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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

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

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(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)

See attached

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.

See attached _____

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

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

See attached _____

- 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.



Signature



Date

Submissions close at 4pm on Friday 2 September 2022

Submissions can be emailed to 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.

Paterson Pitts Group – submission on Proposed Plan Change 19

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Submission:

The submitter, Paterson Pitts Group, Cromwell (PPG) is a Planning, Surveying and Land Development Engineering firm, with offices in Alexandra and Cromwell, as well as Queenstown, Wanaka, Christchurch and Dunedin. The company has been working in the Central Otago District for over 30 years, preparing subdivision and land use consents for the community of a large, medium and small scale. The submitter therefore has extensive experience in the District Plan and in development in the District, and opposes PC19 in its entirety in terms of its zoning and provisions.

Reason for submission:

PPG undertake large scale greenfield subdivisions of 350 lots or more, right down to two to four lot subdivisions. We obtain land use and subdivision consents for all types of land and development, with experienced planners, surveyors and civil design engineers who have been working in the District for over 30 years. PPG have extensive experience therefore in working with the Operative District Plan (ODP) residential areas.

The proposal for a change from the standard minimum allotment size in the majority of the residential area from 250m² to 500m² represents a change which will fundamentally mean that infill subdivision in the Low Density Residential Zone (LRZ) will require a Non-Complying Activity Status. This will have a significant negative effect on these types of subdivision in the District.

The proposal for all earthworks to be set at an area of 200m² is an incredibly small trigger. This standard will require earthworks land use consent for proposals which may be fully compliant with the bulk and location standards of the zone, for a simple site scrape to prepare the ground for new building foundations and the driveway. This will unnecessarily increase time and costs for developments, as well as inundate Council with land use consents to process.

The urban design standards for the Medium Density Residential Zone (MRZ) are completely new and seem to be repetitive and unnecessary in the context of this District.

Overall, the Proposed Plan Change 19 (PC19) proposed provisions significantly limits the development potential of many of the sites in the District, at a time when the District is experiencing high demand for additional housing and additional housing typologies. The District's population is growing at rates far higher than the high scenario's predicted by Statistics New Zealand. For these reasons, the

submitter is opposed to the PC19 in its entirety and opposes provisions of the Large Lot Residential Zone (LLRZ) Low Density Residential Zone (LRZ), Medium Density Residential Zone (MRZ) and Subdivision Chapter (SUB).

Specific Relief sought:

Amend the provisions (including any consequential amendments or amendments which result in the same effect sought) as follows:

Notified Provision	Relief sought	Reasons
Definitions	Insert new definition into Section 18 – Definitions as follows: <u>Boundary adjustment: means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.</u>	This definition of boundary adjustment is from the National Planning Standards. The National Planning Standards require that “Where terms defined in the Definitions List are used in a policy statement or plan, and the term is used in the same context as the definition, local authorities must use the definition as defined in the Definitions List”. There is a rule proposed through PC19 relating to boundary adjustments (SUB-R1) which is in the same context as this definition. Therefore, CODC must utilise the National Planning Standard definition proposed.
Non-notification clauses	Support the inclusion of non-notification clauses within the plan. Seek that Council assess their applicability and insert them where appropriate.	Non-notification clauses can assist both the applicant and the processing planner with assessing the potentially affected persons. They have not been widely used in CODC up until now but their use in other districts throughout the country has been both effective and efficient.
Large Lot Residential Zone		
LLRZ-O3 Precincts 1, 2 & 3 The density of development in the Large Lot Residential Precincts recognises and provides	Amend the objective to remove precincts 2 and 3 from LLRZ-O3, and add in two new objectives, one for precinct 2 and one for precinct 3, in accordance with the required provision numbering from the National Planning Standards.	As these precincts have different densities proposed through the standards, the objectives and policies need to set the direction for why this is

Notified Provision	Relief sought	Reasons
<p>for maintenance of the amenity and character resulting from existing or anticipated development in these areas.</p>	<p>LLRZ-PREC01-O31 Precincts 1, 2 & 3</p> <p><u>LLRZ-PREC02-O1</u></p> <p><u>LLRZ-PREC03-O1</u></p> <p>Amend the objective text for LLRZ-O3 and add new objective text to new objectives LLRZ-PREC02-O1 and LLRZ-PREC03-O1 to the below or similar which defines the character and amenity anticipated in each precinct, with particular points for each which specify how the precincts are distinct from each other and from the wider LLRZ.</p> <p>LLRZ-PREC01-O31 Precincts 1, 2 & 3</p> <p>The density of development in the Large Lot Residential Precincts <u>1 accommodates a density of residential development above that of the surrounding Large Lot Residential Zone, with a range of compatible non-residential activities that maintain or enhance the unique qualities of the Precinct, which are:</u></p> <ol style="list-style-type: none"> 1. <u>predominantly low-rise and detached residential units on lots which are less large than the wider LLRZ;</u> 2. <u>providing good quality on-site amenity and maintains the anticipated amenity values of adjacent sites.</u> <p>recognises and provides for maintenance of the amenity and character resulting from existing or anticipated development in these areas.</p>	<p>the case. They also need to provide guidance to plan users as to the anticipated character of each precinct and how it is distinct from the underlying zone. If this is not provided the plan user is not certain on how they are to design and plan development for their site within any of the precincts.</p> <p>Wellington City Council recently notified their Proposed Plan which has examples of the use of precincts in their proposed Medium Density Zone¹. While the outcomes of the MRZ and the LLRZ are significantly different built forms, the WCC example provides a best practice for the use of the precincts under the national Planning Standards and the requirements that need to be met to use them: individual information in the zone purpose, individual objectives which set out the specific direction for each precinct, individual policies which set out how each objective should be met for each precinct, with corresponding rule framework. There are a proposed three precincts in this WCC example zone, the objectives address the three precincts separately and address their individual character and the purpose for their</p>

¹ <https://eplan.wellington.govt.nz/proposed/rules/0/182/0/0/0/31> link to the WCC eplan, accessed 29 Aug 2022.

Notified Provision	Relief sought	Reasons
<p>LLRZ-P1 – Built Form</p> <p>Ensure that development within the Large Lot Residential Zone:</p> <ol style="list-style-type: none"> 1. provides reasonable levels of privacy, outlook and adequate access to sunlight; 2. provides safe and appropriate access and on-site parking; 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; 4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; 5. provides generous usable outdoor living space for residents and for tree and garden planting; 6. maintains the safe and efficient operation of road; 7. mitigates visual effects through screening of storage areas and provision of landscaping; and 8. encourages water efficiency measures. 	<p>Amend LLRZ-P1 as per the below and renumber points as appropriate:</p> <p>LLRZ-P1 – Built Form</p> <p>Ensure that development within the Large Lot Residential Zone <u>is of a form, scale and design that is compatible with the purpose, character and amenity values of the zone, by requiring:</u></p> <ol style="list-style-type: none"> 1. provides reasonable levels of privacy, outlook and adequate access to sunlight; 2. provides safe and appropriate access and on-site parking; 3. maintains a separation from site boundaries and heights in relation to site boundaries high level of spaciousness around buildings and a modest scale and intensity of built form that: <ol style="list-style-type: none"> <u>a. does not unreasonably dominate adjoining sites;</u> <u>b. provides reasonable levels of privacy, outlook and adequate access to sunlight;</u> <u>c. maintains a high level of spaciousness in the streetscape; and</u> <u>d. provides generous usable outdoor living space for residents;</u> 4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; 5. provides generous usable outdoor living space for residents and for tree and garden planting; 	<p>identification and separate management from the underlying zone.</p> <p>The purpose of policies is to tell the plan reader how to achieve the objective. This repeats the objective somewhat. The changes proposed adjust the policy so that it shows the plan user how the objective will be achieved.</p> <p>The points have been reordered to consolidate points and group amenity and bulk and location points and group the access and transport points.</p> <p>Deletion of point 4 entirely as it relates to relocated buildings and their reinstatement as this is a Building Act matter and not a Resource Management Act matter. If a relocated building fits the bulk and location requirements then there is little difference between a relocated building and a new build which has stalled from lack of either funds or access to building materials – both of which are far more prevalent issues since Covid-19 and the resulting global supply chain issues.</p> <p>Addition of ‘network’ to point 6 as the issue is more likely to be the operation of the network as a whole rather than just the road immediately adjacent.</p>

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	<p>6. the <u>maintains maintenance of</u> the safe and efficient operation of <u>the road network</u>;</p> <p>7. safe and appropriate access and on-site parking;</p> <p>8. mitigates<u>saion of</u> visual effects through screening of storage areas and provision of landscaping; and</p> <p>& encourages<u>ing</u> water efficiency measures.</p>	<p>The provision of tree and garden planting is a very personal decision, and note that this does not link to any rule or standard. Therefore proposed to be deleted as being irrelevant and overly prescriptive.</p>
<p>LLRZ-P2 – Residential activities</p> <p>Enable residential activities within a range of residential unit types and sizes.</p>	<p>Amend LLRZ-P2 as per the below:</p> <p>Enable residential activities within a range of residential unit types and sizes <u>that ensure the development of the zone is of a form, scale and design that is compatible with the zone purpose, character and amenity.</u></p>	<p>Policy LLRZ-P2 is not prescriptive enough and does not link to the objective of the zone. Proposed changes firm up the intent.</p>
<p>LLRZ-P3 – Home business</p> <p>Provide for home businesses where:</p> <ol style="list-style-type: none"> 1. they are ancillary to a residential activity; 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 /do not compromise the amenity of adjoining sites. 	<p>Amend LLRZ-P3 as per the below and amend the numbering of the points as appropriate:</p> <p>LLRZ-P3 – Home business</p> <p>Provide for home businesses where:</p> <ol style="list-style-type: none"> 1. they are ancillary to a residential activity; 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 /do not compromise the amenity of adjoining sites. 	<p>Many home businesses exist which are not ancillary to a residential activity (noting the definition of residential activity is ‘the use of land or buildings for people’s living accommodation’). Making jewelry at home and selling it via an online service is not ancillary to living accommodation, but would fall under what is widely considered to be a home business.</p> <p>Requiring consistency with the anticipated character and amenity values of the zone is sufficient direction without overly restricting the scope of a home business, which point 1 currently does.</p>

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		<p>The proposed removal of ‘do not compromise’ from point 3 is to remove the unnecessary repetition between that phrase and ‘are compatible with’ immediately before it. These phrases mean the same thing, therefore including both is unnecessary repetition.</p>
<p>LLRZ-P4 - Retirement Living</p> <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"> 1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and 2. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and 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 safety and efficiency is maintained; and 	<p>Amend LLRZ-P4 as per the below and amend the numbering of the points as appropriate:</p> <p>LLRZ-P4 - Retirement Living</p> <p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and <u>the scale, form, and design of the village maintains the character and amenity values of the surrounding area, and:</u></p> <ol style="list-style-type: none"> 1. any <u>significant</u> adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and 2. <u>other adverse effects on residential amenity values are minimised; and</u> 3. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and 4. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road <u>network</u> safety and efficiency is maintained; and 7. they are well-connected to commercial areas and community facilities, <u>where practical</u>. 	<p>The compatibility with the zone character is paramount, and therefore should be earlier in the policy direction, and be something that all the other points refer to – which is why point 2 has been moved to the front of the policy.</p> <p>The use of ‘avoid, remedy and mitigate’ ultimately ends with all applications mitigating effects. The changes to point 1 and the new proposed point 2 separates out that the intent is to avoid significant adverse effects, whilst other adverse effects are minimized.</p> <p>Point 6 added in ‘network’ for same reasons as above in relief sought for LLRZ-P1.</p> <p>As the LLRZ zones are typically located far from commercial areas and community facilities, being on the outskirts of the towns, ‘where practical’ has been inserted into point 6, to recognize that this is desirable, but not</p>

