165

<sup>34</sup> #112

<sup>35</sup> Clause 16(2) amendment, for consistency. Also relates to #165

<sup>36</sup> #165

<sup>38</sup> Clause 16(2) amendment for clarification.

	of utility areas, parking areas and external storage areas. i. <u>Any functional or operational requirements.</u> <sup>37</sup>	
<b>LLRZ-R11</b>	<b>Any activity not otherwise listed in LLRZ-R1 to LLRZ-R10 or LLRZ-R12 to LLRZ-R15</b> <sup>39</sup>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: DIS</b>	
<b>LLRZ-R12</b>	<b>Industrial Activities</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LLRZ-R13</b>	<b>Large format retailing</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LLRZ-R14</b>	<b>Noxious Activities</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LLRZ-R15</b>	<b>Buildings on Land Subject to Hazards</b>	
<b>Large Lot Residential Zone</b>	<b>Activity Status: NC</b>  <b>Where:</b> 1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.	

## Standards

<b>LLRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone (Excluding Precincts 1, 2 &amp; 3)</b>	1. The minimum site area per residential unit is 2000m <sup>2</sup> .	<b>NC</b>
<b>Precinct 1</b>	2. The minimum site area per residential unit is 1000m <sup>2</sup> .	<b>NC</b>

<sup>37</sup> #158, #165

<sup>39</sup> #165

Precinct 2	3. The minimum site area per residential unit is 3000m <sup>2</sup> .	NC
Precinct 3	4. The minimum site area per residential unit is 6000m <sup>2</sup> .	NC
LLRZ-S2	<b>Height</b>	<b><u>Activity Status where compliance not achieved:</u></b> <sup>40</sup>
<b>Large Lot Residential Zone</b>	<p>1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the highest part of the building or structure.</p> <p><u>LLRZ-S2.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u><sup>41</sup></li> <li>• <u>Hose drying towers which do not exceed 15m in height.</u><sup>42</sup></li> </ul>	<p><b>Where:</b> LLRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Dominance of built form in the surrounding area.</li> <li>Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>Any mitigation measures <del>proposed</del> which reduce the adverse effects of the increased height.</li> <li><u>Any constraints which make compliance impractical.</u></li> <li><u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>43</sup></li> </ol> <p><b>Where:</b> LLRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: <b>NC</b></p>
LLRZ-S3	<b>Height in relation to boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b> <sup>44</sup>
<b>Large Lot Residential Zone</b>	<p>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 2.5m above ground level at the boundaries of the site.</p> <p>2. LLRZ-S3.1 does not apply to:</p> <ul style="list-style-type: none"> <li>• A boundary with a road <u>or a shared access more than 3m in width.</u></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Dominance of built form in the surrounding area.</li> <li>Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> </ol>

<sup>40</sup> Clause 16(2) amendment.

<sup>41</sup> #165

<sup>42</sup> #114

<sup>43</sup> #165

<sup>44</sup> Clause 16(2) amendment.

	<ul style="list-style-type: none"> <li>• Common walls along a site boundary.</li> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> <li>• Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>• A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.</li> <li>• <u>Internal boundaries within a retirement village.</u><sup>45</sup></li> <li>• <u>Hose drying towers.</u><sup>46</sup></li> </ul>	<p>d. <u>Any constraints which make compliance impractical.</u></p> <p>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>47</sup></p>
<b>LLRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone (Excluding Precincts 1 2 &amp; 3)</b>	The building coverage of the net area <sup>48</sup> of any site must not exceed 30%.	<b>RDIS</b>
<b>Precinct 1</b>	The building coverage of the net area of any site must not exceed 40%.	<b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Compatibility of the built form with the existing or anticipated character of the area.</li> <li>Dominance of built form in the surrounding area.</li> <li>The extent to which a level of openness around and between buildings is retained.</li> <li>Any mitigation measures proposed which reduce the adverse effects of the breach.</li> </ol>
<b>Precinct 2</b>	The building coverage of the net area of any site must not exceed 15%.	
<b>Precinct 3</b>	The building coverage of the net area of any site must not exceed 10%.	
<b>LLRZ-S5</b>	<b>Setback from road boundary</b>	

<sup>45</sup> #165

<sup>46</sup> #114

<sup>47</sup> #165

<sup>48</sup> Clause 16(2) amendment as definition of building coverage contains this. Also relates to #165

<sup>49</sup> Clause 16(2) amendment.

<p><b>Large Lot Residential Zone</b></p>	<p><u>1.</u> Any building or structure shall be setback a minimum of <u>74.5m</u> from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Any adverse effects on the safety and efficiency of the road network.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>compatibility of the building or structure with the surrounding built environment.</li> <li><u>Any constraints which make compliance impractical.</u><sup>50</sup></li> </ol>
<p><b>Medium Density Residential Zone -<sup>51</sup> Within 80m of the seal edge of a State Highway</b></p>	<p><u>2.</u> New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li><u>The effect on the safe and efficient operation of the roading network.</u></li> <li><u>The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network.</u><sup>52</sup></li> </ol>
<p><b>LLRZ-S6</b></p>	<p><b>Setback from internal boundary</b></p>	<p><b>Activity Status where compliance not achieved:</b><sup>53</sup></p>
<p><b>Large Lot Residential Zone</b></p>	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> <li>3m from any internal boundary <del>(except that this does not apply to an uncovered deck less than 1m in height);</del> and</li> <li>15m from the margin of any lake.</li> </ol> <p><u>LLRZ-S6.1 does not apply to:</u></p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Adverse effects on privacy, outlook, or shading on the affected property.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> </ol>

<sup>50</sup> #165

<sup>51</sup> Clause 16(2) amendment.

<sup>52</sup> To correct an omission. Relates to #146 and #165.

<sup>53</sup> Clause 16(2) amendment.

	<ul style="list-style-type: none"> <li>• <u>Uncovered decks of less than 1m in height.</u> <sup>54</sup></li> <li>• <u>Internal boundaries within a retirement village.</u> <sup>55</sup></li> </ul>	<p>c. The compatibility of the building or structure with the surrounding built environment.</p> <p>d. Any adverse effects on accessibility to the lake.</p>
<b>LLRZ-S7</b>	<b>Car parking</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone</b>	<p>The following minimum carpark spaces shall be provided on the site:</p> <ol style="list-style-type: none"> <li>1. One carpark space per residential unit; and</li> <li>2. One additional carpark space per home business.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. Effects on amenity values of neighbouring properties.</li> </ol>

<sup>54</sup> Relates to #30, #31, #51, #145, #165.

<sup>55</sup> #165.



## LOW DENSITY RESIDENTIAL ZONE

### Introduction

The Low Density Residential Zone covers the majority of the residential areas in the townships of Alexandra, Clyde and Cromwell, a central area within Pisa Moorings,<sup>56</sup> as well as all of the residential areas in the townships of Roxburgh, Ettrick, Millers Flat, Omakau, Ophir, St Bathans, Naseby, Ranfurly and Patearoa.

This zone provides for traditional suburban housing, comprised ~~predominately~~ predominantly<sup>57</sup> of detached houses on sections with ample on-site open space, and generous setbacks from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.

While the focus of the zone is residential, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the character and amenity values of the zone.

The Future Growth Overlay identifies any area that has been signalled in the Vincent Spatial Plan for low density residential zoning, in future. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development.

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the LRZ.<sup>58</sup>

### Objectives and Policies

Objectives	
<b>LRZ-O1</b>	<b>Purpose of the Low Density Residential Zone</b>
The Low Density Residential Zone provides primarily for residential living opportunities, as well as activities that support, and are compatible with the character of, the zone's residential focus.	
<b>LRZ-O2</b>	<b>Character and amenity values of the Low Density Residential Zone</b>
The Low Density Residential Zone is a pleasant, low-density suburban living environment, which: <ol style="list-style-type: none"><li>1. contains predominantly low-rise and detached residential units;</li><li>2. maintains a good level of openness around buildings;</li><li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li><li>4. is well-designed and well-connected into surrounding area.</li></ol>	
<b>LRZ-OX</b>	<b>Ageing Population</b>
<u>Recognise and enable the housing and care needs of the ageing population.</u>	

Policies	
<b>LRZ-P1</b>	<b>Built Form</b>
Ensure that development within the Low Density Residential Zone: <ol style="list-style-type: none"><li>1. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li><li>2. provides safe and appropriate access and on-site parking;</li></ol>	

<sup>56</sup> #146.

<sup>57</sup> Clause 16(2) amendment to correct a typographical error.

<sup>58</sup> Relates to #128.

3. maintains spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites;
4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; and
5. provides sufficient usable outdoor living space for residents and for tree and garden planting;
6. maintains the safe and efficient operation of the roads network<sup>59</sup>;
7. mitigates visual effects through screening of storage areas and provision of landscaping; and
8. encourages water efficiency measures.

**LRZ-P2 Residential activities**

Provide for ~~Enable residential activities within~~ a range of residential unit types and sizes to meet the diverse and changing residential demands of communities<sup>60</sup>.

**LRZ-P3 Home businesses**

Provide for home businesses where:

- ~~1. they are ancillary to a residential activity;~~<sup>61</sup>
- ~~2. they are consistent the anticipated character, amenity values and purpose of the zone; and~~
- ~~3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with /~~<sup>62</sup> do not compromise the amenity of adjoining sites.

**LRZ-P4 Retirement **Living Villages****

~~Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and:~~

- ~~1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and~~<sup>63</sup>
- ~~2. the scale, form, composition and design of the village responds to maintains the anticipated character and amenity values of the surrounding area, while recognising the functional and operational needs of retirement villages; and~~<sup>64</sup>
- ~~3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and~~
- ~~4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and~~
- ~~5. road the safety and efficiency of the road network is maintained;~~<sup>65</sup> ~~and~~
- ~~6. they are well-connected to commercial areas and community facilities.~~<sup>66</sup>

Enable retirement villages to:

- a. Provide for greater density than other forms of residential developments and enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;
- b. Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age; and
- c. Encourage the scale and design of the retirement village to:
  - i. be of a high-quality and compatible with the planned urban character;
  - ii. achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and
  - iii. achieve an appropriate level of residential amenity at neighbouring properties, in circumstances where relevant built form standards are exceeded.

