

## Resource Management Act 1991

### Submission on Notified Proposed Plan Change to Central Otago District Plan

Clause 6 of Schedule 1, Resource Management Act 1991

#### (FORM 5)

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

#### Details of submitter

Name: GZR Property Investment Ltd \_\_\_\_\_

Postal address: \_\_\_\_\_ C/- Jake Woodward, 1 Hortons Way  
Cromwell \_\_\_\_\_

(Or alternative method of service under [section 352](#) of the Act)

Phone: \_\_\_\_\_ Jake Woodward 022 315 8370  
\_\_\_\_\_

Email:

\_\_\_\_\_ jake@jakewoodward.co.nz \_\_\_\_\_  
\_\_\_\_\_

Contact person: \_\_\_\_\_ Jake Woodward  
\_\_\_\_\_

(Name & designation, if applicable)

**This is a submission on proposed Plan Change 19 to the Central Otago District Plan (the proposal).**

**I ~~am~~ / am not\* a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991 (\*select one)**

**\*I / We am / ~~am not~~ (select one) directly affected by an effect of the subject matter of the submission that:**

- (a) adversely affects the environment; and**
- (b) does not relate to trade competition or the effects of trade competition.**

*\*Delete this paragraph if you are not a trade competitor.*

**The specific provisions of the proposal that my submission relates to are:**

*(Give details, attach on separate page if necessary)*

Refer to attached submission \_\_\_\_\_

**This submission is:**

*(Attach on separate page if necessary) Include:*

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

Refer to attached submission \_\_\_\_\_

**I / We seek the following decision from the consent authority:**

*(Give precise details, including the general nature of any conditions sought)*

Refer to attached submission \_\_\_\_\_

- **I support / oppose the application OR neither support nor oppose** *(select one)*
- **I wish / do not wish to be heard in support of this submission** *(select one)*
- **\*I / We will consider presenting a joint case if others make a similar submission**  
*\*Delete this paragraph if not applicable.*

**In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.**



\_\_\_\_\_  
\_\_\_\_\_ 2 Sep 2022 \_\_\_\_\_

**Signature**

**Date**

**Submissions close at 4pm on Friday 2 September 2022**

Submissions can be emailed to [districtplan@codc.govt.nz](mailto:districtplan@codc.govt.nz)

**Note to person making submission:**

*If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.*

*Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that a least 1 of the following applies to the submission (or part of the submission):*

- *it is frivolous or vexatious;*
- *it discloses no reasonable or relevant case;*
- *it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:*

- *it contains offensive language:*
- *it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*

2 September 2022

Our Reference: JW21005

**FORM 5**

**SUBMISSION ON NOTIFIED PLAN CHANGE 19 OF THE CENTRAL OTAGO DISTRICT  
PLAN**

**CLAUSE 6 of Schedule 1, Resource Management Act 1991**

**To:** The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

**Submitter Details:** GZR Property Investment Limited

**Site Details:** 3 Mead Avenue, Cromwell (Lot 2 DP 20490)

**Address for Service:** C/- Jake Woodward  
JPW Consulting Limited  
jake@jakewoodward.co.nz  
022 315 8370

1. This is a submission on proposed Plan Change 19 (**PC19**) of the Central Otago District Plan.
2. GZR Property Investment Limited (the **Submitter**) could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that are covered by this submission are detailed in **Appendix [A]**.
4. The Submitter's reasons for the submission is as detailed in **Appendix [A]**.
5. The Submitter's specific relief sought is as detailed in **Appendix [A]**.
6. The Submitter **does** wish to be heard in support of this submission.
7. The Submitter will consider presenting a joint case if others make a similar submission.

## Appendix [A] - Submission

8. The specific provisions that this submission relates to are:
  - 8.1. All aspects of PC19 which relates to the **Medium Density Residential Zone (MRZ)** including, but not limited to, the District Planning Maps, the Objectives, Policies and Rules as it relates to the proposed MRZ Zone.
  - 8.2. All aspects of PC19 which relates to the **Residential Zones Subdivision** chapter including, but not limited to, the District Planning Maps, the Objectives, Policies and Rules as it relates to subdivision.
  