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<p>6. they are well-connected to commercial areas and community facilities</p>		<p>always possible due to physical distances.</p>
<p>LLRZ-P5 – Other non-residential activities</p> <p>Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:</p> <ol style="list-style-type: none"> 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 qualities of the zone and surrounding area; and 3. the activity is of a nature and scale that meet 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 properties, a sense of amenity, security and companionship is maintained; 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road safety and efficiency is maintained. 	<p>Amend LLRZ-P5 as per the below and amend the numbering of the points as appropriate:</p> <p>Avoid <u>Only allow</u> other non-residential activities and buildings <u>that contribute to the health and wellbeing of people and communities, including the expansion of existing non-residential activities and buildings, unless where:</u></p> <ol style="list-style-type: none"> 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 <u>hours of operation</u> of the activity is compatible with the anticipated character and <u>amenity</u> qualities of the zone and surrounding area; and 3. the activity is of a nature and scale that meet 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 properties <u>sites</u>, a sense of amenity, security and companionship is maintained; 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road <u>network</u> safety and efficiency is maintained. <p>Amend point 4 – define the term “sense of amenity, security and companionship”. If the term if not defined, the</p>	<p>The wording ‘avoid’ leads to a non-complying activity status, whilst the rules are either permitted (childcare, visitor accommodation) or discretionary. The wording ‘Only allow’ is thus more appropriate to set up the rule framework proposed.</p> <p>Adding in that the purpose is for the health and wellbeing of the people and community, recognizes ultimately that non-residential activities (including commercial) help to make a residential area an attractive place to live, and provide spaces for the community to meet and socialize together, thus improving overall community happiness and wellbeing.</p> <p>By specifying for health (includes physical and mental) and wellbeing of the community, this does not provide for economic aspects per se, which would be the types of activities which could detract from the Business Areas (BA).</p> <p>Deleting ‘the expansion of existing non-residential activities’ allows for the following listed criteria to be applied for</p>

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	<p>alternative relief sought is to delete this phrase from the policy entirely.</p>	<p>these such activities. As these are existing they form part of the character and amenity of the particular area, and if they are able to conform with the bulk and location standards there is no reason why their addition or expansion should not be considered as permitted activities.</p> <p>Deleting point 1 in conjunction with amending point 2 condenses the policy whilst still providing guidance for the same aspects of the activity and built form.</p> <p>Amendments to point 3 around the BA are to condense the policy whilst also recognizing that anything large scale is prevented through the rule framework and the bulk and location standards for the zone.</p> <p>Amendment to point 4 changing 'properties' to 'site' utilizes the defined terms – site is a defined term whilst property is not. Using defined terms clarifies intent and implementation of policy direction.</p> <p>Defining a 'sense of amenity, security and companionship' assists in interpretation. This term at the moment</p>

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		<p>is very vague and could have unintended consequences and multiple interpretations, which does not provide guidance to plan users. If the intent is a sort of CPTED style policy, there are multiple examples of this in other District Plans in the country which work well and have less ambiguity. The deletion of this term sought as alternative relief sought is to remove the ambiguity in the policy direction and provide greater, clearer guidance to the plan users. Furthermore, as amenity and character are aspects which are considered earlier at point 2, this is considered potentially a double up of policy direction and therefore its inclusion is both unclear and unnecessary.</p> <p>Point 6 added in 'network' for same reasons as above in relief sought for LLRZ-P1.</p>
<p>LLRZ-P6 – Precinct 1</p> <p>Provide for development within Precinct 1 at a density consistent with the existing character of the area.</p>	<p>Amend LLRZ-P6 as per the below and amend the numbering of the following policies as appropriate:</p> <p>LLRZ-P6 – Precinct 1<u>PREC01-P1</u></p> <p>Provide for development within Precinct 1 at a density consistent with the existing <u>unique</u> character of the area <u>precinct</u>.</p>	<p>The numbering of the policy is inconsistent with the requirements of the National Planning Standards for use of Precincts – amendments seek to remedy this.</p> <p>This policy direction does not indicate how the character of this precinct is different from the wider zone, which is paramount to include in order to assist plan users with identifying and being</p>

Notified Provision	Relief sought	Reasons
	<p>Insert additional wording as appropriate which describes how the amenity and character of PREC01 is different from the LLRZ.</p>	<p>consistent with the character of the precinct. No wording changes are proposed specifically as PPG cannot decide why these areas are special for Council. Rather it is sought that Council review their expert advice and the areas which have been identified as being within Precinct 1 and generate appropriate wording which will provide the guidance required for this policy to have meaning and purpose.</p>
<p>LLRZ-P7 – Precinct 2 and 3</p> <p>Ensure that development within Precincts 2 & 3 maintains a higher level of open space, consistent with the existing character of the area.</p>	<p>Amend LLRZ-P7 as per the below and amend the numbering of the following policies as appropriate:</p> <p>LLRZ-P7 – Precinct 2 and 3<u>PREC02-P1</u></p> <p>Provide for development within Precinct 1 at a density consistent with the existing <u>unique</u> character of the area <u>precinct</u>.</p> <p>Ensure that development within Precincts 2 & 3 maintains a higher level of open space, consistent with the existing <u>unique</u> character of the area.</p> <p>Insert additional wording as appropriate which describes how the amenity and character of PREC02 is different from the LLRZ.</p> <p>Insert new policy for Precinct 3</p> <p><u>LLRZ-PREC03-P1</u></p>	<p>The numbering of the policy is inconsistent with the requirements of the National Planning Standards for use of Precincts – amendments seek to remedy this, and insert new policy for Precinct 3, as all precincts are to have their own policy direction.</p> <p>This policy direction does not indicate how the character of either of these precincts are different from the wider zone, which is paramount to include in order to assist plan users with identifying and being consistent with the character of these precincts. No wording changes are proposed specifically as PPG cannot decide why these areas are special for Council. Rather it is sought that Council review their expert advice and the areas which have been identified as being within Precinct 2 and Precinct 3 and</p>

Notified Provision	Relief sought	Reasons
	<p><u>Ensure that development within Precinct 3 maintains a higher level of open space, consistent with the existing unique character of the area.</u></p> <p>Insert additional wording as appropriate which describes how the amenity and character of PRECO3 is different from the LLRZ.</p>	<p>generate appropriate wording which will provide the guidance required for these policies to have meaning and purpose.</p>
<p>LLRZ-R2 – Minor Residential Unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site. 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage. 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: LLRZ-S2 to LLRZ-S7.</p> <p>Activity status when compliance is not achieved with R2.1: NC</p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p> <p>Activity status when compliance with</p>	<p>Amend as per the following:</p> <p>LLRZ-R2 – Minor Residential Unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site. 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage. 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: LLRZ-S2 to LLRZ-S7.</p> <p>Activity status when compliance is not achieved with R2.1: <u>NC DIS</u></p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p>	<p>An elevation to NC is quite extreme and also not provided for the in the direction in the objectives and policies. As an additional minor residential unit, the matters that need to be assessed are effects on bulk and location, scale, density, amenity and access, all of which are assessed as an RDIS activity for an additional principal residential unit on a site. Consider that if two full residential dwellings are appropriate to be assessed as an RDIS activity then to assess the effects of two minor residential units on a site would be sufficient at a DIS activity status.</p>

Notified Provision	Relief sought	Reasons
<p>rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	
<p>LLRZ-R3 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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; 2. A building inspection report 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; 3. All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six 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 4. The proposed owner of the relocated building must certify that the 	<p>Delete this rule entirely as per the below:</p> <p>LLRZ-R3 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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; 2. A building inspection report 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; 3. All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six 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 4. The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period. <p>And the activity complies with the following rule requirements: LLRZ-S1 to LLRZ-S7.</p>	<p>All of these requirements are Building Act and Building Consenting issues and are not necessary nor appropriate in a resource management act document. Point 4 is ultra vires; there are a number of things which may go wrong in the real world which would prevent the owner from achieving a six month timeframe, and cannot therefore certify at time of application that the works will be done within six months.</p> <p>The definition of residential unit will trigger a relocated dwelling, and this would therefore be covered by LLRZ-R1.</p> <p>Alternative relief sought: should the rule remain it is needs to be located in the chapter and numbering as per the National Planning Standards direction. The rule tables must be organized by PER activities, followed by any CON activities, followed by the RDIS activities and so on with DIS, NC and PR, in that order. Therefore, should this rule be retained, it needs to be reordered to be after all the PER activities.</p> <p>Requirements 2 and 3 remain deleted as they relate directly to building</p>

Notified Provision	Relief sought	Reasons
<p>reinstatement work will be completed within the six month period.</p> <p>And the activity complies with the following rule requirements: LLRZ-S1 to LLRZ-S7.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> The time period within which the building will be placed on its foundations. Identification of, and the time period to complete reinstatement works to the exterior of the building. Provision of servicing. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. 	<p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> The time period within which the building will be placed on its foundations. Identification of, and the time period to complete reinstatement works to the exterior of the building. Provision of servicing. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. <p>Alternative relief sought: If full deletion is not approved, amend as per the below, and move to be located after all the PER activities with associated amended rule numbering for the chapter:</p> <p>LLRZ-R3 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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; <u>and</u> A building inspection report 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; All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being 	<p>consenting matters, which are not RMA issues. The timing under point 4 is amended to 12 months to reflect the supply chain issues that have become more severe after the Covid-19 pandemic with global supply chain issues, which is not a factor that a home owner can be expected to manage. Furthermore, the construction of a new home, which will have similar amenity issues as a partially reinstated relocated dwelling, can take a minimum of 6 months and often takes between 1 and 3 years to complete, depending on the complexity of the build. If the visual effects of the relocated dwelling are considered comparable to a dwelling under construction, and there are no controls over the timeframes for a dwelling to be completed, it seems logical that a 12 month time frame for a relocated dwelling (should the rule not be deleted in its entirety in the first instance for being unnecessary and inappropriate in an RMA context) would be better and more realistic than six months.</p>