**LRZ-P5 Other non-residential activities**

~~Avoid~~ Only allow other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless where:<sup>67</sup>

1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and
2. the nature, scale and intensity of the activity is compatible with the anticipated character and amenity values qualities<sup>68</sup> of the zone and surrounding area; and

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<sup>59</sup> #161

<sup>60</sup> Relates to #158

<sup>61</sup> #165

<sup>62</sup> Relates to #146 & #165

<sup>63</sup> #158

<sup>64</sup> #158

<sup>65</sup> #165

<sup>66</sup> #165

<sup>67</sup> #30, #165

<sup>68</sup> #30, #165

<ol style="list-style-type: none"> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u><sup>69</sup> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>residential</u><sup>70</sup> <u>properties/sites</u><sup>71</sup>, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <u>the road safety and efficiency of the road network is maintained</u><sup>72</sup>; <u>or</u></li> <li>7. <u>the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.</u><sup>73</sup></li> </ol>	
<b>LRZ-P6</b>	<b>Future Growth Overlay</b>
<p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks <u>and transport infrastructure.</u><sup>74</sup></li> </ol>	
<b>LRZ-PX</b>	<b>Larger sites</b>
<p><u>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</u></p>	
<b>LRZ-PX</b>	<b>Changing communities</b>
<p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u></p>	

## Rules

<b>LRZ-R1</b>	<b>Residential units</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There are <del>is no more than two</del> <u>one</u> residential units per site.<sup>75</sup></li> </ol> <p><b>And the activity complies with the following rule requirements:</b> LRZ-S1 to LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R1.1: RDIS</b></p> <p><b>And the activity complies with the following rule requirements:</b> LRZ-S1 to LRZ-S10</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The bulk, location, design and density of buildings.</li> <li>2. The extent to which landscaping enhances residential amenity.</li> <li>3. The safety and efficiency of accesses and car parking areas.</li> <li>4. Amenity effects on neighbouring properties and streetscape.</li> <li>5. Provision for privacy between residential units and between sites.</li> </ol> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

<b>LRZ-R2</b>	<b>Minor Residential Unit</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site</u>;<sup>76</sup></li> <li>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage; and</li> <li>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</li> </ol> <p><b>And the activity complies with the following rule requirements:</b> LRZ-S2 to LRZ-S7.</p>	<p><b>Activity status when compliance is not achieved with R2.1,=NG</b></p> <p><del><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></del></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b><u>LRZ-RX</u></b>	<b><u>Retirement Villages</u></b>	
<b><u>Low Density Residential Zone</u></b>	<p><b><u>Activity Status: PER</u></b></p> <p><b><u>Any retirement village.</u></b></p>	<p><b><u>Activity status when compliance not achieved: N/A</u></b></p>
<b>LRZ-R3</b>	<b>Relocated buildings</b>	

<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: <del>CON</del>-PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</li> <li>2. <u>A building pre-inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification from the owner of the relocated building that the reinstatement work will be completed within a 12 month period;</u></li> <li>3. <u>The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and</u></li> <li>4. <u>All other reinstatement work required by the building pre-inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1: DIS</b></p> <p><b><u>Activity status when compliance is not achieved with RX32-R3.4: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol> <p><b><u>Activity status when compliance with rule requirement(s) is not achieved:</u></b>  <u>Refer to Rule Requirement Table.</u></p>
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	<p><u>within 12 months of the building being delivered to the site.</u>  <u>Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p><b>And the activity complies with the following rule requirements:</b>  LRZ-S1 to LRZ-S7.</p> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li><del>1. The time period within which the building will be placed on its foundations.</del></li> <li><del>2. Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></li> <li><del>3. Provision of servicing.</del></li> <li><del>4. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del></li> </ol>	
<b>LRZ-R4</b>	<b>Accessory buildings and structures</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The building is ancillary to a permitted activity <u>or other lawfully established activity.</u><sup>79</sup></li> </ol> <p><b>And the activity complies with the following rule requirements:</b></p> <ol style="list-style-type: none"> <li>2. For buildings or structures of more than 10m<sup>2</sup>, LRZ-S2 to LRZ-S6; or</li> <li>3. For buildings or structures of 10m<sup>2</sup> or less, LRZ-S2 - LRZ-S5.</li> </ol>	<p><b>Activity status when compliance is not achieved with R4.1:</b> DIS</p>
<b>LLRZ-RX</b>	<b>Additions and alterations to existing non-residential buildings<sup>80</sup></b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <u>The additions or alterations do not increase the existing gross floor area by more than 30%.</u></li> </ol> <p><b>And where the activity complies with the following rule requirements:</b></p>	<p><b>Activity status when compliance is not achieved with RX.1:</b> DIS</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b>  Refer to Rule Requirement Table.</p>

	<u>LRZ-S2 to LRZ-S6.</u>	
<b>LRZ-R5</b>	<b>Residential Activity</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: PER</b>	
<b>LRZ-R6</b>	<b>Visitor accommodation</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The visitor accommodation is undertaken within a residential unit <u>or minor residential unit</u><sup>81</sup> and is ancillary to a residential activity.</li> <li>2. The maximum occupancy is 6 guests per night; <del>and</del></li> <li>3. <del>The access to the site is not shared with another site.</del><sup>82</sup></li> </ol> <p><b>And where the activity complies with the following rule requirements:</b> LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R6.1 or R6.2:</b> <b>Discretionary</b></p> <p><b>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <del>the effects of the activity on the amenity and safety of</del> <u>on</u> any sites sharing access <u>of the use of the access on:</u> <ol style="list-style-type: none"> <li>i. <u>amenity; and</u></li> <li>ii. <u>safety and efficient access.</u><sup>83</sup></li> </ol> </li> </ol>
<b>LRZ-R7</b>	<b>Home business (unless otherwise specified in LRZ-R8 or LRZ-R14)</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li><del>1. The home business is undertaken within a residential unit;</del><sup>84</sup></li> <li>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</li> <li><del>3. Any</del> <u>No more than one</u> employee engaged in the home business resides <del>off</del> <u>on</u>-site;<sup>85</sup></li> <li>4. The home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</li> <li>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</li> </ol> <p><b>And where the activity complies with the following rule requirements:</b> LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R7.1 to R7.5:</b> <b>Discretionary</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>LRZ-R8</b>	<b>Childcare Services</b>	

<sup>81</sup> #161

<sup>82</sup> #161, #162

<sup>83</sup> #165

<sup>84</sup> #165

<sup>85</sup> #165



<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is <del>ancillary</del> <u>incidental</u><sup>86</sup> to a residential activity.</li> <li>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</li> </ol> <p><b>And where the activity complies with the following rule requirements:</b> LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R8.1 or R8.2:</b> <b>Discretionary</b></p>
<p><b>LRZ-R9 Signs</b></p>		
<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> <li>5. The sign is fixed and does not move; and</li> <li>6. The sign does not obscure driver visibility to and from access ways.</li> </ol> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	<p><b>Activity status when compliance is not achieved with R9.1 – R9.6: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. The effect on amenity values of neighbouring properties.</li> <li>b. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>c. The effect on the safe and efficient operation of the roading network.</li> </ol>
<p><b>LRZ-R10 Excavation</b></p>		
<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site, <u>excluding excavation</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The location, volume and area of <u>excavation earthworks</u>.<sup>89</sup></li> <li>2. The effect on amenity values or safety of neighbouring <u>sites</u> <del>properties</del>.<sup>90</sup></li> <li>3. The effect on water bodies and their margins.</li> </ol>

<sup>86</sup> #165

<sup>89</sup> Clause 16(2) amendment, for consistency. Also relates to #165

<sup>90</sup> #165

	<p><u>required for construction of a building for which a building consent has been issued.</u><sup>87</sup></p> <p><i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority to be obtained from Heritage New Zealand Pouhere Taonga.</i><sup>88</sup></p>	<ol style="list-style-type: none"> <li>4. The impact on visual amenity and landscape character.</li> <li>5. Any effects on the road network arising from the excavation.</li> <li>6. Any effects on archaeological, heritage or cultural values.</li> <li>7. Any mitigation measures proposed.</li> </ol>
<b>LRZ-R11</b>	<b>Convenience Retail activities</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> LRZ-S2 to LRZ-S4 and LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Whether the proposed activity will primarily service the surrounding residential area.</li> <li>b. Hours of operation.</li> <li>c. amenity effects on neighbouring properties, including noise, disturbance and privacy.</li> <li>d. outdoor storage, including rubbish collection areas.</li> <li>e. the location and design of car parking and loading areas and access.</li> </ol>	
<b>LRZ-R12</b>	<b><u>Construction of buildings or structures for Retirement Villages</u></b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> LRZ-S2 to LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <del>Integration of vehicle, cycle and pedestrian access with the adjoining road network.</del></li> <li>b. <del>Provision of landscaping, or use of open space to integrate the proposal into the surrounding area, on-site amenity for residents, recreational facilities and</del></li> <li>c. <del>Adequacy of stormwater systems and wastewater capacity.</del></li> </ol>	