9. The submission is:
  - 9.1. The Submitter **supports** the inclusion of their Site being incorporated as part of the MRZ Zone.
  - 9.2. The Submitter **supports** in part, the following Rules:
    - 9.2.1. Rule MRZ-R1 is supported in that it allows for two units per site – this promotes intensification and diversity in house design
    - 9.2.2. MRZ-R2 is supported in that it promotes creativity in site development
    - 9.2.3. MRZ-R3 is supported in that a minor residential unit promotes diversity in residential design
    - 9.2.4. Rule MRZ-S1 is supported as drafted;
    - 9.2.5. MRZ-S2 is supported in that it allows for heights of 11 metres and 3 storeys
    - 9.2.6. MRZ-S5 is supported in terms of 2 metre road setbacks
    - 9.2.7. MRZ-S6 is supported in terms of 1 metre setbacks from neighbours
  - 9.3. The Submitter **opposes** in part, the following Rules:
    - 9.3.1. MRZ-S4 which restricts building coverage to 40% per site
    - 9.3.2. MRZ-S7 which requires at least 30m<sup>2</sup> outdoor living space
    - 9.3.3. MRZ-S8 which requires at least 30% Landscaping
    - 9.3.4. MRZ-S12 which requires each unit to have a habitable room located at ground level
    - 9.3.5. MRZ-S13 carparking states that one additional parking space to be provided for VA.
    - 9.3.6. MRZ-R7 opposed in part in that it does not take account the existing Scheduled Activities Overlay.
  - 9.4. The Submitter **opposes** the absence of the scheduled activities/traveller's accommodation sub-zone/overlay to reflect the underlying consented environment.
  - 9.5. The Submitter **opposes** in part, the Restricted Discretionary pathway for residential subdivision under Rule SUB-R4.

10. The reasons for the submission are:

10.1. The Submitter owns the land (the **Site**) at 3 Mead Avenue, Cromwell and legally described as Lot 2 DP 20490 as contained in Record of Title 828240. An aerial image of the site is included below:



Figure 1: Site location (Image Source: CODC PC19 GIS).

10.2. The Site is located within of the Cromwell township and is subject to a recently approved land use consent (RC210318) to construct 18, three-storey traveller’s accommodation units. Under the Operative District Plan, the Site is located in the Residential Resource Area as well as being subject to a Scheduled Activities Overlay (SA101) which provides for traveller’s accommodation.

10.3. In general, the Submitter partly supports the intended outcomes sought for the MRZ in that the Zone seeks to intensify development within the existing urban fabric of the Cromwell township, enabling an efficient use of land and resources. The proposed MRZ will reflect the degree of development consented for the site and any future changes can be made in an efficient manner through avoiding the need to obtain further resource consents.

10.4. In light of the Site being included in the MRZ Zone, the Submitter **supports** the following provisions of the MRZ for the following reasons:

Rule	Description of Rule	Relief Sought and Reasons
MRZ-R1	Activity Status: PER  Where:  1. There are no more than two residential units per site.	Rule MRZ-R1 is <b>supported</b> in that it allows for two units per site. This rule promotes intensification and diversity in house design along with

	<p>And the activity complies with the following rule requirements:</p> <p>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>meeting demand for residential growth.</p>
MRZ-R2	<p>Comprehensive Residential Development Master Plan</p>	<p>Rule MRZ-R2 is <b>supported</b> in that it promotes creativity in site development. Through considered architectural design and urban form, along with advancement in subdivisional layout and structure, the provision of a Comprehensive Residential Development Masterplan allows a pathway for developments to be considered that may not necessarily align with the underlying Rules, but results in desirable outcomes.</p>
MRZ-R3	<p>Minor Residential Units:</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per site;</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>And the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6 and MRZ-S8</p>	<p>Rule MRZ-R3 is <b>supported</b> in that a minor residential unit promotes diversity in residential design and housing affordability.</p>
MRZ-S1	<p>Density:</p> <ol style="list-style-type: none"> <li>1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m<sup>2</sup>.</li> <li>2. 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>Rule MRZ-S1 is <b>supported</b> as drafted in that it enables intensification within the urban fabric of Cromwell, supplements housing availability and choice and supports the intent of PC19 and Council's intent to provide for ongoing residential growth.</p>



MRZ-S2	<p>Height:</p> <p>1. The maximum height of buildings and structures must not exceed:</p> <p>a. 11m measured from ground level to the highest part of the building or structure; and</p> <p>b. 3 storeys.</p>	<p>Rule MRZ-S2 is <b>supported</b> in that it allows for intensification and consolidation of built form where appropriate.</p>
MRZ-S5	<p>Setback from road boundaries:</p> <p>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.</p>	<p>Rule MRZ-S5 is <b>supported</b> in that it allows for intensification and consolidation of built form where appropriate.</p>
MRZ-S6	<p>Setback from internal boundaries</p> <p>Any building or structure shall be setback a minimum of:</p> <p>1. 1m from any internal boundary (except that this does not apply to common walls along a site boundary, or to an uncovered deck less than 1m in height); and</p>	<p>Rule MRZ-S6 is <b>supported</b> in that it allows for intensification and consolidation of built form where appropriate.</p>