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	<p>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>4. The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six<u>12</u> month period.</p> <p>And the activity complies with the following rule requirements: LLRZ-S1 to LLRZ-S7.</p> <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> a. The time period within which the building will be placed on its foundations. b. Identification of, and the time period to complete reinstatement works to the exterior of the building. c. Provision of servicing. d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. 	
<p>LLRZ-R4 – Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> 1. The building is ancillary to a permitted activity. <p>And the activity complies with the following rule requirements: LLRZ-S2 to LLRZ-S6.</p>	<p>Amend LLRZ-R4 as per the below:</p> <p>LLRZ-R4 – Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> 1. The building is ancillary to a permitted activity. <u>Compliance is achieved with LLRZ-S2 to LLRZ-S6.</u> <p>And the activity complies with the following rule requirements: LLRZ-S2 to LLRZ-S6.</p>	<p>This rule as drafted has some unintended consequences relating to new minor buildings and structures being built to support existing non-residential activities.</p> <p>For example, under this rule as proposed, if an established retirement village at some point in the future want to build a shed for storage, they need a discretionary resource consent. The same sized shed for a residential unit, or a Visitor Accommodation activity, or childcare services, is permitted.</p>

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		<p>The effects of the shed are the same in the zone – it is the same size, located within the same bulk and location standards. There is no value therefore in linking the ability to build an accessory building to a permitted activity over any activity that is existing in the zone. The control for effects should consider the bulk and location standards, regardless of whether it is ancillary to a permitted activity or not.</p> <p>The proposed changes to the rule enable buildings and structures to be built as accessory to any established activity, where compliant with standards for height, height in relation to boundary, building coverage, setbacks from road and internal boundaries.</p>
<p>LLRZ-R6 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum occupancy is 6 guests per night; and 3. The access to the site is not shared with another site. 	<p>Amend LLRZ-R6 as follows:</p> <p>LLRZ-R6 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum occupancy is 6 guests per night; and 3. The access to the site is not shared with another site. 	<p>The changes proposed are to clarify the intent of the Matters of Discretion to ensure they are RMA issues. The effects of safety of the visitor accommodation activity might be things such as physical safety from guests, which is a policing matter not an RMA matter, and the effects of amenity on sharing a driveway with guests would be hard to explain, as driveways are not typically spaces in which we recreate or enjoy our properties. This separation allows the</p>

Notified Provision	Relief sought	Reasons
<p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the effects of the activity on the amenity and safety of any sites sharing access. 	<p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>For sites that share access, the effects on:</u> <ol style="list-style-type: none"> a. of the activity on the amenity; and b. <u>safety and efficient access</u>of any sites sharing access. 	<p>intent of the Matters of Discretion to be clearer.</p>
<p>LLRZ-R7 – Home business (unless otherwise specified in LLRZ-R8 or LLRZ-R14)</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential unit and is ancillary to a residential activity; 2. The maximum floor area occupied by the home business is no more than 30m²; 3. Any employee engaged in the home business resides on-site; 4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and 5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day. 	<p>Amend LLRZ-R7 as follows and amend the numbering as appropriate:</p> <p>LLRZ-R7 – Home business (unless otherwise specified in LLRZ-R8 or LLRZ-R14)</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential unit and is ancillary to a residential activity; 2. The maximum floor area occupied by the home business is no more than 30m²; 3. <u>At least one</u> Any employee engaged in the home business resides on-site; 4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and 5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day. 	<p>Requirements 1 and 4 are the same, requiring that the activity is undertaken in doors, thus the deletion of point 1 entirely. Point 1 is deleted as often a home business will be undertaken within a garage space or a detached studio. These are permitted activities under LLRZ-R4 to construct, but would be then a DIS activity for someone to use/convert them as a home business, which is also intended to be a permitted activity. Therefore, the requirement to be within a building is sufficient under point 4 and the requirements to be within a residential unit is inappropriate.</p> <p>The requirement for an activity to be ancillary to a residential activity is similarly not appropriate. Making jewelry at home for example could not be considered ancillary to a residential</p>

Notified Provision	Relief sought	Reasons
<p>And where the activity complies with the following rule requirements: LLRZ-S10</p>	<p>And where the activity complies with the following rule requirements: LLRZ-S10</p>	<p>activity (means use of land and buildings for people’s living accommodation). Therefore, the requirement to be ancillary to a residential activity is inappropriate and point 1 is deleted in its entirety.</p> <p>The specific requirements in point 3 are also considered unnecessary and overly onerous. A home business could be successful enough to employ one employee, who would then need to move in with the home owner for it to remain permitted. The effects of one employee living off site would not be likely to be noticed in terms of traffic movements to and from the site, nor in noise given that point 4 requires all activities to be undertaken within a building. It is noted that traffic movements to and from the site are managed through point 5. The perceivable issues from employing staff who work off site are therefore managed through the other conditions (including GFA, location of the activity itself and the maximum number of vehicle movements per day).</p> <p>Standards LLRZ-S10 does not appear to exist.</p>

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		The rule title specifying where the activity is not x or y is adding confusion not clarity. The text in the rule should be sufficient to demark this rule from the other commercial activities in the zone.
<p>LLRZ-R8 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. 	<p>Amend LLRZ-R8 as follows:</p> <p>LLRZ-R8 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. 	As above for home businesses, a childcare service (the looking after or caring for children) is not and cannot be related to a residential activity, which means the use of land and buildings for people’s living accommodation. The requirement for this activity to be ancillary to a residential activity is therefore inappropriate and is thus deleted.
<p>LLRZ-R9 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the site on which it is located; 3. The sign does not exceed 0.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 	<p>Amend LLRZ-R9 as follows:</p> <p>LLRZ-R9 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the <u>activities undertaken on the site</u> on which it is located; 3. The sign does not exceed <u>0</u>1.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 	<p>The trigger of 0.5m² is too small of a trigger, and is causing unnecessary consent applications for minor activities, causing unnecessary costs and time delays to members of the community as applicants.</p> <p>Note that the rule specifically requires the sign to be related to the site on which it is located. This would mean that all signs would need to be descriptors of the site itself under the definition. The intent is for the signs to be related to the activities undertaken on the site where</p>

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<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>	<p>6. The sign does not obscure driver visibility to and from access ways.</p>	<p>they are located. The relief sought achieves this.</p>
<p>LLRZ-R10 Excavation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m² per site. <p>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 	<p>Amend LLRZ-R10 Excavation as follows:</p> <p>LLRZ-R10 Excavation <u>Earthworks</u></p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed <u>250m²</u> per site. <p>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties <u>sites</u>. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 	<p>The rule refers to excavation but the Matters of Discretion refer to earthworks. As these terms are defined, it is inappropriate to use them interchangeably.</p> <p>Not possible to have a m² amount as a volume.</p> <p>200m² is too small an area, and across these vacant sites would require a consent to achieve any build, especially given that 200m² is the smallest house size that would typically be built on these large sites. This trigger would see a consent required to construct on <i>any</i> vacant allotment, and is thus inappropriate. The changes proposed increase the area to recognize that a simple site scrape site should not require a resource consent, and to align with the ORC trigger for earthworks for residential activities.</p>

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<p>5. Any effects on the road network arising from the excavation.</p> <p>6. Any effects on archaeological, heritage or cultural values.</p> <p>7. Any mitigation measures proposed.</p>	<p>5. Any effects on the road network arising from the excavation earthworks.</p> <p>6. Any effects on archaeological, heritage or cultural values.</p> <p>7. Any mitigation measures proposed.</p>	<p>The term 'site' is defined whilst the term 'property(ies)' is not. It is inappropriate to use a term which is intended to mean the same thing as a defined term but not use the defined term.</p>
<p>LLRZ-R10 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: LLRZ-S1 to LLRZ-S6.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Integration of vehicle, cycle and pedestrian access with the adjoining road network. 2. Provision of landscaping, open space, on-site amenity for residents, recreational facilities and stormwater systems. 3. Design and layout of pedestrian circulation. 4. Parking and access. 5. Traffic generation, including impact on the wider transport network. 6. Residential amenity for neighbours in respect of outlook and privacy. 7. Visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location 	<p>Amend LLRZ-R10 Retirement villages as follows, including any appropriate numbering changes:</p> <p>LLRZ-R110 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: LLRZ-S12, LRZ-S3, LRZ-S5 and to LLRZ-S6.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Integration of vehicle, cycle and pedestrian access with the adjoining road network. 2. Provision of: <ol style="list-style-type: none"> a. <u>on-site residential amenity including landscaping, open space, outlook and privacy and on-site amenity</u> for residents, b. recreational facilities, and c. stormwater systems. 3. Design and layout of: <ol style="list-style-type: none"> a. <u>pedestrian and cycling circulation,</u> b. <u>parking and access, and</u> c. <u>the integration of vehicle, cycle and pedestrian access with the adjoining road network.</u> 4. Parking and access. 	<p>There are two LLRZ-R10's in the LLRZ chapter. Seek that this is correctly and the entire numbering for the chapter updated accordingly.</p> <p>Given that in most designs retirement villages are much denser in development from usual developments, and considering that requiring compliance with S2, S3, S5 and S6 will protect the character and amenity of the zone when experienced from outside of the site, the compliance with S1 and S4 for a retirement village would be unreasonable.</p> <p>There is inconsistency with the Matters of Discretion in that point 1 refers to the road network and point 5 to the transport network. If these are different terms, they need to be defined to clearly demark the difference between them. If they are not different terms, the use of one exclusively is sought in order to provide clarity.</p>

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<p>and scale of utility areas, parking areas and external storage areas.</p>	<ol style="list-style-type: none"> 5. Traffic generation, including impact on the wider transport road network. 6. <u>Maintenance of Residential amenity for neighbourings sites</u> in respect of outlook and privacy. 7. Visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas. 	<p>Much of the changes to the Matters of Discretion relate to consolidating and combining the matters. All the transport network related matters have been moved together as a result. The separating out of the matters in points 2 and 3 make it clearer to see what aspects are required to be addressed in a resource consent application.</p> <p>The changes to point 6 have been proposed to ensure that the residential amenity relates to that of the neighbouring sites specifically, and that the amenity is to be maintained for these sites.</p>
<p>LLRZ-R11 - Any activity not otherwise listed in LLRZ-R1 to LLRZ-R10 or LLRZ-R12 to LLRZ-R15</p> <p>Activity Status: DIS</p>	<p>Amend LLRZ-R11 as follows:</p> <p>LLRZ-R121 - Any activity not otherwise listed in LLRZ-R1 to LLRZ-R10 or LLRZ-R12 to LLRZ-R15</p> <p>Activity Status: DIS</p>	<p>Unnecessary for this rule to have listed the rules out which do not apply – it adds confusion rather than clarity. This is further highlighted by the fact that there was a double up of rule numbering which makes the inclusion of a precise list incorrect.</p> <p>Furthermore, if in future additional rules are added, this rule will need corresponding changes. This adds unnecessary additional changes to a potential plan change or update to the chapter, and adds opportunity for human error where it might be missed</p>