	<p><del>d.— Design and layout of pedestrian circulation.</del></p> <p><del>e.— Parking and manoeuvring access.</del></p> <p><del>f.— Traffic generation, including impacts on the safety and efficiency of the wider transport road network.</del></p> <p><del>g.— Residential amenity for neighbours in respect of outlook and privacy.</del></p> <p><del>h.— Visual quality and interest in the design, form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</del></p> <p><del>i.— Any functional or operational requirements.</del></p> <p>a. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p>b. <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects</u></p> <p>c. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p>d. <u>The matters in LRZ P1, LRZ-P4 and PX [New policies]</u></p> <p>e. <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><b><u>Notification status:</u></b></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with LRZ-S2 to LRZ-S6 is precluded from being limited notified.</u></p>	
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<b>LRZ-R13</b>	<b>Community facilities</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> LRZ-S2 to LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location and design of car parking and loading areas and access.</li> <li>Design and layout of on-site pedestrian and cycling connections.</li> <li>Hours of operation.</li> <li>Noise, disturbance and loss of privacy of neighbours.</li> <li>Location, size and numbers of signs.</li> <li>Traffic generation and impact on the transport road<sup>92</sup> network.</li> <li>Landscaping.</li> <li>Site layout.</li> <li>The scale of activity.</li> <li>Scale, form and design of buildings.</li> </ol>	
<b>LRZ-R14</b>	<b>Any activity not otherwise listed in LRZ R1 to LRZ R12 or LRZ R14 to LRZ R17<sup>93</sup></b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: DIS</b>	
<b>LRZ-R15</b>	<b>Industrial Activities</b>	
<b>Low Density</b>	<b>Activity Status: NC</b>	

<sup>91</sup> #158, #165

<sup>92</sup> #165

<sup>93</sup> #165

<b>Residential Zone</b>		
<b>LRZ-R16</b>	<b>Large format retailing</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LRZ-R17</b>	<b>Noxious Activities</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LRZ-R18</b>	<b>Buildings on Land Subject to Hazards</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>  <b>Where:</b> 1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.	

## Standards

<b>LRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Low Density Residential Zone</b>	1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 5400m <sup>2</sup> . <sup>94</sup> 2. Where the residential unit is not connected to a reticulated sewerage system, no more than one dwelling is provided per 800m <sup>2</sup> .	<b>NC</b>
<b>LRZ-S2</b>	<b>Height</b>	<b>Activity Status where compliance not achieved:</b> <sup>95</sup>
<b>Low Density Residential Zone</b>	1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the highest part of the building or structure.	<b>Where:</b> LRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: <b>RDIS</b>

<sup>94</sup> #51, #64, #73, #93, #94, #95, #99, #149, #150, #155, #161, #162, #165, #166, #167

<sup>95</sup> Clause 16(2) amendment

	<p><u>LRZ-S2.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u><sup>96</sup></li> <li>• <u>Hose drying towers which do not exceed 15m in height.</u><sup>97</sup></li> </ul>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the increased height.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>98</sup></li> </ol> <p><b>Where:</b> LRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: <b>NC</b></p>
<b>LRZ-S3</b>	<b>Height in relation to boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b> <sup>99</sup>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 2.5m above ground level at the boundaries of the site.</li> <li>2. LRZ-S3.1 does not apply to: <ul style="list-style-type: none"> <li>• A boundary with a road <u>or a shared access more than 3m in width.</u></li> <li>• Common walls along a site boundary.</li> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> </ul> </li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>102</sup></li> </ol>

<sup>96</sup> #165

<sup>97</sup> #114

<sup>98</sup> #165

<sup>99</sup> Clause 16(2) amendment.

<sup>102</sup> #165

	<ul style="list-style-type: none"> <li>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.</li> <li><u>Internal boundaries within a retirement village.</u><sup>100</sup></li> <li><u>Hose drying towers.</u><sup>101</sup></li> </ul>	
<b>LRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>
<b>Low Density Residential Zone</b>	The building coverage of the net area <sup>103</sup> of any site must not exceed 40%.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Compatibility of the built form with the existing or anticipated character of the area.</li> <li>Dominance of built form in the surrounding area.</li> <li>The extent to which a level of openness around and between buildings is retained.</li> <li>Any mitigation measures proposed which reduce the adverse effects of the breach.</li> </ol>
<b>LRZ-S5</b>	<b>Setback from road boundary</b>	<b>Activity Status where compliance not achieved:</b> <sup>104</sup>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>Any building or structure shall be setback a minimum of 4.5m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.</li> </ol>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Any adverse effects on the safety and efficiency of the road network.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>Compatibility of the building or structure with the surrounding built environment.</li> <li><u>Any constraints which make compliance impractical.</u><sup>105</sup></li> </ol>

<sup>100</sup> #165

<sup>101</sup> #114

<sup>103</sup> Clause 16(2) amendment as definition of building coverage contains this. Also relates to #165

<sup>104</sup> Clause 16(2) amendment.

<sup>105</sup> #165

<p><b>Medium Density Residential Zone -</b> <sup>106</sup><b>Within 80m of the seal edge of a State Highway</b></p>	<p>2. New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The effect on the safe and efficient operation of the roading network.</li> <li>The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network.<sup>107</sup></li> </ol>
<p><b>LRZ-S6</b></p>	<p><b>Setback from internal boundary</b></p>	<p><b>Activity Status where compliance not achieved:</b><sup>108</sup></p>
<p><b>Low Density Residential Zone</b></p>	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> <li>1.8m from any internal boundary (<del>except that this does not apply to an uncovered deck less than 1m in height</del>); and</li> <li>15m from the margin of any lake.</li> </ol> <p><u>LRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li><u>Uncovered decks of less than 1m in height.</u><sup>109</sup></li> <li><u>Internal boundaries within a retirement village.</u></li> <li><u>Two or more residential units connected horizontally and/or vertically by a common wall or floor.</u><sup>110</sup></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Adverse effects on privacy, outlook, or shading on the affected property.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>The compatibility of the building or structure with the surrounding built environment.</li> <li>Any adverse effects on accessibility to the lake.</li> </ol>
<p><b>LRZ-S7</b></p>	<p><b>Car parking</b></p>	<p><b>Activity Status where compliance not achieved:</b></p>
<p><b>Low Density Residential Zone</b></p>	<p>The following minimum carpark spaces shall be provided on the site:</p> <ol style="list-style-type: none"> <li>One carpark space per residential unit; and</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Any adverse effects on the safety and efficiency of the road network.</li> </ol>

<sup>106</sup> Clause 16(2) amendment.

<sup>107</sup> To correct an omission. Relates to #146 and #165.

<sup>108</sup> Clause 16(2) amendment.

<sup>109</sup> Relates to #30, #31, #51, #145, 165

<sup>110</sup> #165



	<ol style="list-style-type: none"><li>2. Where the activity is a home business, one additional carpark space; and</li><li>3. Where the activity is visitor accommodation, one additional carpark space; and</li><li>4. Where the activity is a childcare service, one additional carpark space.</li></ol>	<ol style="list-style-type: none"><li>b. Effects on amenity values of neighbouring properties.</li></ol>
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## MEDIUM DENSITY RESIDENTIAL ZONE

### Introduction

The Medium Density Residential Zone is located within the townships of Alexandra, Clyde and Cromwell in areas that are within a walkable distance of commercial areas or other key community facilities.

A more intensive density of development is anticipated in this zone compared with the ~~other~~ Large Lot Residential and Low Density Residential<sup>111</sup> zones and it is intended to develop over time to provide for a range of housing options, including more intensive options, to meet the diverse needs of the community, provide affordable options and provide a greater critical mass to support commercial and community facilities.

While providing for more intensive density, buildings within this zone are expected to be well-designed to ensure that they integrate with the surrounding area, minimise the effects of development on adjoining sites and still provide a good quality living environment for residents. The provisions also provide a pathway for the approval of a Comprehensive Residential Development Plan, ~~allowing for~~ which enables an integrated and master planning approach to be undertaken on larger sites, including at higher densities, where this still achieves ~~the~~ high quality built form outcomes ~~sought~~.<sup>112</sup> Approval of a Comprehensive Residential Development Plan provides certainty regarding the form of an overall development, and can precede, or be considered concurrently with subdivision consents and land use consents for residential units.

Precinct 1 is located within Clyde. Because Precinct 1 is within or near the Clyde Heritage Precinct, development within this area has the potential to impact on the character of the Heritage Precinct. Therefore, a lower height limit is applied in Precinct 1, and development within the Precinct needs to be considered in terms of its relationship with the Heritage Precinct.

While the focus of the zone is residential activity,<sup>113</sup> some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the purpose, character and amenity values of the zone.

The Future Growth Overlay identifies any area that has been signalled in the Vincent Spatial Plan for medium density residential zoning, in future. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development.

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the MRZ.<sup>114</sup>

### Objectives and Policies

Objectives	
MRZ-O1	Purpose of the Medium Density Residential Zone

<sup>111</sup> #146

<sup>112</sup> #146

<sup>113</sup> #146

<sup>114</sup> Relates to #128.

The Medium Density Residential Zone provides primarily for more intensive residential living opportunities, as well as activities that support, and are compatible with, the zone’s residential focus.

**MRZ-O2      Character and amenity values of the Medium Density Residential Zone**

The Medium Density Residential Zone is a good quality living environment, which:

1. positively responds to the natural, heritage and cultural context and site features;
2. changes over time to provides a range of housing types, including those of a greater density than other residential zones, making efficient use of land and providing for growth needs;<sup>115</sup>
3. is responsive to and well-connected into the surrounding area;
4. is well-designed, balancing affordability with good urban design outcomes; and
5. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites.

**MRZ-OX      Ageing Population**

Recognise and enable the housing and care needs of the ageing population.

**Policies**

**MRZ-P1      Built Form**

Ensure that development within the Medium Density Residential Zone:

1. actively and safely addresses road frontages and public open spaces;
2. provides reasonable levels of privacy, outlook and adequate access to sunlight;
3. provides safe and appropriate access and on-site parking that is discretely integrated;
4. maintains a level of openness around and between buildings that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;
5. provides visual interest;
6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;
7. provides sufficient and usable common and private open space and storage space for residents;
8. maintains the safe and efficient operation of accessways and the roads network<sup>116</sup>;
9. mitigates visual effects through screening of storage areas and provision of landscaping;
10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;
11. encourages water efficiency measures; and
12. within Precinct 1, does not detract from the heritage values and<sup>117</sup> character of the Clyde Heritage Precinct.