10.5. The submitter **opposes** the following Rules for the reasons outlined:

Rule	Description of Rule (with changes highlighted)	Relief Sought
MRZ-S4	<p>Building coverage:</p> <p>The building coverage of the net area of any site must not exceed <del>40%</del> <b>75%</b></p>	<p><b>Oppose</b> Rule MRZ-S4 which seeks to restricts building coverage to 40% per site. This restriction is considered to contradict the intent of the MRZ which is to provide for intensification and infilling of appropriately identified land. A 40% coverage on a 200m<sup>2</sup> is not considered an efficient use of the land and undermines the integrity of the MRZ Zone. Through considered urban design and consideration of the medium density guidelines, it is possible to develop a site up to almost 75% of the site area and still contribute to residential amenity, character and coherence, promotes the principles of CPTED and represents efficient land development.</p>

		Consideration on servicing and stormwater forms part of the subdivision consenting requirement and therefore Council will retain the ability to ensure servicing is adequate.
MRZ-S7	<p>Outdoor living space:</p> <p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> <li>1. for units with common living space at ground floor level, of at least <del>30m<sup>2</sup></del> <b>16m<sup>2</sup></b> with a minimum dimension of 4m; and</li> <li>2. for units located entirely above the ground floor level, that comprises a balcony of at least 12m<sup>2</sup> , with a minimum dimension of 1.5m; and</li> <li>3. located on the north, west or east side of the residential unit and which is accessible from the living space of the residential unit</li> </ol>	<b>Oppose</b> Rule MRZ-S7 in that the 30m <sup>2</sup> outdoor space in a Medium Density scenario compromises the ability to maximise the site for built form. A reduced area of 16m <sup>2</sup> (4 metres by 4 metres) is considered appropriate in a Medium Density context.
MRZ-S8	<p>Landscaping:</p> <p>At least <del>30%</del> <b>15%</b> of the site shall be planted in grass, trees, shrubs or other vegetation <b><u>with at least half of the landscaping to be located in the Front Yard.</u></b></p>	<b>Oppose</b> Rule MRZ-S8 which seeks to require at least 30% landscaping per site. As per Rule MRZ-S4, such a requirement is considered too restrictive and undermines the purposes on the MRZ in catering for residential intensification. So long as considered landscaping is provided within the streetscape and in cases, along the exterior of the site, can contribute to high quality residential amenity and urban form. It is considered appropriate to amend this requirement to 15% and require some degree of landscaping in the Front Yard where the landscaping can contribute to streetscene and amenity.
MRZ-S12	<p><del>Habitable Rooms</del></p> <p><del>Each residential unit must have a habitable room located at ground floor level.</del></p>	<b>Oppose</b> Rule MRZ-S12 which requires each unit to have a habitable room located at ground level – this compromise

		creativity in dwelling design. This rule should be omitted.
MRZ-S13	<p>Carparking</p> <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. 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>	<p><b>Opposed</b> Rule MRZ-S13 in part to only require one carpark overall for developments that include traveller's accommodation. Generally, a unit rented for short term accommodation purposes need only one car per party. The provision of additional carparking compromises area which can be better utilised for landscaping or built form and contradicts the NPS-UD which Council recognises will become relevant in time.</p>
MRZ-R7	<p>Visitor Accommodation:</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity;</li> <li>2. The maximum occupancy is 6 guests per night; and</li> <li>3. The access to the site is not shared with another site.</li> </ol> <p><b><u>4. The site is subject to Schedule Activity SA101</u></b></p> <p>And the activity complies with the following rule requirements: MRZ-S13</p>	<p><b>Oppose</b> Rule MRZ-R7 in part in that it does not take account the Scheduled Activities Overlay which provides for traveller's accommodation. A provision should be made to include reference to existing Scheduled Areas or introduce a new overlay/sub zone reflecting the appropriateness of Traveller's Accommodation.</p>

11. The Submitter **opposes** the lack of a scheduled activities overlay or similar sub-zone as per the reasons and relief sought under item MRZ-R7. PC19 as drafted does not provide a clear link to the existing Schedules detailed under Chapter 19 of the Operative District Plan.

12. The Submitter **opposes** in part, the Restricted Discretionary pathway for subdivision. In terms of subdivision Rule SUB-R4, the rule as drafted currently requires subdivision of areas "not otherwise" specified to obtain a Restricted Discretionary Consent. For development in the Medium Density Residential Zone, it is appropriate to adopt a Controlled Activity pathway where subdivision conforms to the pre-determined density. So long as the matters of control accurately captures all relevant matters in terms of effects on the environment, the controlled activity pathway provides certainty and efficiency in residential redevelopment and subdivision.

13. The Submitter seeks the following decision from the consent authority:

13.1. That the relief sought in the submission detailed above are adopted.

13.2. In the alternative, any such other combination of objectives, policies, rules, standards and other methods provided that the intent of this submission, as set out above, is enabled.

14. The Submitter **does** wish to be heard in support of this submission.

15. The Submitter will consider presenting a joint case if others make a similar submission.

Signature of Submitter



Jake Woodward  
*Authorised to sign on behalf of the Submitter*

Date: 2 September 2022

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