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<p>LLRZ-R15 - Buildings on Land Subject to Hazards</p> <p>Activity Status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> 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. 	<p>Amend LLRZ-R15 as follows:</p> <p>LLRZ-R15 – <u>Construction of b</u>Buildings on Land Subject to Hazards</p> <p>Activity Status: NC <u>DIS</u></p> <p>Where:</p> <p>The erection of any <u>habitable</u> 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.</p>	<p>and this rule have unintended consequences.</p> <p>There may be already buildings present on a site which is subject to hazards which has been lawfully established, the activity is therefore the construction of buildings which needs to be managed.</p> <p>The erection of a shed or garage on a site potentially subject to hazards will not necessarily pose a risk to human life and should be allowed to occur. It is when the building is to be habited that the construction needs to be addressed.</p> <p>An NC status is very severe and it is possible to locate and design habitable buildings which are able to mitigate the risk from natural hazards present on a site. A DIS status, and the inclusion of restricting this rule to habitable buildings only, is much more appropriate to recognize that natural hazards and the community response to them are very nuanced issues. A risk tolerance approach is the current industry best practice, which this rule as drafted does not achieve.</p>
<p>LLRZ-S1 - Density</p> <p>Large Lot Residential Zone (Excluding Precincts 1, 2 & 3). 1. The minimum site area per</p>	<p>Amend LLRZ-S1 as per the following:</p> <p>LLRZ-S1 - Density</p>	<p>As above, the precincts require their own objectives, policies, and rules and standards as per the National Planning Standards, with the appropriate</p>

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<p>residential unit is 2000m². Activity Status where compliance not achieved – NC</p> <p>Precinct 1. 2. The minimum site area per residential unit is 1000m². Activity Status where compliance not achieved – NC</p> <p>Precinct 2. 3. The minimum site area per residential unit is 3000m². Activity Status where compliance not achieved – NC</p> <p>Precinct 3. 4. The minimum site area per residential unit is 6000m². Activity Status where compliance not achieved – NC</p>	<p>Large Lot Residential Zone (Excluding Precincts 1, 2 & 3). 1. The minimum site area per residential unit is 2000m². Activity Status where compliance not achieved – NC <u>DIS</u></p> <p>Precinct 1. 2. The minimum site area per residential unit is 1000m². Activity Status where compliance not achieved – NC</p> <p>Precinct 2. 3. The minimum site area per residential unit is 3000m². Activity Status where compliance not achieved – NC</p> <p>Precinct 3. 4. The minimum site area per residential unit is 6000m². Activity Status where compliance not achieved – NC</p> <p>Add in new precinct specific standards as per the below:</p> <p><u>LLRZ-PREC01-S1</u> <u>The minimum site area per residential unit is 2000m². Activity Status where compliance not achieved – DIS</u></p> <p><u>LLRZ-PREC02-S1</u> <u>The minimum site area per residential unit is 1000m². Activity Status where compliance not achieved – DIS</u></p> <p><u>LLRZ-PREC03-S1</u> <u>The minimum site area per residential unit is 6000m². Activity Status where compliance not achieved – DIS</u></p>	<p>numbering and naming conventions the National Planning Standards require.</p> <p>The requirement for a NC resource consent pathway for non-compliance is a very high elevation, which is not justified in the direction in the objectives and policies. The policy direction in the subdivision and LLRZ chapters should be sufficient to guide decision makers without requiring a NC resource consent pathway – DIS is a much more appropriate elevation.</p>
<p>LLRZ-S2 – Height</p> <p>1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the</p>	<p>Amend LLRZ-S2 as follows:</p> <p>LLRZ-S2 – Height</p>	<p>Exemptions to height standards are both common and necessary. It would be excessive to require a resource consent because a building itself was under 7.5m but the chimney on top was 7.8m.</p>

Notified Provision	Relief sought	Reasons
<p>highest part of the building or structure.</p> <p>Activity status where compliance not achieved –Where: LLRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the increased height. <p>Where: LLRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: NC</p>	<ol style="list-style-type: none"> 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><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> • <u>Solar panels which do not project beyond the building envelope by more than 0.5m</u> • <u>Chimney structures not exceeding 1.1m in width provided they do not project beyond the building envelope by more than 1m</u> • <u>Antennas, aerials and satellite dishes (less than 1m in diameter)</u> <p>Activity status where compliance not achieved – Where: LLRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the increased height. d. <u>Topographical or other site constraints that make compliance with the standard impractical</u> e. <u>Whether the increase in height is to mitigate natural hazard risk</u> f. <u>Retention of established landscaping</u> g. <u>Location, design and appearance of building or structure</u> 	<p>Exemptions to the standard proposed are standard objects which are found on houses which may be captured by LLRZ-S2 as drafted.</p> <p>There are many factors for which a dwelling might not meet the 7.5m height standard which are not captured in the Matters of Discretion, such a topographical and site constraints, whether the house is on higher than usual piles to raise floor levels for flooding or ponding issues in a natural hazard event, whether there are existing trees / vegetation which are proposed to remain which would mitigate the height breach, and the location, design and appearance of the proposed building itself which may have mitigating features.</p>

Notified Provision	Relief sought	Reasons
	Where: LLRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: NC	
<p>LLRZ-S3 – Height in relation to boundary</p> <ol style="list-style-type: none"> 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 2. LLRZ-S3.1 does not apply to: <ol style="list-style-type: none"> a. A boundary with a road. b. Common walls along a site boundary. c. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. d. Antennas, aerials, satellite dishes (less than 1m in diameter). e. Solar panels which do not project beyond the building envelope by more than 0.5m. f. Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m. g. A gable end, dormer or roof where that portion projecting 	<p>Amend LLRZ-S3 as follows:</p> <p>LLRZ-S3 – Height in relation to boundary</p> <ol style="list-style-type: none"> a. 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>2. LLRZ-S3.1 <u>This standard does not apply to:</u></p> <ol style="list-style-type: none"> a. A boundary with a road. b. Common walls along a site boundary. c. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. d. Antennas, aerials, satellite dishes (less than 1m in diameter). e. Solar panels which do not project beyond the building envelope by more than 0.5m. f. Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m. g. A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height. h. <u>A boundary with a shared access in excess of 3m in width; the measurement shall be taken from the furthest side.</u> 	<p>Exemptions have been moved from being a numbered part of the standard to simply rule text. The exemptions are exactly that, exemptions to a rule, not part of the rule itself.</p> <p>Additional exemptions added in to capture where the height in relation to a boundary might be along an internal boundary with an access strip. In a similar vein to exempting this standard from a boundary with road, height in relation to boundary does not need to be assessed against an access leg.</p> <p>The other exemption is proposed for retirement villages, that they need only comply with this standard for external boundaries. As aforementioned, retirement villages often have denser development than usual build projects, and requiring height in relation to boundary standards for all internal boundaries would thus be inappropriate.</p> <p>There are many factors for which a dwelling might not meet the height in relation to boundary standard which are not captured in the Matters of</p>

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<p>beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<ul style="list-style-type: none"> i. <u>For retirement villages, LLRZ-S3.1 only applies to the external boundary of the site.</u> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. d. <u>Topographical or other site constraints that make compliance with the standard impractical</u> e. <u>Whether the increase in height is to mitigate natural hazard risk</u> f. <u>Retention of established landscaping</u> <p>Amend the diagram in Schedule 1 as follows:</p> <p>Delete the diagram and replace with one which is more readily interpretable, such as that which is utilised in the Operative District Plan.</p>	<p>Discretion, such a topographical and site constraints, whether the house is on higher than usual piles to raise floor levels for flooding or ponding issues in a natural hazard event, and whether there are existing trees / vegetation which are proposed to remain which would mitigate the breach.</p> <p>The diagram in Schedule 1 is difficult to interpret and should be replaced with something similar to the operative district plan diagram.</p>
<p>LLRZ-S4 – Building coverage</p> <p>Large Lot Residential Zone (Excluding Precincts 1, 2 & 3). The building coverage of the net area of any site must not exceed 30%.</p> <p>Precinct 1. The building coverage of the net area of any site must not exceed 40%.</p>	<p>Amend LLRZ-S4 as follows:</p> <p>LLRZ-S4 – Building coverage</p> <p>Large Lot Residential Zone (Excluding Precincts 1, 2 & 3). The building coverage of the net <u>site</u> area of any site must not exceed 30%.</p>	<p>As above, the precincts require their own objectives, policies, and rules and standards as per the National Planning Standards, with the appropriate numbering and naming conventions the National Planning Standards require.</p> <p>Net area of a site is not a defined term. Net site area is a defined term. When</p>

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<p>Precinct 2. The building coverage of the net area of any site must not exceed 15%.</p> <p>Precinct 3. The building coverage of the net area of any site must not exceed 10%.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. d. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<p>Precinct 1. The building coverage of the net area of any site must not exceed 40%.</p> <p>Precinct 2. The building coverage of the net area of any site must not exceed 15%.</p> <p>Precinct 3. The building coverage of the net area of any site must not exceed 10%.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. <p>Any mitigation measures proposed which reduce the adverse effects of the breach.</p> <p>Add in new precinct specific standards as follows:</p> <p><u>LLRZ-PREC01-S2</u> <u>The building coverage of the net site area must not exceed 40%. Activity Status where compliance not achieved – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Compatibility of the built form with the existing or anticipated character of the area.</u> b. <u>Dominance of built form in the surrounding area.</u> c. <u>The extent to which a level of openness around and between buildings is retained.</u> 	<p>terms have been defined, they should be used appropriately to avoid confusion.</p> <p>Site coverage of 10% and 15% are incredibly small, even given the larger lot sizes that these precincts require.</p>

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	<p>d. <u>Any mitigation measures proposed which reduce the adverse effects of the breach.</u></p> <p><u>LLRZ-PREC02-S2</u> <u>The building coverage of the net site area must not exceed 30%. Activity Status where compliance not achieved – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Compatibility of the built form with the existing or anticipated character of the area.</u> b. <u>Dominance of built form in the surrounding area.</u> c. <u>The extent to which a level of openness around and between buildings is retained.</u> d. <u>Any mitigation measures proposed which reduce the adverse effects of the breach.</u> <p><u>LLRZ-PREC03-S2</u> <u>The building coverage of the net site area must not exceed 20%. Activity Status where compliance not achieved – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Compatibility of the built form with the existing or anticipated character of the area.</u> b. <u>Dominance of built form in the surrounding area.</u> c. <u>The extent to which a level of openness around and between buildings is retained.</u> d. <u>Any mitigation measures proposed which reduce the adverse effects of the breach.</u> 	
<p>LLRZ-S5 – Setback from road boundary</p> <p>Any building or structure shall be setback a minimum of 7m from a boundary with a road,</p>	<p>Amend LLRZ-S5 as follows:</p> <p>LLRZ-S5 – Setback from road boundary</p>	<p>Formatting changes proposed to clarify the two aspects of the standard – 1 – setback from road boundaries and 2 –</p>