**MRZ-P2      Comprehensive Development**

Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:

1. provides opportunities for a diversity of housing types choice;<sup>118</sup>
2. is designed to respond positively to its context and the features of the site;
3. is compatible connected with the urban of to nearby centres and community facilities areas;<sup>119</sup>

<sup>115</sup> #158

<sup>116</sup> #161

<sup>117</sup> #112

<sup>118</sup> #146

<sup>119</sup> Relates to #165

	<p>4. provides a well-connected <del>movement</del> <u>transport</u><sup>120</sup> network and usable public open spaces and streetscapes; and</p> <p>5. achieves the built form outcomes in MRZ-P1.</p>
<b>MRZ-P3</b>	<b>Residential activities</b>
	<u>Provide for</u> <del>Enable residential activities within</del> a range of residential unit types and sizes <u>to meet the diverse and changing residential demands of communities</u> <sup>121</sup> .
<b>MRZ-P4</b>	<b>Home businesses</b>
	<p>Provide for home businesses where:</p> <ol style="list-style-type: none"> <li><del>1. they are ancillary to a residential activity;</del><sup>122</sup></li> <li>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</li> <li>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring <del>are compatible with</del><sup>123</sup> do not compromise the amenity of adjoining sites.</li> </ol>
<b>MRZ-P5</b>	<b>Retirement <u>Living Villages</u></b>
	<p><del>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and:</del></p> <ol style="list-style-type: none"> <li><del>1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</del></li> <li><del>2. the scale, form, composition and design of the village <u>responds to maintains</u> the <del>anticipated</del> character and amenity values of the surrounding area, <u>while recognising the functional and operational needs of retirement villages</u>; and</del></li> <li><del>3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</del></li> <li><del>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</del></li> <li><del>5. <u>road</u> the safety and efficiency <u>of the road network</u> is maintained; and</del></li> <li><del>6. they are well connected to commercial areas and community facilities.</del></li> </ol> <p><u>Enable retirement villages to:</u></p> <ol style="list-style-type: none"> <li>a. <u>Provide for greater density than other forms of residential developments and enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u></li> <li>b. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age; and</u></li> <li>c. <u>Encourage the scale and design of the retirement village to:</u> <ol style="list-style-type: none"> <li>i. <u>be of a high-quality and compatible with the planned urban character;</u></li> <li>ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and</u></li> <li>iii. <u>achieve an appropriate level of residential amenity at neighbouring properties, in circumstances where relevant built form standards are exceeded.</u></li> </ol> </li> </ol>
<b>MRZ-P6</b>	<b>Other non-residential activities</b>

Only allow other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings,<sup>128</sup> where:

1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and
2. the nature, scale and intensity of the activity is compatible with the anticipated character and amenity values qualities<sup>129</sup> of the zone and surrounding area; and
3. the activity is of a nature and scale that meet serves<sup>130</sup> the needs of the local community and does not undermine the viability of the Business Resource Areas; and
4. the surrounding area retains a predominance of residential activities, and for adjoining residential<sup>131</sup> properties-sites,<sup>132</sup> a sense of amenity, security and companionship is maintained; and
5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and
6. the road safety and efficiency of the road network is maintained; or
7. the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.<sup>133</sup>

<b>MRZ-P7</b>	<b>Future Growth Overlay</b>
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Recognise and provide for rezoning of land within the Future Growth Overlay, where:

1. It is demonstrated as necessary to meet anticipated demand; and
2. It is able to be serviced by reticulated water and wastewater networks and transport infrastructure.<sup>134</sup>

<b>MRZ-PX</b>	<b>Larger sites</b>
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Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.

<b>MRZ-PX</b>	<b>Changing communities</b>
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To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.

## Rules

<b>MRZ-R1</b>	<b>Residential units</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There are no more than two residential units per site.</li> </ol> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S1 to MRZ-S13, except where the residential units are within an area for which a Comprehensive Residential Development Master Plan has been approved, and non-compliance with any rule requirement has been considered through that resource consent.</p>	<p><b>Activity status when compliance is not achieved with R1.1: RDIS</b></p> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S1 to MRZ-S13, except where the residential units are within an area for which a Comprehensive Residential Development Master Plan has been approved, and non-compliance with any rule requirement has been considered through that resource consent.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. How the development responds to its context and site features, including any retained buildings, existing trees and, within Precinct 1, the Clyde Heritage Precinct.</li> <li>b. The design of road frontages and frontages to public open spaces in relation to public safety (including CPTED principles), activation, entrance recognition, access and servicing.</li> <li>c. Management of privacy, views and sunlight access for neighbours, including those on-site.</li> <li>d. The location, safety and landscape treatment of shared access and parking areas, including garages.</li> <li>e. Configuration of building / roof forms, façade design and material use.</li> </ol>

		<p>f. The balance between hard and soft landscaping and the extent to which landscaping enhances residential amenity.</p> <p>g. The location, size and quality of private and common open spaces, including orientation, privacy, and access to internal areas.</p> <p>h. The location, useability and screening of service, storage and waste management areas.</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R2</b>	<b>Comprehensive Residential Development Master Plan<sup>135</sup></b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. Provision for housing diversity and choice, relative to other residential areas.<sup>136</sup></p> <p>b. How the development responds to its context and site features, including solar orientation, views, existing buildings and vegetation, and, within Precinct 1, the Clyde Heritage Precinct.</p> <p>c. <del>Whether the urban form is compatible with the nearby land use mix, including providing</del> <u>Provision of</u> convenient access to commercial centres and community facilities.<sup>137</sup></p> <p>d. <del>The extent to which the development provides</del> <u>Provision of</u> well-connected and legible <del>movement</del> <u>transport</u> networks, integrating all access modes, with priority for walking and cycling.<sup>138</sup></p> <p>e. The location, extent and quality of public open space and streetscapes, taking into account servicing and maintenance requirements.</p> <p>f. The Incorporation of Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment.</p>	

<sup>135</sup> Clause 16(2) amendment to correct inconsistency in terminology. Also relates to #161

<sup>136</sup> #165

<sup>137</sup> #165

<sup>138</sup> #165

	<p>g. Whether the configuration of blocks and lots will allow for development that can readily achieve the outcomes sought in MRZ-P1.</p> <p>h. Where the application also seeks provision for future built development to breach any of the rule requirements, discretion is also restricted to those matters specified in the relevant rule requirement.</p>	
<b>MRZ-R3</b>	<b>Minor Residential Unit</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site</u>;<sup>139</sup></li> <li>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage; and</li> <li>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</li> </ol> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S2 to MRZ-S6 and MRZ-S8.</p>	<p><b>Activity status when compliance is not achieved with R3.1, <del>NC</del></b></p> <p><b><del>Activity status when compliance is not achieved with</del><sup>140</sup> R23.2 or R23.3<sup>141</sup>: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-RX</b>	<b>Retirement Villages</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><u>Any retirement village.</u></p>	<b>Activity status when compliance not achieved: N/A</b>
<b>MRZ-R4</b>	<b>Relocated buildings</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: <del>CON</del>PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling;</li> <li>2. <u>A building pre-inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification from the owner of the relocated building that the reinstatement work will be</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R4.1: DIS</b></p> <p><b><u>Activity status when compliance is not achieved with R4.2-R4.4: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol>



	<p><u>completed within a 12 month period;</u></p> <p>3. <u>The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site;</u> <u>and</u></p> <p>4. <u>All other reinstatement work required by the building pre-inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site.</u> <u>Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S1 to MRZ-S13.</p> <p><b>Matters of control are restricted to:</b></p> <p>a. <del>The time period within which the building will be placed on its foundations.</del></p> <p>b. <del>Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></p> <p>c. <del>Provision of servicing.</del></p> <p>d. <del>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del><sup>142</sup></p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R5</b>	<b>Accessory buildings and structures</b>	
<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. The building is ancillary to a permitted activity <u>or other lawfully established activity.</u><sup>143</sup></p> <p><b>And the activity complies with the following rule requirements:</b></p>	<p><b>Activity status when compliance is not achieved with R5.1: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

<sup>142</sup> #151

<sup>143</sup> #30, also relates to #165

	<ol style="list-style-type: none"> <li>For buildings or structures of more than 10m<sup>2</sup>, MRZ-S2 to MRZ-S6; or</li> <li>For buildings or structures of 10m<sup>2</sup> or less, MRZ-S2 – MRZ-S5.</li> </ol>	
<b>LLRZ-RX</b>	<b>Additions and alterations to existing non-residential buildings<sup>144</sup></b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>The additions or alterations do not increase the existing gross floor area by more than 30%.</li> </ol> <p><b>And where the activity complies with the following rule requirements:</b> MRZ-S2 to MRZ-S6.</p>	<p><b>Activity status when compliance is not achieved with RX.1: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R6</b>	<b>Residential Activity</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b>	
<b>MRZ-R7</b>	<b>Visitor accommodation</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>The visitor accommodation is undertaken within a residential unit or minor residential unit<sup>145</sup> and is ancillary to a residential activity;</li> <li>The maximum occupancy is 6 guests per night; and</li> <li>The access to the site is not shared with another site.<sup>146</sup></li> </ol> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S13</p>	<p><b>Activity status when compliance is not achieved with R7.1 or R7.2:</b> Discretionary</p> <p><b>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>the effects of the activity on the amenity and safety of <u>on</u> any sites sharing access <u>of the use of the access on:</u> <ol style="list-style-type: none"> <li>amenity; and</li> <li>safety and efficient access.<sup>147</sup></li> </ol> </li> </ol> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R8</b>	<b>Home Business (unless otherwise specified in MRZ-R9 or MRZ-R15)</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p>	<p><b>Activity status when compliance is not achieved with R8.1 to R8.6:</b> Discretionary</p>