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<p>except that this shall not apply to an uncovered deck less than 1m in height.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any adverse effects on the safety and efficiency of the road network. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. compatibility of the building or structure with the surrounding built environment. <p>Within 80m of the seal edge of a State Highway:</p> <p>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</p>	<ol style="list-style-type: none"> 1. Any building or structure shall be setback a minimum of 74.5m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height. <p>Activity status where compliance not achieved <u>with LLRZ-S5.1</u> – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any adverse effects on the safety and efficiency of the road network. 2. The extent to which the breach will have adverse effects on visual amenity values, including dominance. 3. compatibility of the building or structure with the surrounding built environment. 4. <u>Any topographical or other site constraints.</u> <ol style="list-style-type: none"> 2. Within 80m of the seal edge of a State Highway: <p>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:</p> <ol style="list-style-type: none"> a. 35dBA Leq (24hr) in bedrooms; and b. 40dBA Leq (24hr) for other habitable rooms <p>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</p>	<p>noise insulation requirements from State highways.</p> <p>Change from 7m to 4.5m road setback. This is to continue the existing requirement, which is deemed to be sufficient and provides greater scope for landowners to locate their dwelling where they choose to on the site, including consideration of topographical or other site constraints, which is likewise added as a matter of discretion.</p> <p>An elevation is added to the standard for setbacks from the State Highway, as no elevation is inappropriate and confusing. Matters of Discretion are provided which allow processing planners to consider alternative methods of noise insulation or sound barriers to that required by the standard as drafted.</p>

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<p>years from the commencement of construction of the development.</p>	<p>than 10 years from the commencement of construction of the development.</p> <p><u>Activity status where compliance not achieved with LLRZ-S5.2 – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Whether there is screening by other structures or distance from noise sources.</u> 2. <u>The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials.</u> 3. <u>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site.</u> 	
<p>LLRZ-S6 – Setback from internal boundary</p> <p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 1. 3m from any internal boundary (except that this does not apply to an uncovered deck less than 1m in height); and 2. 15m from the margin of any lake. <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Adverse effects on privacy, outlook, or shading on the affected property. 	<p>Amend to include the following exemptions to the standard:</p> <p>LLRZ-S6 Setback from internal boundary</p> <p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 1. 3m 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 2. 15m from the margin of any lake. <p><u>This standard LLRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> • <u>Uncovered decks of less than 1m in height.</u> • <u>Retirement villages.</u> • <u>Two or more residential units connected horizontally and/or vertically by a common wall or common floor.</u> 	<p>The deletion of the exception for decks and common walls from the standard text and their subsequent inclusion in a separate section makes the standard clearer to read.</p> <p>The proposed inclusion of retirement villages from the internal boundary setbacks enables the ability to construct these types of developments without the need for triggering a standard. These setback aspects will be managed by market demand.</p> <p>The inclusion of ‘horizontally and or vertically’ and ‘common floor’</p>

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<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>	<p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Adverse effects on privacy, outlook, or shading on the affected property. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. The compatibility of the building or structure with the surrounding built environment. d. Any adverse effects on accessibility to the lake. <p>Seek that the phrase ‘margin of any lake’ is clearly defined.</p>	<p>recognizes that buildings and dwellings can be separated by a common or party wall vertically, where two dwellings exist side by side with a party wall between them; but also horizontally, where two or more dwellings exist in the same building over different storeys, one on top of another separated by common floors.</p> <p>The definition of ‘margin of any lake’ will ensure that this is beyond personal interpretation. A standard needs to be readily comprehensible. It needs to be measurable and cannot involve discretion, interpretation or room for doubt. Currently with no definition for ‘margin of any lake’ LLRZ-S6.2 does not meet the requirements for a standard.</p>
<p>Low Density Residential Zone</p>		
<p>LRZ-P1 – Built form</p> <p>Ensure that development within the Low Density Residential Zone:</p> <ol style="list-style-type: none"> 1. provides reasonable levels of privacy, outlook and adequate access to sunlight; 2. provides safe and appropriate access and on-site parking; 3. maintains spaciousness around buildings and a modest scale and intensity of built form that does not 	<p>Amend LRZ-P1 as per the below and renumber points as appropriate:</p> <p>LRZ-P1 – Built Form</p> <p>Ensure that development within the Low Density Residential Zone <u>is of a form, scale and design that is compatible with the purpose, character and amenity values of the zone, by requiring:</u></p> <ol style="list-style-type: none"> 1. provides reasonable levels of privacy, outlook and adequate access to sunlight; 	<p>The purpose of policies is to tell the plan reader how to achieve the objective. This repeats the objective somewhat. The changes proposed adjust the policy so that it shows the plan user how the objective will be achieved.</p> <p>The points have been reordered to consolidate points and group amenity and bulk and location points and group the access and transport points.</p>

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<p>unreasonably dominate adjoining sites;</p> <p>4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; and</p> <p>5. provides sufficient usable outdoor living space for residents and for tree and garden planting;</p> <p>6. maintains the safe and efficient operation of roads;</p> <p>7. mitigates visual effects through screening of storage areas and provision of landscaping; and</p> <p>8. encourages water efficiency measures.</p>	<p>2. provides safe and appropriate access and on-site parking;</p> <p>3. <u>maintains a separation from site boundaries and heights in relation to site boundaries high level of spaciousness around buildings</u> and a modest scale and intensity of built form that:</p> <p style="padding-left: 20px;">a. does not unreasonably dominate adjoining sites;</p> <p style="padding-left: 20px;">b. <u>provides reasonable levels of privacy, outlook and adequate access to sunlight;</u></p> <p style="padding-left: 20px;">c. <u>maintains spaciousness in the streetscape;</u> and</p> <p style="padding-left: 20px;">d. <u>provides sufficient usable outdoor living space for residents;</u></p> <p>4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</p> <p>5. provides sufficient usable outdoor living space for residents and for tree and garden planting;</p> <p>6. <u>the maintains maintenance of</u> the safe and efficient operation of <u>the road network;</u></p> <p>7. mitigates<u>saion of</u> visual effects through screening of storage areas and provision of landscaping; and</p> <p>8. encourages<u>ing</u> water efficiency measures.</p>	<p>Deletion of point 4 entirely as it relates to relocated buildings and their reinstatement as this is a Building Act matter and not a Resource Management Act matter. If a relocated building fits the bulk and location requirements then there is little difference between a relocated building and a new build which has stalled from lack of either funds or access to building materials – both of which are far more prevalent issues since Covid-19 and the resulting global supply chain issues.</p> <p>Addition of ‘network’ to point 6 as the issue is more likely to be the operation of the network as a whole rather than just the road immediately adjacent.</p> <p>The provision of tree and garden planting is a very personal decision, and note that this does not link to any rule or standard. Therefore proposed to be deleted as being irrelevant and overly prescriptive.</p>
<p>LRZ-P2 – Residential activities</p> <p>Enable residential activities within a range of residential units types and sizes</p>	<p>Amend LRZ-P2 as per the below:</p> <p>Enable residential activities within a range of residential unit types and sizes <u>that ensure the development of the zone is of a form, scale and design that is compatible with the zone purpose, character and amenity.</u></p>	<p>Policy LRZ-P2 is not prescriptive enough and does not link to the objective of the zone. Proposed changes firm up the intent.</p>

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<p>LRZ-P3 – Home business</p> <p>Provide for home businesses where:</p> <ol style="list-style-type: none"> 1. they are ancillary to a residential activity; 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 /do not compromise the amenity of adjoining sites 	<p>Amend LRZ-P3 as per the below and amend the numbering of the points as appropriate:</p> <p>LLRZ-P3 – Home business</p> <p>Provide for home businesses where:</p> <ol style="list-style-type: none"> 1. they are ancillary to a residential activity; 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 /do not compromise the amenity of adjoining sites. 	<p>Many home businesses exist which are not ancillary to a residential activity (noting the definition of residential activity is ‘the use of land or buildings for people’s living accommodation’). Making jewelry at home and selling it via an online service is not ancillary to living accommodation, but would fall under what is widely considered to be a home business.</p> <p>Requiring consistency with the anticipated character and amenity values of the zone is sufficient direction without overly restricting the scope of a home business, which point 1 currently does.</p> <p>The proposed removal of ‘do not compromise’ from point 3 is to remove the unnecessary repetition between that phrase and ‘are compatible with’ immediately before it. These phrases mean the same thing, therefore including both is unnecessary repetition.</p>
<p>LRZ-P4 – Retirement living</p> <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"> 1. any adverse effects on the residential amenity values of adjoining residential 	<p>Amend LRZ-P4 as per the below and amend the numbering of the points as appropriate:</p> <p>LRZ-P4 - Retirement Living</p> <p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned</p>	<p>The compatibility with the zone character is paramount, and therefore should be earlier in the policy direction, and be something that all the other points refer to – which is why point 2 has been moved to the front of the policy.</p>

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<p>properties and the surrounding area are avoided or mitigated; and</p> <ol style="list-style-type: none"> 2. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and 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 safety and efficiency is maintained; and 6. they are well-connected to commercial areas and community facilities. 	<p>and <u>the scale, form, and design of the village maintains the character and amenity values of the surrounding area, and:</u></p> <ol style="list-style-type: none"> 1. any <u>significant</u> adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and 2. <u>other adverse effects on residential amenity values are minimised</u>; and 3. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and 4. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road <u>network</u> safety and efficiency is maintained; and 7. they are well-connected to commercial areas and community facilities, <u>where practical</u>. 	<p>The use of ‘avoid, remedy and mitigate’ ultimately ends with all applications mitigating effects. The changes to point 1 and the new proposed point 2 separates out that the intent is to avoid significant adverse effects, whilst other adverse effects are minimized.</p> <p>Point 6 added in ‘network’ for same reasons as above in relief sought for LRZ-P1.</p> <p>As the LRZ zones typically cover a large area and some sites are located far from commercial areas and community facilities, being on the outskirts of the towns, ‘where practical’ has been inserted into point 6, to recognize that this is desirable, but not always possible due to physical distances.</p>
<p>LRZ-P5 – Other non-residential activities</p> <p>Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:</p> <ol style="list-style-type: none"> 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 	<p>Amend LRZ-P5 as per the below and amend the numbering of the points as appropriate:</p> <p>Avoid <u>Only allow</u> other non-residential activities and buildings <u>that contribute to the health and wellbeing of people and communities, including the expansion of existing nonresidential activities and buildings, unless where:</u></p> <ol style="list-style-type: none"> 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 <u>hours of operation</u> of the activity is compatible with the anticipated 	<p>The wording ‘avoid’ leads to a non-complying activity status, whilst the rules are either permitted (childcare, visitor accommodation) or discretionary. The wording ‘Only allow’ is thus more appropriate to set up the rule framework proposed.</p> <p>Adding in that the purpose is for the health and wellbeing of the people and community, recognizes ultimately that non-residential activities (including</p>

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<p>anticipated character and qualities of the zone and surrounding area; and</p> <ol style="list-style-type: none"> 3. the activity is of a nature and scale that meet 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 properties, a sense of amenity, security and companionship is maintained; 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road safety and efficiency is maintained. 	<p>character and <u>amenity</u> qualities of the zone and surrounding area; and</p> <ol style="list-style-type: none"> 3. the activity is of a nature and scale that meet 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 sites<u>properties</u>, a sense of amenity, security and companionship is maintained; 5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and 6. road <u>network</u> safety and efficiency is maintained. <p>Amend point 4 – define the term “sense of amenity, security and companionship”. If the term is not defined, the alternative relief sought is to delete this phrase from the policy entirely.</p>	<p>commercial) help to make a residential area an attractive place to live, and provide spaces for the community to meet and socialize together, thus improving overall community happiness and wellbeing.</p> <p>By specifying for health (includes physical and mental) and wellbeing of the community, this does not provide for economic aspects per se, which would be the types of activities which could detract from the Business Areas (BA).</p> <p>Deleting ‘the expansion of existing non-residential activities’ allows for the following listed criteria to be applied for these such activities. As these are existing they form part of the character and amenity of the particular area, and if they are able to conform with the bulk and location standards there is no reason why their addition or expansion should not be considered as permitted activities.</p> <p>Deleting point 1 in conjunction with amending point 2 condenses the policy whilst still providing guidance for the same aspects of the activity and built form.</p>

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		<p>Amendments to point 3 around the BA are to condense the policy whilst also recognizing that anything large scale is prevented through the rule framework and the bulk and location standards for the zone.</p> <p>Amendment to point 4 changing 'properties' to 'site' utilizes the defined terms – site is a defined term whilst property is not. Using defined terms clarifies intent and implementation of policy direction.</p> <p>Defining a 'sense of amenity, security and companionship' assists in interpretation. This term at the moment is very vague and could have unintended consequences and multiple interpretations, which does not provide guidance to plan users. If the intent is a sort of CPTED style policy, there are multiple examples of this in other District Plans in the country which work well and have less ambiguity. The deletion of this term sought as alternative relief sought is to remove the ambiguity in the policy direction and provide greater, clearer guidance to the plan users. Furthermore, as amenity and character are aspects which are considered earlier at point 2, this is considered potentially a double up</p>

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		<p>of policy direction and therefore its inclusion is both unclear and unnecessary.</p> <p>Point 6 added in 'network' for same reasons as above in relief sought for LRZ-P1.</p>
<p>LRZ-R2 – Minor residential unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site; 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage; and 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: LRZ-S2 to LRZ-S7.</p> <p>Activity status when compliance is not achieved with R2.1: NC</p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p>	<p>Amend LRZ-R2 as per the following:</p> <p>LRZ-R2 – Minor Residential Unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site. 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage. 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: LRZ-S2 to LRZ-S7.</p> <p>Activity status when compliance is not achieved with R2.1: <u>NC DIS</u></p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p> <p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>An elevation to NC is quite extreme and also not provided for in the direction in the objectives and policies. As an additional minor residential unit, the matters that need to be assessed are effects on bulk and location, scale, density, amenity and access, all of which are assessed as an RDIS activity for an additional principal residential unit on a site. Consider that if two full residential dwellings are appropriate to be assessed as an RDIS activity then to assess the effects of two minor residential units on a site would be sufficient at a DIS activity status.</p>

Notified Provision	Relief sought	Reasons
<p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>		
<p>LRZ-R3 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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. <p>And the activity complies with the following rule requirements: LRZ-S1 to LRZ-S7.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> a. The time period within which the building will be placed on its foundations. b. Identification of, and the time period to complete reinstatement works to the exterior of the building. c. Provision of servicing. d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. <p>Activity status when compliance is not achieved with R3.1: DIS</p>	<p>Delete this rule entirely as per the below:</p> <p>LRZ-R3 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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; <p>And the activity complies with the following rule requirements: LRZ-S1 to LRZ-S7.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> a. The time period within which the building will be placed on its foundations. b. Identification of, and the time period to complete reinstatement works to the exterior of the building. c. Provision of servicing. d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. 	<p>All of these requirements are Building Act and Building Consenting issues and are not necessary nor appropriate in a resource management act document. The definition of residential unit will trigger a relocated dwelling, and this would therefore be covered by LRZ-R1.</p>

Notified Provision	Relief sought	Reasons
<p>LRZ-R4 – Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The building is ancillary to a permitted activity. <p>And the activity complies with the following rule requirements:</p> <ol style="list-style-type: none"> For buildings or structures of more than 10m2, LRZ-S2 to LRZ-S6; or For buildings or structures of 10m2 or less, LRZ-S2 - LRZ-S5 <p>Activity status when compliance is not achieved with R4.1: DIS</p>	<p>Amend LRZ-R4 as follows:</p> <p>LRZ-R4 – Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The building is ancillary to a permitted activity. <p>And the activity complies with the following rule requirements:</p> <ol style="list-style-type: none"> For buildings or structures of more than 10m2, <u>compliance is achieved with LRZ-S2 to LRZ-S6</u>; or For buildings or structures of 10m2 or less, <u>compliance is achieved with LRZ-S2 - LRZ-S5</u> <p>Activity status when compliance is not achieved with R4.1: DIS</p>	<p>This rule as drafted has some unintended consequences relating to new minor buildings and structures being built to support existing non-residential activities.</p> <p>For example, under this rule as proposed, if an established retirement village at some point in the future want to build a shed for storage, they need a discretionary resource consent. The same sized shed for a residential unit, or a Visitor Accommodation activity, or childcare services, is permitted.</p> <p>The effects of the shed are the same in the zone – it is the same size, located within the same bulk and location standards. There is no value therefore in linking the ability to build an accessory building to a permitted activity over any activity that is existing in the zone. The control for effects should consider the bulk and location standards, regardless of whether it is ancillary to a permitted activity or not.</p> <p>The proposed changes to the rule enable buildings and structures to be built as accessory to any established activity, where compliant with standards for height, height in relation to boundary,</p>

Notified Provision	Relief sought	Reasons
<p>LRZ-R6 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum occupancy is 6 guests per night; and 3. The access to the site is not shared with another site. <p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to: the effects of the activity on the amenity and safety of any sites sharing access.</p>	<p>Amend LRZ-R6 as follows:</p> <p>LRZ-R6 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum occupancy is 6 guests per night; and 3. The access to the site is not shared with another site. <p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>For sites that share access, the effects on:</u> <ol style="list-style-type: none"> a. of the activity on the amenity; and b. <u>safety and efficient access</u>of any sites sharing access. 	<p>building coverage, setbacks from road and internal boundaries.</p> <p>The changes proposed are to clarify the intent of the Matters of Discretion to ensure they are RMA issues. The effects of safety of the visitor accommodation activity might be things such as physical safety from guests, which is a policing matter not an RMA matter, and the effects of amenity on sharing a driveway with guests would be hard to explain, as driveways are not typically spaces in which we recreate or enjoy our properties. This separation allows the intent of the Matters of Discretion to be clearer.</p>
<p>LRZ-R7 – Home business (unless otherwise specified in LRZ-R8 or LRZ-R14)</p> <p>Activity Status: PER</p> <p>Where:</p>	<p>Amend LRZ-R7 as follows and amend the numbering as appropriate:</p> <p>LRZ-R7 – Home business (unless otherwise specified in LRZ-R8 or LRZ-R14)</p>	<p>Requirements 1 and 4 are the same, requiring that the activity is undertaken in doors, thus the deletion of point 1 entirely. Point 1 is deleted as often a home business will be undertaken within a garage space or a detached studio. These are permitted activities under LRZ-</p>

Notified Provision	Relief sought	Reasons
<p>1. The home business is undertaken within a residential unit and is ancillary to a residential activity;</p> <p>2. The maximum floor area occupied by the home business is no more than 30m²;</p> <p>3. Any employee engaged in the home business resides on-site;</p> <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>And where the activity complies with the following rule requirements: LRZ-S7</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential unit and is ancillary to a residential activity; 2. The maximum floor area occupied by the home business is no more than 30m²; 3. <u>At least one</u> Any employee engaged in the home business resides on-site; 4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and 5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day. <p>And where the activity complies with the following rule requirements: LRZ-S7</p>	<p>R4 to construct, but would be then a DIS activity for someone to use/convert them as a home business, which is also intended to be a permitted activity. Therefore, the requirement to be within a building is sufficient under point 4 and the requirements to be within a residential unit is inappropriate.</p> <p>The requirement for an activity to be ancillary to a residential activity is similarly not appropriate. Making jewelry at home for example could not be considered ancillary to a residential activity (means use of land and buildings for people’s living accommodation). Therefore, the requirement to be ancillary to a residential activity is inappropriate and point 1 is deleted in its entirety.</p> <p>The specific requirements in point 3 are also considered unnecessary and overly onerous. A home business could be successful enough to employ one employee, who would then need to move in with the home owner for it to remain permitted. The effects of one employee living off site would not be likely to be noticed in terms of traffic movements to and from the site, nor in noise given that point 4 requires all</p>

Notified Provision	Relief sought	Reasons
		<p>activities to be undertaken within a building. It is noted that traffic movements to and from the site are managed through point 5. The perceivable issues from employing staff who work off site are therefore managed through the other conditions (including GFA, location of the activity itself and the maximum number of vehicle movements per day).</p> <p>The rule title specifying where the activity is not x or y is adding confusion not clarity. The text in the rule should be sufficient to demark this rule from the other commercial activities in the zone.</p>
<p>LRZ-R8 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. <p>And where the activity complies with the following rule requirements: LRZ-S7</p>	<p>Amend LRZ-R8 as follows:</p> <p>LRZ-R8 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. <p>And where the activity complies with the following rule requirements: LRZ-S7</p>	<p>As above for home businesses, a childcare service (the looking after or caring for children) is not and cannot be related to a residential activity, which means the use of land and buildings for people’s living accommodation. The requirement for this activity to be ancillary to a residential activity is therefore inappropriate and is thus deleted.</p>

Notified Provision	Relief sought	Reasons
<p>LRZ-R9 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the site on which it is located; 3. The sign does not exceed 0.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 6. The sign does not obscure driver visibility to and from access ways. <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>Amend LRZ-R9 as follows:</p> <p>LRZ-R9 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the <u>activities undertaken on the site</u> on which it is located; 3. The sign does not exceed <u>0</u>1.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 6. The sign does not obscure driver visibility to and from access ways. 	<p>The trigger of 0.5m² is too small of a trigger, and is causing unnecessary consent applications for minor activities, causing unnecessary costs and time delays to members of the community as applicants.</p> <p>Note that the rule specifically requires the sign to be related to the site on which it is located. This would mean that all signs would need to be descriptors of the site itself under the definition. The intent is for the signs to be related to the activities undertaken on the site where they are located. The relief sought achieves this.</p>
<p>LRZ-R10 Excavation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume or area of land excavated within any site in any 12- 	<p>Amend LRZ-R10 as follows:</p> <p>LRZ-R10 Excavation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 	<p>Not possible to have a m² amount as a volume.</p> <p>200m² is too small an area, and across any site would require a consent to achieve any build. This trigger would see a consent required to construct or redevelop any allotment, and is thus inappropriate. Seek that the area is changed to recognize that a simple site</p>