<sup>144</sup> #30

<sup>145</sup> #161

<sup>146</sup> #161, #162

<sup>147</sup> #165

	<ol style="list-style-type: none"> <li>1. <del>The home business is undertaken within a residential unit;</del><sup>148</sup></li> <li>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</li> <li>3. <del>Any</del> <b>No more than one</b> employee engaged in the home business resides <del>off</del> on-site;<sup>149</sup></li> <li>4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</li> <li>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</li> </ol> <p><b>And where the activity complies with the following rule requirements:</b> MRZ-S13</p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R9</b>	<b>Childcare Services</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is <del>ancillary</del> incidental<sup>150</sup> to a residential activity; and</li> <li>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</li> </ol> <p><b>And the activity complies with the following rule requirements:</b> MRZ-S13</p>	<p><b>Activity status when compliance is not achieved with R9.1 or R9.2:</b> <b>Discretionary</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>MRZ-R10</b>	<b>Signs</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> </ol>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.6:</b> RDIS</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The effect on amenity values of neighbouring properties.</li> <li>2. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>3. The effect on the safe and efficient operation of the roading network.</li> </ol>

<sup>148</sup> #165

<sup>149</sup> #165

<sup>150</sup> #165

	<p>5. The sign is fixed and does not move; and</p> <p>6. The sign does not obscure driver visibility to and from access ways.</p> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	
<b>MRZ-R11</b>	<b>Excavation</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u><sup>151</sup></li> </ol> <p><i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority to be obtained from Heritage New Zealand Pouhere Taonga.</i><sup>152</sup></p>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. The location, volume and area of <u>excavation earthworks.</u><sup>153</sup></li> <li>b. The effect on amenity values or safety of neighbouring <u>sites properties.</u><sup>154</sup></li> <li>c. The effect on water bodies and their margins.</li> <li>d. The impact on visual amenity and landscape character.</li> <li>e. Any effects on the road network arising from the excavation.</li> <li>f. Any effects on archaeological, heritage or cultural values.</li> <li>g. Any mitigation measures proposed.</li> </ol>
<b>MRZ-R12</b>	<b>Convenience Retail activities</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> MRZ-S2 to MRZ-S5.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Whether the proposed activity will primarily service the surrounding residential area.</li> <li>b. Hours of operation.</li> <li>c. Amenity effects on neighbouring properties, including noise, disturbance and privacy.</li> <li>d. Outdoor storage, including rubbish collection areas.</li> </ol>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

<sup>151</sup> #21 & #30, #31, #32, #51, #123, #137, #145, #165

<sup>152</sup> #112

<sup>153</sup> Clause 16(2) amendment, for consistency. Also relates to #165

<sup>154</sup> #165

	e. The location and design of car parking and loading areas and access.	
<b>MRZ-R13</b>	<b><u>Construction of buildings or structures for</u></b>	<b>Retirement Villages</b>
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> MRZ-S2 to MRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <p><del>a. Integration of vehicle, cycle and pedestrian access with the adjoining road network.</del></p> <p><del>b. Provision of landscaping, <u>or use of open space to integrate the proposal into the surrounding area,</u> on-site amenity for residents, recreational facilities and</del></p> <p><del>c. Adequacy of stormwater systems and wastewater capacity.</del></p> <p><del>d. Design and layout of pedestrian circulation.</del></p> <p><del>e. Parking and manoeuvring access.</del></p> <p><del>f. Traffic generation, including impacts on the <u>safety and efficiency of the wider transport road</u> network.</del></p> <p><del>g. Residential amenity for neighbours in respect of outlook and privacy.</del></p> <p><del>h. Visual quality and interest in the <u>The design,</u> form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</del></p> <p><del>i. <u>Any functional or operational requirements.</u></del></p> <p>a. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p>b. <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects</u></p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

	<p>c. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p>d. <u>The matters in MRZ P1, MRZ-P5 and PX [New policies]</u></p> <p>e. <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><b><u>Notification status:</u></b></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with MRZ-S2 to MRZ-S6 is precluded from being limited notified.</u></p>	
<b>MRZ-R14</b>	<b>Community facilities</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> MRZ-S2 to MRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

	<ul style="list-style-type: none"> <li>a. The location and design of car parking and loading areas and access.</li> <li>b. Design and layout of on-site pedestrian and cycling connections.</li> <li>c. Hours of operation.</li> <li>d. Noise, disturbance and loss of privacy of neighbours.</li> <li>e. Location, size and numbers of signs.</li> <li>f. Traffic generation and impact on the <u>transport road</u><sup>156</sup> network.</li> <li>g. Landscaping.</li> <li>h. Site layout.</li> <li>i. The scale of activity.</li> <li>j. Scale, form and design of buildings.</li> </ul>	
<b>MRZ-R15</b>	<b>Any activity not otherwise listed in MRZ-R1 to MRZ-R13 or MRZ-R15 to MRZ-R18</b> <sup>157</sup>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: DIS</b>	
<b>MRZ-R16</b>	<b>Industrial Activities</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>MRZ-R17</b>	<b>Large format retailing</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>MRZ-R18</b>	<b>Noxious Activities</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>MRZ-R19</b>	<b>Buildings on Land Subject to Hazards</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: NC</b>  <b>Where:</b> <ol style="list-style-type: none"> <li>1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling</li> </ol>	

<sup>156</sup> #165

<sup>157</sup> #165

	debris, subsidence, slippage or inundation from any source.	
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## Standards

MRZ-S1	Density	Activity Status where compliance not achieved:
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m<sup>2</sup>.</li> <li>Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m<sup>2</sup>.</li> </ol>	<p><b>Where:</b></p> <ol style="list-style-type: none"> <li>MRZ-S1.1 is not met, but the minimum site area per unit is 180m<sup>2</sup>: <b>DIS</b></li> </ol> <p><b>Where:</b></p> MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: <b>NC</b>
MRZ-S2	Height	Activity Status where compliance not achieved: <sup>158</sup>
<b>Medium Density Residential Zone (excluding within Precinct 1)</b>	<ol style="list-style-type: none"> <li>The maximum height of buildings and structures must not exceed: <ol style="list-style-type: none"> <li>11m measured from ground level to the highest part of the building or structure; and</li> <li>3 storeys.</li> </ol> </li> </ol> <p>MRZ-S2.1 does not apply to:</p> <ul style="list-style-type: none"> <li><u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li><u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li><u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u><sup>159</sup></li> <li><u>Hose drying towers which do not exceed 15m in height.</u><sup>160</sup></li> </ul>	<p><b>Where:</b></p> MRZ-S2.1 is not met, but the height of the building or structure does not exceed 120m: <b>RDIS</b> <sup>161</sup>
		<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Dominance of built form in the surrounding area.</li> <li>Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>Any mitigation measures <del>proposed</del> which reduce the adverse effects of the increased height.</li> <li><u>Any constraints which make compliance impractical.</u></li> <li><u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>162</sup></li> </ol> <p><b>Where:</b></p> MRZ-S2.1 is not met, and the height of the building or structure exceeds 120m: <b>NC</b> <sup>163</sup>

<sup>158</sup> Clause 16(2) amendment.

<sup>159</sup> #165

<sup>160</sup> #114

<sup>161</sup> #96, #111, #112, #165

<sup>162</sup> #165

<sup>163</sup> #96, #111, #112, #165



<p><b>Within Precinct 1</b></p>	<p>2. The maximum height of buildings and structures must not exceed:</p> <ol style="list-style-type: none"> <li>a. 8.5m measured from ground level to the highest part of the building or structure; and</li> <li>b. 2 storeys.</li> </ol> <p><u>MRZ-S2.2 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u><sup>164</sup></li> <li>• <u>Hose drying towers which do not exceed 15m in height.</u><sup>165</sup></li> </ul>	<p><b>Where:</b> MRZ-S2.2 is not met: <b>NC</b></p>
<p><b>MRZ-S3</b></p>	<p><b>Height in relation to boundary</b></p>	<p><b>Activity Status where compliance not achieved:</b><sup>166</sup></p>
<p><b>Medium Density Residential Zone</b></p>	<p>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 3.5m above ground level at the boundaries of the site; or from points 2.5m above ground level along boundaries that adjoin the Low Density Residential Zone or Large Lot Residential Zone.</p> <p>2. MRZ-S3.1 does not apply to:</p> <ul style="list-style-type: none"> <li>• A boundary with a road <u>or a shared access more than 3m in width.</u></li> <li>• Common walls along a site boundary.</li> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u><sup>169</sup></li> </ol>

<sup>164</sup> #165

<sup>165</sup> #114

<sup>166</sup> Clause 16(2) amendment.