Notified Provision	Relief sought	Reasons
<p>month period does not exceed 200m² per site.</p> <p>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 5. Any effects on the road network arising from the excavation. 6. Any effects on archaeological, heritage or cultural values. 7. Any mitigation measures proposed. 	<ol style="list-style-type: none"> 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed <u>2500m²</u> per site. <p>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties <u>sites</u>. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 5. Any effects on the road network arising from the excavation <u>earthworks</u>. 6. Any effects on archaeological, heritage or cultural values. 7. Any mitigation measures proposed. 	<p>scrape of a 300m² site should not require a resource consent.</p> <p>The rule refers to excavation but the Matters of Discretion refer to earthworks. As these terms are defined, it is inappropriate to use them interchangeably.</p> <p>The term ‘site’ is defined whilst the term ‘property(ies)’ is not. It is inappropriate to use a term which is intended to mean the same thing as a defined term but not use the defined term.</p>
<p>LRZ-R12 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: LRZ-S2 to LRZ-S6.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Integration of vehicle, cycle and pedestrian access with the adjoining road network. 	<p>Amend standard as per the below and amend the numbering accordingly.</p> <p>LRZ-R12 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: LRZ-S2, <u>LRZ-S3, LRZ-S5 and to</u> LRZ-S6.</p> <p>Matters of discretion are restricted to:</p>	<p>Given that in most designs retirement villages are much denser in development from usual developments, and considering that requiring compliance with S2, S3, S5 and S6 will protect the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village would be unreasonable.</p> <p>There is inconsistency with the Matters of Discretion in that point 1 refers to the</p>

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<p>2. Provision of landscaping, open space, on-site amenity for residents, recreational facilities and stormwater systems.</p> <p>3. Design and layout of pedestrian circulation.</p> <p>4. Parking and access.</p> <p>5. Traffic generation, including impact on the wider transport network.</p> <p>6. Residential amenity for neighbours in respect of outlook and privacy.</p> <p>7. Visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</p>	<p>1. Integration of vehicle, cycle and pedestrian access with the adjoining road network.</p> <p>2. Provision of:</p> <p style="padding-left: 20px;">a. <u>on-site residential amenity including landscaping, open space, outlook and privacy and on-site amenity</u> for residents,</p> <p style="padding-left: 20px;">b. recreational facilities, and</p> <p style="padding-left: 20px;">c. stormwater systems.</p> <p>3. Design and layout of:</p> <p style="padding-left: 20px;">a. <u>pedestrian and cycling circulation,</u></p> <p style="padding-left: 20px;">b. <u>parking and access, and</u></p> <p style="padding-left: 20px;">c. <u>the integration of vehicle, cycle and pedestrian access with the adjoining road network.</u></p> <p>4. Parking and access.</p> <p>5. Traffic generation, including impact on the wider transport road network.</p> <p>6. <u>Maintenance of Residential amenity for neighbourings sites</u> in respect of outlook and privacy.</p> <p>7. Visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</p>	<p>road network and point 5 to the transport network. If these are different terms, they need to be defined to clearly demark the difference between them. If they are not different terms, the use of one exclusively is sought in order to provide clarity.</p> <p>Much of the changes to the Matters of Discretion relate to consolidating and combining the matters. All the transport network related matters have been moved together as a result. The separating out of the matters in points 2 and 3 make it clearer to see what aspects are required to be addressed in a resource consent application.</p> <p>The changes to point 6 have been proposed to ensure that the residential amenity relates to that of the neighbouring sites specifically, and that the amenity is to be maintained for these sites.</p>
<p>LRZ-R14 - Any activity not otherwise listed in LRZ-R1 to LRZ-R12 or LRZ-R14 to LRZ-R17</p> <p>Activity status: DIS</p>	<p>Amend LRZ-R14 as follows:</p> <p>LRZ-R14 - Any activity not otherwise listed in LRZ-R1 to LRZ-R12 or LRZ-R14 to LRZ-R17</p> <p>Activity Status: DIS</p>	<p>Unnecessary for this rule to have listed the rules out which do not apply – it adds confusion rather than clarity. This is further highlighted by the fact that there was a double up of rule numbering which makes the inclusion of a precise list incorrect.</p>

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		<p>Furthermore, if in future additional rules are added, this rule will need corresponding changes. This adds unnecessary additional changes to a potential plan change or update to the chapter, and adds opportunity for human error where it might be missed and this rule have unintended consequences.</p>
<p>LRZ-R18 Buildings on Land Subject to Hazards</p> <p>Activity Status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> 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. 	<p>Amend LRZ-R18 as follows:</p> <p>LRZ-R18 – <u>Construction of Buildings on Land Subject to Hazards</u></p> <p>Activity Status: NC <u>DIS</u></p> <p>Where:</p> <p>The erection of any <u>habitable</u> 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.</p>	<p>There may be already buildings present on a site which is subject to hazards which has been lawfully established, the activity is therefore the construction of buildings which needs to be managed.</p> <p>The erection of a shed or garage on a site potentially subject to hazards will not necessarily pose a risk to human life and should be allowed to occur. It is when the building is to be habited that the construction needs to be addressed.</p> <p>An NC status is very severe. It is possible to locate and design habitable buildings which are able to mitigate the risk from natural hazards present on a site. A DIS status, and the inclusion of restricting this rule to habitable buildings only, is much more appropriate to recognize that natural hazards and the community response to them are very nuanced issues. A risk tolerance approach is the</p>

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<p>LRZ-S1 Density</p> <ol style="list-style-type: none"> 1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 500m². 2. Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m² <p>Where LRZ-S1 is not met, not met: NC.</p>	<p>Amend standard. Seek that the elevation for non-compliance with the density standard is to Discretionary instead of Non-Complying.</p> <p>Seek that the minimum area per unit is amended from 500m² to 300m².</p> <p>Removal of requirement around reticulated sewage connections.</p> <p>LRZ-S1 Density</p> <ol style="list-style-type: none"> 1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 500m². 2. Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m² <p>Where LRZ-S1 is not met: <u>NC</u>DIS.</p>	<p>current industry best practice, which this rule as drafted does not achieve.</p> <p>The proposed elevation to NC is a very high elevation, that is not currently supported by in the policies and objectives of the chapter. Given that the purpose of PC19 is to plan for growth for the next 30years, this setting of 500m² will effectively be contrary to this in that it will halt all infill subdivisions within existing residential areas in the District. The policy direction in the subdivision and LRZ chapters should be sufficient to guide decision makers without requiring a NC resource consent pathway.</p> <p>500m² is double what is the minimum area for subdivisions at the moment. 300m² would provide for development in the LRZ to a degree that is similar to that being achieved currently. Most of the older allotment sizes are 800m², with an existing dwelling on them. This means that in practice we often see infill subdivisions with allotments being split in a 300m² and 500m² split. By limiting the majority of the existing residential areas of the District to a minimum of 500m² this is excluding the ability to carry out what is currently a standard infill subdivision. This rule as drafted does not take into account the real-</p>

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		<p>world situation of the District and its existing built form and existing allotment sizes.</p> <p>The proposed changes recognizes that 300m² is an appropriate trigger for the average infill development around existing dwellings, and also provides greater density than the proposed to meet the demand and growth that Cromwell and the region are experiencing.</p> <p>The removal entirely of points 2 (and amendments in point 1) relates to the requirement for compliance with new proposed standard SUB-S4 which is proposed to be inserted for all SUB rules, and requires either connection to Council reticulated wastewater services (to Council standards) or an onsite disposal system (also to Council standards). All new buildings are required under the Building Act and the Building Consenting process to be connected to appropriate sewage disposal, and so there is no risk that new dwellings will be built that do not have appropriately set up wastewater connections.</p>
LRZ-S2 – Height	Amend LRZ-S2 as follows:	Exemptions to height standards are both common and necessary. It would be

Notified Provision	Relief sought	Reasons
<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>Activity status where compliance not achieved –</p> <p>Where: LRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Dominance of built form in the surrounding area. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. Any mitigation measures proposed which reduce the adverse effects of the increased height. <p>Where: LRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: NC</p>	<p>LRZ-S2 – Height</p> <ol style="list-style-type: none"> 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><u>This standard does not apply to:</u></p> <ul style="list-style-type: none"> <u>Solar panels which do not project beyond the building envelope by more than 0.5m</u> <u>Chimney structures not exceeding 1.1m in width provided they do not project beyond the building envelope by more than 1m</u> <u>Antennas, aerials and satellite dishes (less than 1m in diameter)</u> <p>Activity status where compliance not achieved –</p> <p>Where: LRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Dominance of built form in the surrounding area. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. Any mitigation measures proposed which reduce the adverse effects of the increased height. <u>Topographical or other site constraints that make compliance with the standard impractical</u> <u>Whether the increase in height is to mitigate natural hazard risk</u> 	<p>excessive to require a resource consent because a building itself was under 7.5m but the chimney on top was 7.8m.</p> <p>Exemptions to the standard proposed are standard objects which are found on houses which may be captured by LRZ-S2 as drafted.</p> <p>There are many factors for which a dwelling might not meet the 7.5m height standard which are not captured in the Matters of Discretion, such as topographical and site constraints, whether the house is on higher than usual piles to raise floor levels for flooding or ponding issues in a natural hazard event, whether there are existing trees / vegetation which are proposed to remain which would mitigate the height breach, and the location, design and appearance of the proposed building itself which may have mitigating features.</p>

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	<p>f. <u>Retention of established landscaping</u></p> <p>g. <u>Location, design and appearance of building or structure</u></p> <p>Where: LRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: NC</p>	
<p>LRZ-S3 – Height in relation to boundary</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 2.5m above ground level at the boundaries of the site</p> <p>2. LRZ-S3.1 does not apply to:</p> <ol style="list-style-type: none"> A boundary with a road. Common walls along a site boundary. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. Antennas, aerials, satellite dishes (less than 1m in diameter). Solar panels which do not project beyond the building envelope by more than 0.5m. Chimney structures not exceeding 1.1m in width provided these do not project 	<p>Amend LRZ-S3 as follows:</p> <p>LRZ-S3 – Height in relation to boundary</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 2.5m above ground level at the boundaries of the site.</p> <p>2. LRZ-S3.1 <u>This standard</u> does not apply to:</p> <ol style="list-style-type: none"> A boundary with a road. Common walls along a site boundary. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. Antennas, aerials, satellite dishes (less than 1m in diameter). Solar panels which do not project beyond the building envelope by more than 0.5m. Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m. A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height. 	<p>Exemptions have been moved from being a numbered part of the standard to simply rule text. The exemptions are exactly that, exemptions to a rule, not part of the rule itself.</p> <p>Additional exemptions added in to capture where the height in relation to a boundary might be along an internal boundary with an access strip. In a similar vein to exempting this standard from a boundary with road, height in relation to boundary does not need to be assessed against an access leg.</p> <p>The other exemption is proposed for retirement villages, that they need only comply with this standard for external boundaries. As aforementioned, retirement villages often have denser development than usual build projects, and requiring height in relation to boundary standards for all internal boundaries would thus be inappropriate.</p>