<sup>169</sup> #165

	<ul style="list-style-type: none"> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> <li>• Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>• A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.</li> <li>• <u>Internal boundaries within a retirement village.</u><sup>167</sup></li> <li>• <u>Hose drying towers.</u><sup>168</sup></li> </ul>	
<b>MRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	The building coverage of the net area <sup>170</sup> of any site must not exceed 40%.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>a. Compatibility of the built form with the existing or anticipated character of the area.</li> <li>b. Dominance of built form in the surrounding area.</li> <li>c. The extent to which a level of openness around and between buildings is retained.</li> <li>d. Any mitigation measures proposed which reduce the adverse effects of the breach.</li> </ol>
<b>MRZ-S5</b>	<b>Setback from road boundary</b>	<b>Activity Status where compliance not achieved:</b> <sup>171</sup>
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Any building or structure shall be setback a minimum of 2m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.</li> </ol>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> </ol>

<sup>167</sup> #165

<sup>168</sup> #114

<sup>170</sup> Clause 16(2) amendment as definition of building coverage contains this. Also relates to #165

<sup>171</sup> Clause 16(2) amendment

		<p>c. Compatibility of the building or structure with the surrounding built environment.</p> <p>d. <u>Any constraints which make compliance impractical.</u><sup>172</sup></p>
<p><b><u>Medium Density Residential Zone -</u></b> <sup>173</sup><b>Within 80m of the seal edge of a State Highway</b></p>	<p>2. New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. <del>Any adverse effects on the operation of the road network, including the potential for reverse sensitivity effects to arise.</del></p> <p>a. <u>The effect on the safe and efficient operation of the roading network.</u></p> <p>b. <u>The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network.</u><sup>174</sup></p>
<b>MRZ-S6</b>	<b>Setback from internal boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b> <sup>175</sup>
<p><b><u>Medium Density Residential Zone</u></b><sup>176</sup></p>	<p>Any building or structure shall be setback a minimum of:</p> <ul style="list-style-type: none"> <li>• 1m from any internal boundary <del>(except that this does not apply to common walls along a site boundary, or to an uncovered deck less than 1m in height);</del> and</li> <li>• 15m from the margin of any lake.</li> </ul> <p><u>MRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Uncovered decks of less than 1m in height.</u><sup>177</sup></li> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Two or more residential units connected horizontally and/or</u></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. Adverse effects on privacy, outlook, or shading on the affected property.</p> <p>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</p> <p>c. The compatibility of the building or structure with the surrounding built environment.</p> <p>d. Any adverse effects on accessibility to the lake.</p>

<sup>172</sup> #165

<sup>173</sup> Clause 16(2) amendment

<sup>174</sup> Relates to #146 and #165

<sup>175</sup> Clause 16(2) amendment

<sup>176</sup> Clause 16(2) amendment

<sup>177</sup> Relates to #30, #31, #51, #145, #165

	<u>vertically by a common wall or floor.</u> <sup>178</sup>	
<b>MRZ-S7</b>	<b>Outdoor Living Space</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	Each residential unit must have an exclusive outdoor living space: <ol style="list-style-type: none"> <li>for units with common living space at ground floor level, of at least 30m<sup>2</sup> with a minimum <u>dimension width</u><sup>179</sup> of 4m; and</li> <li>for units <u>with a living space</u><sup>180</sup> located entirely above the ground floor level, that comprises a balcony of at least <del>128m<sup>2</sup></del>,<sup>181</sup> with a minimum <u>dimension width</u><sup>182</sup> of 1.5m; and</li> <li>located on the north, west or east side of the residential unit and <del>which is accessible from the living space of the residential unit.</del><sup>183</sup></li> </ol>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Provision of useable outdoor space; and</li> <li>Accessibility and convenience for residents; and</li> <li>Whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident's needs; and</li> <li><u>Any topographical or other constraints.</u><sup>184</sup></li> </ol>
<b>MRZ-S8</b>	<b>Landscaping</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Compatibility with the character of the area.</li> <li>Balance between built form and open space.</li> </ol>
<b>MRZ-S9</b>	<del>Service and</del> <sup>185</sup> <b>Storage Space</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>Each residential unit must have an outdoor or indoor <u>service</u><sup>186</sup> space of at least 2.5m<sup>2</sup> with a minimum <u>dimension width</u><sup>187</sup> of 1.5m available for use for the storage of waste and recycling bins.</li> <li><del>The required spaces can be,</del><sup>188</sup> provided either individually or within a communal space for multiple units.</li> </ol>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Provision of useable service and storage space.</li> <li>Accessibility and convenience for residents.</li> </ol>

<sup>178</sup> #165

<sup>179</sup> #30, #31, #51, #145, #165

<sup>180</sup> Clause 16(2) amendment to provide clarity.

<sup>181</sup> #148

<sup>182</sup> #30, #31, #51, #145, #165

<sup>183</sup> #30, #31, #51, #145, #165

<sup>184</sup> #30, #31, #51, #145, #165

<sup>185</sup> Clause 16(2) amendment to provide clarity.

<sup>186</sup> Clause 16(2) amendment to provide clarity

<sup>187</sup> #30, #31, #51, #145, #165

<sup>188</sup> #30, #31, #51, #145, #165

	2. <u>Within the Clyde Heritage Precinct, any outdoor storage space must be positioned or screened so that it is not visible from any road.</u> <sup>189</sup>	c. <u>Within the Clyde Heritage Precinct, compatibility with the heritage values and character of the area.</u> <sup>190</sup>
<b>MRZ-S10</b>	<b>Outlook Space</b>	<b>Activity Status where compliance not achieved:</b>
	Each residential unit must provide the following minimum outlook spaces: <del>1.</del> for a principal living room, 4m in depth and 4m in width; <del>2.</del> for a principal bedroom, 3m in depth and 3m in width; and <sup>191</sup> <del>3.</del> all other habitable rooms, 1m in depth and 1m in width.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> a. Visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites. b. Visual dominance. c. Provision of a sense of space for residents.
<b>MRZ-S11</b>	<b>Fencing</b>	<b>Activity Status where compliance not achieved:</b>
	The maximum height of any fence along a road boundary shall be: 1. 1m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where <u>a minimum of 50% or more</u> <sup>192</sup> of the fence structure is visually transparent.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> a. Effects on the streetscape. b. Adequacy of sunlight access to open spaces. c. Privacy for residents. d. The need to mitigate traffic noise on high volume roads.
<b>MRZ-S12</b>	<b>Habitable Rooms</b>	<b>Activity Status where compliance not achieved:</b>
	<del>Each</del> Any residential unit must have a habitable room located at ground floor level, <u>unless the unit (excluding access to it) is located entirely above the ground floor level.</u> <sup>193</sup>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> a. Activation of frontages. b. Visual interest. c. Access to ground level open spaces.
<b>MRZ-S13</b>	<b>Car parking</b>	<b>Activity Status where compliance not achieved:</b>
	The following minimum carpark spaces shall be provided on the site: 1. One carpark space per residential unit; and 2. Where the activity is a home business, one additional carpark space; and	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> a. Any adverse effects on the safety and efficiency of the road network. b. Effects on amenity values of neighbouring properties.

<sup>189</sup> #112

<sup>190</sup> #112

<sup>191</sup> #148

<sup>192</sup> #30, #31, #51, #145, #165

<sup>193</sup> #148, #150

	<ol style="list-style-type: none"><li>3. Where the activity is visitor accommodation, one additional carpark space; and</li><li>4. Where the activity is a childcare service, one additional carpark space.</li></ol>	
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# RESIDENTIAL ZONES SUBDIVISION

## Introduction

*Note: This chapter currently only applies to residential zones, and applies in addition to, and should be read in conjunction with, the district-wide provisions for subdivision contained in Section 16.*

## Objectives and Policies

<b>Objectives</b>	
<b>SUB-O1</b>	<b>Subdivision Design</b>
The subdivision of land within residential zones creates sites and patterns of development that are consistent with the purpose, character and amenity values anticipated within that zone.	

<b>Policies</b>	
<b>SUB-P1</b>	<b>Creation of new sites-allotments<sup>194</sup></b>
Provide for subdivision within residential zones where it results in allotments that: <ol style="list-style-type: none"><li>1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and</li><li>2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone;</li><li>3. minimise natural hazard risk to people's lives and properties; and</li><li>4. are adequately served by public open space that is accessible, useable and well-designed.</li></ol>	
<b>SUB-P2</b>	<b>Dual Use</b>
Recognise the recreation and amenity benefits of the holistic and integrated use of public spaces, through: <ol style="list-style-type: none"><li>1. encouraging subdivision designs which provide multiple uses for public spaces, including stormwater management and flood protection areas; and</li><li>2. integration of walking and cycling connections with waterways, green spaces and other community facilities.</li></ol>	
<b>SUB-P3</b>	<b>Energy Efficiency</b>
Recognise the benefits of subdivision that encourages energy efficiency through subdivision designs which: <ol style="list-style-type: none"><li>1. maximise solar gain;</li><li>2. support the uptake of energy efficient technologies; and</li><li>3. support multi-modal transport choice.</li></ol>	
<b>SUB-P4</b>	<b>Heritage Precincts</b>
Within heritage precincts, require consideration of future buildings on the heritage values and character of the precinct, at the time of subdivision.	

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<sup>194</sup> #165

## Rules

SUB-R1	Boundary adjustments	
<p><b>All Residential Zones</b></p>	<p><b>Activity Status: CON</b></p> <p><b>Where the activity complies with the following rule requirements:</b></p> <ol style="list-style-type: none"> <li>1. The allotments comply with SUB-S1; or</li> <li>2. Any existing allotment that does not meet SUB-S1 does not decrease in area.</li> </ol> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The area of the proposed allotments.</li> <li>2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.</li> <li>3. Public access requirements.</li> <li>4. The provision of services and their adequacy for the intended use of the subdivision.</li> <li>5. <del>Any amalgamations and easements that are appropriate.</del><sup>195</sup></li> <li>6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</li> <li>7. <del>Any other matters provided for in section 220 of the Act.</del><sup>196</sup></li> </ol>	<p><b>Activity Status when compliance is not achieved with R1.1 and R1.2: DIS</b></p>
<p><b>SUB-R2</b></p>	<p><b>Subdivision to create a new allotment for a network or public utility or a reserve<sup>197</sup></b></p>	
<p><b>All Residential Zones</b></p>	<p><b>Activity Status: CON</b></p> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring <del>properties</del> <u>sites</u><sup>198</sup> and the site's ability to dispose of waste (if required).</li> <li>2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.</li> <li>3. Public access requirements.</li> </ol>	

<sup>195</sup> #165

<sup>196</sup> #165

<sup>197</sup> #165

<sup>198</sup> #165



	<p>4. The provision of services and their adequacy for the intended use of the subdivision.</p> <p>5. <del>Any amalgamations and easements that are appropriate.</del><sup>199</sup></p> <p>6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</p> <p>7. <del>Any other matters provided for in section 220 of the Act.</del><sup>200</sup></p>	
<b>SUB-R3</b>	<b>Subdivision where any part of the site is within a Heritage Precinct</b>	
<b>All Residential Zones</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>The application for subdivision consent is submitted concurrently with an application for land use consent under Section 11.</li> </ol> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Those matters specified in SUB-R4.</li> <li>The impact of the proposed subdivision on the heritage values and character of the Heritage Precinct.</li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1: DIS</b></p> <p><b>And the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>SUB-RX</b>	<b>Subdivision of land where each allotment contains an existing principal residential unit, or where a land use consent has been obtained, or is applied for concurrently, under MRZ-R1.</b> <sup>201</sup>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: CON</b></p> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li><u>The provision of adequate network utility services, including the location, design and construction of these services.</u></li> <li><u>The ability to lawfully dispose of wastewater and stormwater.</u></li> <li><u>The location, design and construction of access, and its adequacy for the intended use of the subdivision.</u></li> </ol>	

<sup>199</sup> #165

<sup>200</sup> #165

<sup>201</sup> #165

	<ol style="list-style-type: none"> <li>4. <u>Earthworks necessary to prepare the site for development occupation, and/or use.</u></li> <li>5. <u>Subdivisional design including the shape and arrangement of allotments to:</u> <ol style="list-style-type: none"> <li>a. <u>facilitate convenient, safe, efficient and easy access.</u></li> <li>b. <u>achieve energy efficiency, including access to passive solar energy sources.</u></li> <li>c. <u>facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.</u></li> <li>d. <u>maintain and enhance amenity values.</u></li> <li>e. <u>facilitate adequate access to back land.</u></li> <li>f. <u>protect existing water races.</u></li> </ol> </li> <li>6. <u>The provision of or contribution to the open space and recreational needs of the community.</u></li> <li>7. <u>Provision for pedestrian and cyclist movement, including the provision of, or connection to, walkways and cycleways.</u></li> <li>8. <u>The provision of esplanade strips or reserves and/or access strips.</u></li> <li>9. <u>The provision of services and their adequacy for the intended use of the subdivision.</u></li> <li>10. <u>Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</u></li> </ol>	
<b>SUB-R4</b>	<b>Subdivision not otherwise specified</b>	
<b>All Residential Zones</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose,</li> </ol>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>

	<p>character, and qualities of the applicable zone.</p> <ol style="list-style-type: none"> <li>2. The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services.</li> <li>3. The ability to lawfully dispose of wastewater and stormwater.</li> <li>4. The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision.</li> <li>5. The provision of landscaping, including road berms.</li> <li>6. Earthworks necessary to prepare the site for development occupation, and/or use.</li> <li>7. Subdivisional design including the shape and arrangement of allotments to: <ol style="list-style-type: none"> <li>i. facilitate convenient, safe, efficient and easy access.</li> <li>ii. achieve energy efficiency, including access to passive solar energy sources.</li> <li>iii. facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.</li> <li>iv. maintain and enhance amenity values.</li> <li>v. facilitate adequate access to back land.</li> <li>vi. protect existing water races.</li> </ol> </li> <li>8. The provision of or contribution to the open space and recreational needs of the community.</li> <li>9. The provision of buffer zones adjacent to roads, network utilities or natural features.</li> <li>10. The protection of important landscape features, including significant rock outcrops and escarpments.</li> <li>11. Provision for pedestrian and cyclist movement, including the provision</li> </ol>	
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	<p>of, or connection to, walkways and cycleways.</p> <p>12. The provision of esplanade strips or reserves and/or access strips.</p> <p>13. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.</p> <p>14. <del>Any amalgamations and easements that are appropriate.</del></p> <p>15. <del>Any other matters provided for in section 220 of the Act.</del><sup>202</sup></p>	
<b>SUB-R5</b>	<b>Subdivision resulting in the creation<sup>203</sup> of three or more allotments of <u>400m<sup>2</sup> or less</u><sup>204</sup> in the Medium Density Residential Zone</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <p>1. The application for subdivision consent made under this rule shall be submitted concurrently with an application for land use consent under MRZ-R1, or after the grant of a land use consent.</p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1, except where a resource consent has been obtained for a Comprehensive Residential Development Plan, and the subdivision is in accordance with that consent.</p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. Those matters set out in SUB-R4.</p>	<p><b>Activity status when compliance is not achieved with R5.1: NC</b></p> <p><del><b>And the activity complies with the following rule requirements:</b></del> <del>SUB-S1</del><sup>205</sup></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>SUB-R6</b>	<b>Subdivision of Land Subject to Hazards</b>	
<b>All Residential Zones</b>	<p><b>Activity Status: DIS</b></p> <p><b>Where:</b></p> <p>1. The subdivision involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps; or</p> <p>2. The subdivision involves land that is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.</p>	

<sup>202</sup> #165

<sup>203</sup> #146, #165

<sup>204</sup> #96

<sup>205</sup> Clause 16(2) amendment to correct an error. Also relates to #165.

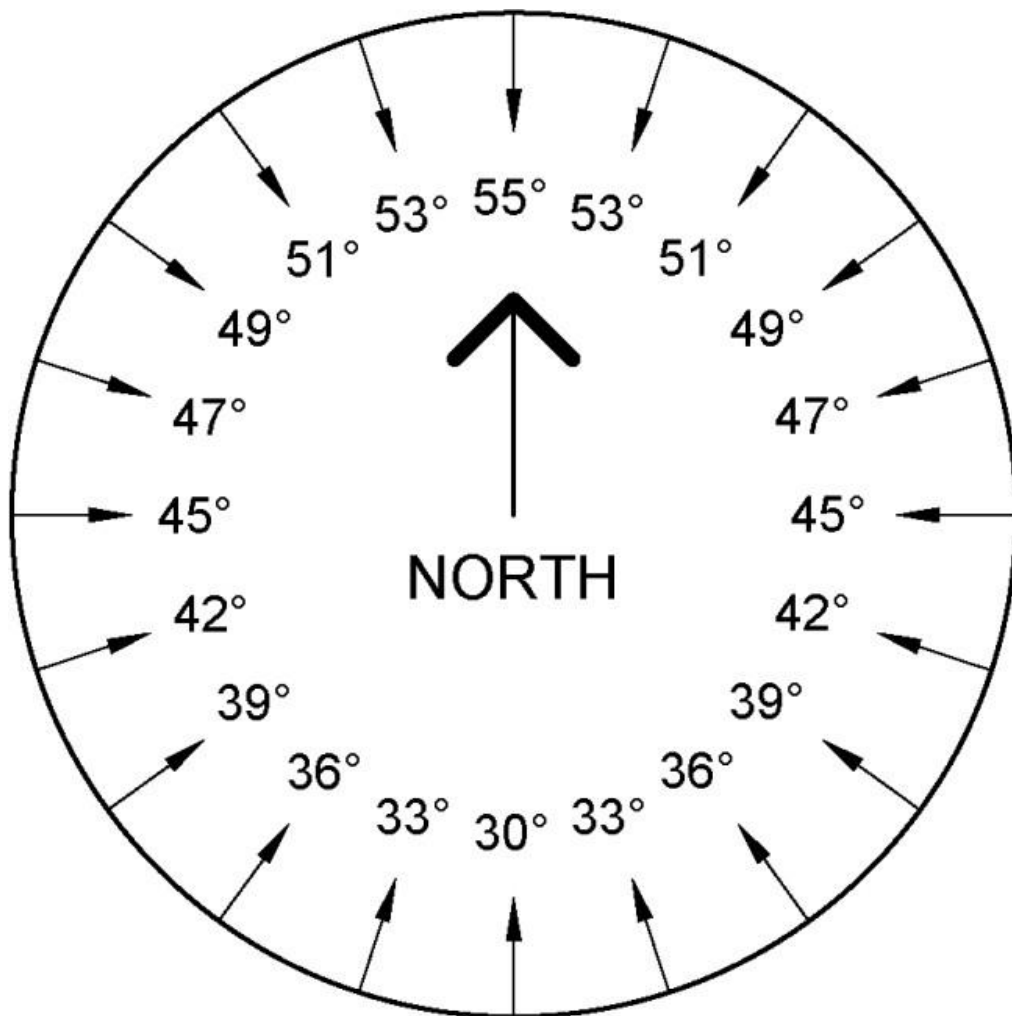
## Standards

SUB-S1	<b>Density Minimum Allotment Size</b> <sup>206</sup>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of any allotment shall be no less than 200m<sup>2</sup>.</li> <li>2. Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>3. Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of any allotment shall be no less than 4500m<sup>2</sup>.<sup>207</sup></li> <li>4. Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone (excluding Precincts 1, 2 &amp; 3)</b>	<ol style="list-style-type: none"> <li>5. The minimum size of any allotment shall be no less than 2000m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone - Precinct 1</b>	<ol style="list-style-type: none"> <li>6. The minimum size of any allotment shall be no less than 1000m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone - Precinct 2</b>	<ol style="list-style-type: none"> <li>7. The minimum size of any allotment shall be no less than 3000m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone - Precinct 3</b>	<ol style="list-style-type: none"> <li>8. The minimum size of any allotment shall be no less than 6000m<sup>2</sup>.</li> </ol>	<b>NC</b>

<sup>206</sup> #165

<sup>207</sup> #51, #64, #73, #93, #94, #95, #99, #149, #150, #155, #161, #162, #165, #166, #167

## Schedule 1 – Height in Relation to Boundary



*Figure 1*

### **Determining Recession Plane Angles**

The angles of the recession plane are determined by a site boundary's orientation relative to the direction of true north. The recession plane indicator shown in Figure 1 determines the recession plane angle which applies to a site boundary.

### **How to use Figure 1**

1. Position Figure 1 on a site plan so that true north faces straight up.
2. Position the circle so that the outer edge of the circle touches the boundary
3. The correct angle is the number nearest where the circle touches the boundary (refer examples in Figure 2 below.)

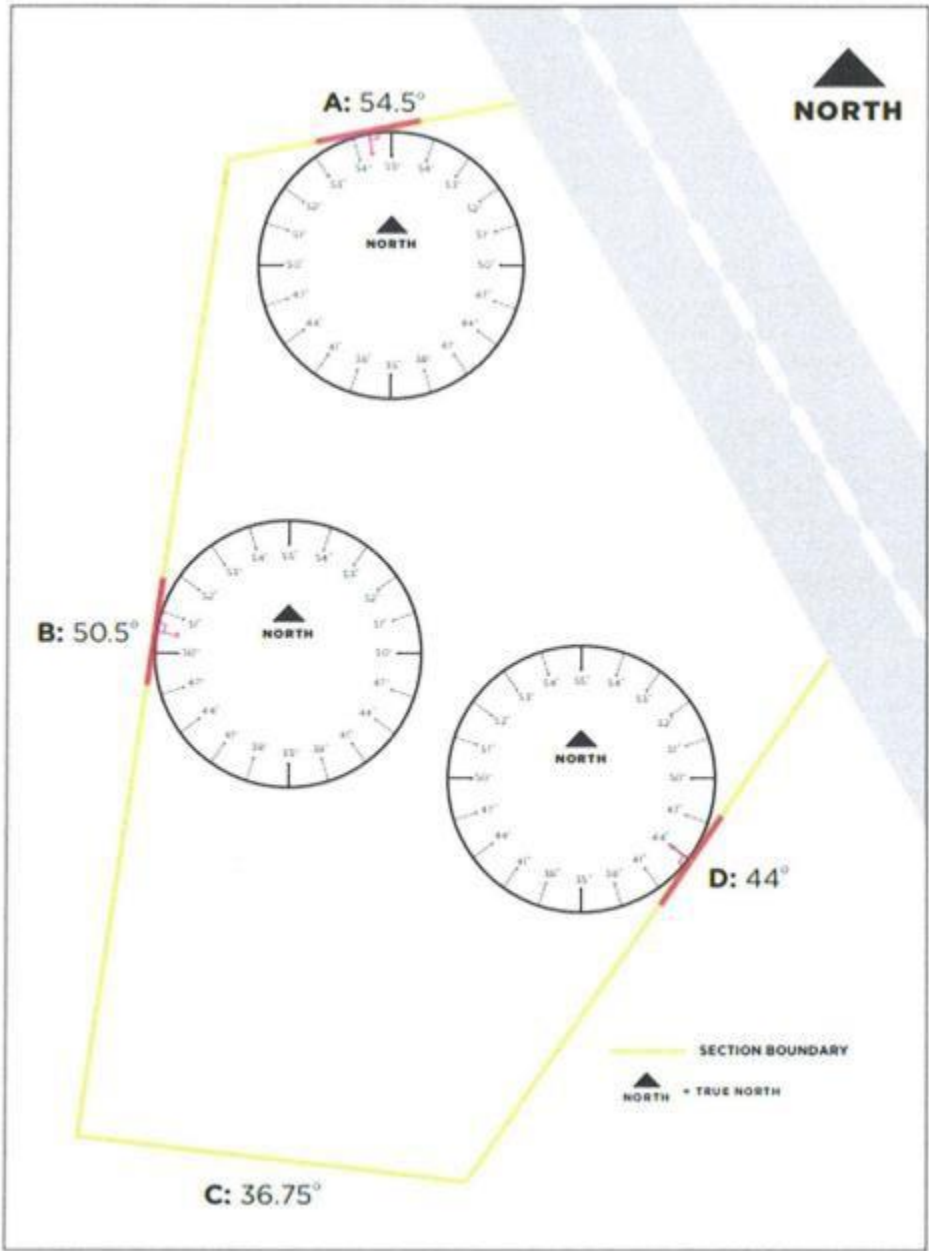


Figure 2

## Definitions:

### **Noxious Activity**

in a residential zone,<sup>208</sup> means any of the following:

1. the disposal of waste onto land (excluding composting activities associated with residential gardening activities).
2. The intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities), plants or fungi (excluding domestic glasshouses).
3. Any activity that uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14.
4. Any activity that requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956.

### **Boundary Adjustment**

means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.<sup>209</sup>

**Comprehensive Residential Development Plan:**

means a comprehensively planned and designed residential development where the application site is greater than 3,000m<sup>2</sup>, or where less than 3,000m<sup>2</sup>, it is the subsequent development of an allotment created through a previous Comprehensive Residential Development consent.

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<sup>208</sup> #89

<sup>209</sup> #165



## Appendix B - Section 32AA Evaluation

The s32AA evaluation is to be undertaken at a scale and degree that is commensurate with the anticipated effects of the amendments.

### Having regard to Section 32AA, the following is noted:

<p>The specific provisions recommended to be amended are:</p> <ul style="list-style-type: none"><li>• Insert one new objective into the Low Density Residential Zone and the Medium Density Residential Zone (LRZ-OX and MRZ-OX, ageing population); and</li><li>• Insert three new policies into the Low Density Residential Zone and the Medium Density Residential Zone (LRZ-P4/MRZ-P5 – Retirement Villages, LRZ-PX/MRZ-PX – Larger Sites, LRZ-PX/MRZ-PX - Changing Communities).</li><li>• Insert a permitted activity rule for the use of land for a retirement village.</li><li>• Insert a new restricted discretionary activity rule for the construction of a retirement village.</li></ul> <p><b><u>[LRZ / MRZ] – OX: Ageing Population</u></b> <u>Recognise and enable the housing and care needs of the ageing population.</u></p> <p><b><u>[LRZ-P4 / MRZ-P5]: Retirement Villages</u></b></p>	<p><b>Reasons for the Changes</b></p> <p>The recommended new objective and policies within the Low Density Residential Zone and Medium Density Residential Zone and land use provisions fill a critical gap in the policy regime of Proposed Plan Change 19 associated with actively providing support for the ageing population in Central Otago District and the provision for retirement villages. It is considered that including the new objective and policies appropriately recognises the acute needs for the ageing population and will more appropriately achieve the efficient use of land and patterns of development which are compatible with the role, function and predominant planned character of each particular zone. The further changes recommended to the policies and restricted discretionary activity assessment criteria are in response to further consideration of how to enable retirement villages in the tow residential zones and ensure that their environmental effects are managed.</p> <p><b>Effectiveness and Efficiency</b></p> <p>The recommended new objective and policies within the Low Density and Medium Density Residential Zones fill a critical gap in the policy regime of Plan Change 19 to the Central Otago District Plan associated with actively</p>
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<p><u>Enable retirement villages to:</u></p> <ul style="list-style-type: none"> <li>a. <u>Provide for greater density than other forms of residential developments and enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u></li> <li>b. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age; and</u></li> <li>c. <u>Encourage the scale and design of the retirement village to:</u> <ul style="list-style-type: none"> <li>i. <u>be of a high-quality and compatible with the planned urban character;</u></li> <li>ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and</u></li> <li>iii. <u>achieve an appropriate level of residential amenity at neighbouring properties, in circumstances where relevant built form standards are exceeded.</u></li> </ul> </li> </ul> <p><b><u>[LRZ / MRZ] – PX: Larger sites</u></b></p>	<p>providing support for the ageing population, and the provision for retirement villages.</p> <p>Including the new objective and the three new policies is considered to suitably recognise the acute needs for the ageing population and will more appropriately achieve the efficient use of land and patterns of development which are compatible with the role, function and predominant planned character of each particular zone.</p> <p><b>Costs/Benefits</b></p> <p>The recommended amendments enable retirement village development to occur within the Low Density and Medium Density Residential Zones in line with the direction of the NPS-UD and Enabling Housing Act. This will have benefit in encouraging residential redevelopment and intensification to support the outcomes expressed in both Plan Change 19 to the Central Otago District Plan and the NPS-UD. In addition, the recommended amendments will encourage quality design outcomes for retirement villages, provide additional population within residential zones and provide employment opportunities, thereby providing significant economic contributions to Central Otago.</p> <p>It is acknowledged the retirement village specific policy, as drafted in the RVA and Ryman submission, could result in the unintended consequence of being interpreted as too enabling. The wording of the newly drafted policy better reflects both the enabling of retirement villages, but also the need to</p>
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Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.

**[LRZ / MRZ] – PX: Changing communities.**

To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.

**[LRZ-RX / MRZ] – RX Retirement Villages**

Activity Status: Permitted.

Any retirement village

**[LRZ- R12/MRZ -R13] Construction of buildings or structures for Retirement Villages.**

- f. The effects of the retirement village on the safety of adjacent streets or public open spaces;
- g. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects;
- h. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;
- i. The matters in LRZ/MRZ P1, LRZ-P4/MRZ-P5, and PX [New policies]; and
- j. The positive effects of the construction, development and use of the retirement village.

align with the planned urban character of the residential zones of Central Otago.

**Risk of acting or not acting**

I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in the higher order policy documents, and in particular the NPS-UD and the Enabling Housing Act, which provide a significant step change in meeting the needs of communities, including providing a variety of homes for a range of households.

The NPS-UD seeks to enable growth by requiring local authorities to provide development capacity to meet the demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide growth that is strategically planned and results in vibrant urban areas. In my opinion, the relief sought by the RVA and Ryman will more greatly align with the outcomes expressed in the NPS-UD.

The risk of not acting and council not giving effect to the changes sought by the RVA and Ryman, is that intensification or redevelopment options are not taken up or are unnecessarily prevented from occurring. This is particularly relevant in the context of Central Otago, given that although currently, the provisions of the NPS-UD are not required to apply given the population threshold for an 'urban environment' is not yet reached, this is projected to happen within the next 10 – 15 years. Considering the future needs of the

elderly population in the Central Otago District will therefore more closely align with the national direction outlined within the NPS-UD.

**Other Reasonably Practicable Options for Achieving the Objectives**

The other reasonably practicable option is to retain the provisions as originally proposed. However for the reasons, set out in the evidence, it is considered more beneficial to make the recommended changes to enable retirement villages within these residential zones.