Notified Provision	Relief sought	Reasons
<p>beyond the building envelope by more than 1m.</p> <p>g. A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<ul style="list-style-type: none"> h. <u>A boundary with a shared access in excess of 3m in width; the measurement shall be taken from the furthest side.</u> i. <u>For retirement villages, LLRZ-S3 only applies to the external boundary of the site.</u> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. d. <u>Topographical or other site constraints that make compliance with the standard impractical</u> e. <u>Whether the increase in height is to mitigate natural hazard risk</u> f. <u>Retention of established landscaping</u> <p>Amend the diagram in Schedule 1 as follows:</p> <p>Delete the diagram and replace with one which is more readily interpretable, such as that which is utilised in the Operative District Plan.</p>	<p>There are many factors for which a dwelling might not meet the height in relation to boundary standard which are not captured in the Matters of Discretion, such a topographical and site constraints, whether the house is on higher than usual piles to raise floor levels for flooding or ponding issues in a natural hazard event, and whether there are existing trees / vegetation which are proposed to remain which would mitigate the breach.</p> <p>The diagram in Schedule 1 is difficult to interpret and should be replaced with something similar to the operative district plan diagram.</p>
<p>LRZ-S4 Building coverage</p> <p>The building coverage of the net area of any site must not exceed 40%.</p>	<p>Amend standard. Seek that the building coverage is changed from 40% to 50%.</p> <p>LRZ-S4 Building coverage</p>	<p>Low density residential can still be achieved with a 50% site coverage, especially considering this standard relates to net site area and not site area. Once driveways are in, with the large yard setbacks proposed and large</p>

Notified Provision	Relief sought	Reasons
<p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. d. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<p>The building coverage of the net <u>site</u> area of any site must not exceed 40<u>50</u>%.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. d. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<p>minimum allotment size, an increase to 50% building coverage allows for scope to provide for built environment with sufficient open space to maintain the anticipated character of the zone.</p> <p>Net area of a site is not a defined term. Net site area is a defined term. When terms have been defined, they should be used appropriately to avoid confusion.</p>
<p>LRZ-S5 – Setback from road boundary</p> <p>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.</p> <p>Activity status where compliance not achieved –RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any adverse effects on the safety and efficiency of the road network. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. 	<p>Amend LRZ-S5 as follows:</p> <p>LRZ-S5 – Setback from road boundary</p> <ol style="list-style-type: none"> <u>1.</u> 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. <p>Activity status where compliance not achieved <u>with LRZ-S5.1</u> – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any adverse effects on the safety and efficiency of the road network. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. 	<p>Formatting changes proposed to clarify the two aspects of the standard – 1 – setback from road boundaries and 2 – noise insulation requirements from State highways.</p> <p>An elevation is added to the standard for setbacks from the State Highway, as no elevation is inappropriate and confusing. Matters of Discretion are provided which allow processing planners to consider alternative methods of noise insulation or sound barriers to that required by the standard as drafted.</p>

Notified Provision	Relief sought	Reasons
<p>c. compatibility of the building or structure with the surrounding built environment.</p> <p>Within 80m of the seal edge of a State Highway:</p> <p>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>c. compatibility of the building or structure with the surrounding built environment.</p> <p>d. <u>Any topographical or other site constraints.</u></p> <p><u>2.</u> Within 80m of the seal edge of a State Highway:</p> <p>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:</p> <p style="padding-left: 40px;"><u>a.</u> 35dBA Leq (24hr) in bedrooms; and</p> <p style="padding-left: 40px;"><u>b.</u> 40dBA Leq (24hr) for other habitable rooms</p> <p>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><u>Activity status where compliance not achieved with LRZ-S5.2 – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Whether there is screening by other structures or distance from noise sources.</u> 2. <u>The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials.</u> 3. <u>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic</u> 	

Notified Provision	Relief sought	Reasons
	<p><u>insulation is appropriate to ensure the amenity of present and future residents of the site.</u></p>	
<p>LRZ-S6 – Setback from internal boundary</p> <p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 1. 1.8m from any internal boundary (except that this does not apply to an uncovered deck less than 1m in height); and 2. 15m from the margin of any lake. <p>Activity status where compliance not achieved –RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Adverse effects on privacy, outlook, or shading on the affected property. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. The compatibility of the building or structure with the surrounding built environment. d. Any adverse effects on accessibility to the lake. 	<p>Amend LRZ-S6 to include the following exemptions to the standard:</p> <p>LRZ-S6 Setback from internal boundary</p> <p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 1. 1.8m 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 2. 15m from the margin of any lake. <p><u>This standard LRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> • <u>Uncovered decks of less than 1m in height.</u> • <u>Retirement villages.</u> • <u>Two or more residential units connected horizontally and/or vertically by a common wall or common floor.</u> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Adverse effects on privacy, outlook, or shading on the affected property. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. The compatibility of the building or structure with the surrounding built environment. d. Any adverse effects on accessibility to the lake. 	<p>The deletion of the exception for decks and common walls from the standard text and their subsequent inclusion in a separate section makes the standard clearer to read.</p> <p>The proposed inclusion of retirement villages from the internal boundary setbacks enables the ability to construct these types of developments without the need for triggering a standard. These setback aspects will be managed by market demand.</p> <p>The inclusion of ‘horizontally and or vertically’ and ‘common floor’ recognizes that buildings and dwellings can be separated by a common or party wall vertically, where two dwellings exist side by side with a party wall between them; but also horizontally, where two or more dwellings exist in the same building over different storeys, one on top of another separated by common floors.</p> <p>The definition of ‘margin of any lake’ will ensure that this is beyond personal interpretation. A standard needs to be readily comprehensible. It needs to be</p>

Notified Provision	Relief sought	Reasons
	Seek that the phrase ‘margin of any lake’ is clearly defined.	measurable and cannot involve discretion, interpretation or room for doubt. Currently with no definition for ‘margin of any lake’ LRZ-S6.2 does not meet the requirements for a standard.
Medium Density Residential Zone		
	<p>Insert new objective as per the below:</p> <p><u>MRZ-PREC01-O1 – Precinct 1 – Clyde Heritage Precinct</u></p> <p>Add in objective text which defines the character and amenity anticipated in the Clyde Heritage Precinct, with particular points which specify how the precinct is distinct from the wider MRZ.</p>	<p>As this precinct has different bulk and location proposed through the standards, the objectives and policies need to set the direction for why this is the case. They also need to provide guidance to plan users as to the anticipated character of each precinct and how it is distinct from the underlying zone. If this is not provided the plan user is not certain on how they are to design and plan development for their site within any of the precincts.</p> <p>Wellington City Council recently notified their Proposed Plan which has examples of the use of precincts in their proposed Medium Density Zone². While the outcomes of the MRZ in Wellington and that in CODC will have different built forms, the WCC example provides a best practice for the use of the precincts under the national Planning Standards and the requirements that need to be met to use them: individual information</p>

² <https://eplan.wellington.govt.nz/proposed/rules/0/182/0/0/0/31> link to the WCC eplan, accessed 29 Aug 2022.

Notified Provision	Relief sought	Reasons
		<p>in the zone purpose, individual objectives which set out the specific direction for each precinct, individual policies which set out how each objective should be met for each precinct, with corresponding rule framework. There are a proposed three precincts in this WCC example zone, the objectives address the three precincts separately and address their individual character and the purpose for their identification and separate management from the underlying zone.</p>
	<p>Insert new policy as per the below:</p> <p><u>MRZ-PREC01-P1 – Precinct 1 – Clyde Heritage Precinct</u></p> <p>Add in policy text which defines the character and amenity anticipated in the Clyde Heritage Precinct, with particular points which specify how the precinct is distinct from the wider MRZ, giving guidance to the plan user on how the direction in the objective MRZ-PREC01-O1 is to be achieved.</p>	<p>As above.</p>
<p>MRZ-P1 – Built form</p> <p>Ensure that development within the Medium Density Residential Zone:</p> <ol style="list-style-type: none"> 1. actively and safely addresses road frontages and public open spaces; 2. provides reasonable levels of privacy, outlook and adequate access to sunlight; 	<p>Amend MRZ-P1 as follows, and amend numbering accordingly:</p> <p>MRZ-P1 – Built form</p> <p>Ensure that development within the Medium Density Residential Zone:</p> <ol style="list-style-type: none"> 1. actively and safely addresses road frontages and public open spaces; 2. provides reasonable levels of privacy, outlook and adequate access to sunlight; 	<p>Points 1 and 5 are the same – active street frontages provide visual interest. Relief sought therefore deletes 5 as unnecessary repetition.</p> <p>Point 6 is a Building Consenting and Building Act matter not a Resource Management Act / Resource Management issue, and is thus deleted as inappropriate in a District Plan.</p>

Notified Provision	Relief sought	Reasons
<p>3. provides safe and appropriate access and on-site parking that is discretely integrated;</p> <p>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;</p> <p>5. provides visual interest;</p> <p>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</p> <p>7. provides sufficient and usable common and private open space and storage space for residents;</p> <p>8. maintains the safe and efficient operation of accessways and roads;</p> <p>9. mitigates visual effects through screening of storage areas and provision of landscaping;</p> <p>10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</p> <p>11. encourages water efficiency measures; and</p> <p>12. within Precinct 1, does not detract from the character of the Clyde Heritage Precinct.</p>	<p>3. provides safe and appropriate access and on-site parking that is discretely integrated;</p> <p>4. maintains a level of openness around and between buildings <u>is of a form, scale and design that is compatible with the zone purpose, character and amenity that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;</u></p> <p>5. provides visual interest;</p> <p>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</p> <p>7. provides sufficient and usable common and private open space and storage space for residents;</p> <p>8. <u>mitigates visual effects through screening of storage areas and provision of landscaping;</u></p> <p>9. maintains the safe and efficient operation of accessways and <u>the roads network;</u></p> <p>10. <u>provides safe and appropriate access and on-site parking that is discretely integrated;</u></p> <p>11. mitigates visual effects through screening of storage areas and provision of landscaping;</p> <p>12. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</p> <p>13. encourages water efficiency measures; and</p> <p>14. within Precinct 1, does not detract from the character of the Clyde Heritage Precinct <u>as set out in MRZ-PREC01-P1.</u></p>	<p>Development in this zone should not be constrained by meeting the scale of the built form of the adjacent zone. This will undermine their effectiveness in providing denser development sought by the zone. Point 4 is thus changed accordingly, to meet the anticipated character of the zone it is in.</p> <p>Point 3 has been moved to be grouped with the other transport related point. Point 8 has been amended as per the above regarding clarification that the safe and efficient operation is for the road network.</p> <p>Point 9 has been moved to be grouped with the other amenity and visual effects points.</p> <p>Point 12 has been amended to link to the MRZ-PREC01-P1 – the new proposed policy that describes the character of the Clyde Heritage Precinct so that these proposals have an indication of the character and aspects that are significant to this area specifically.</p>
<p>MRZ-P2 – Comprehensive Development</p>	<p>Amend MRZ-P1 as follows, and amend numbering accordingly:</p>	<p>Having a rule pathway and policy direction for Comprehensive residential</p>

Notified Provision	Relief sought	Reasons
<p>Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:</p> <ol style="list-style-type: none"> 1. provides housing choice; 2. is designed to respond positively to its context and the features of the site; 3. is compatible with the urban form of nearby areas; 4. provides a well-connected movement network and usable public open spaces and streetscapes; and 5. achieves the built form outcomes in MRZ-P1. 	<p>MRZ-P2 – Comprehensive Development</p> <p>Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:</p> <ol style="list-style-type: none"> 1. provides housing choice; 2. is designed to respond positively to its context and the features of the site; 3. is compatible with the urban form of nearby areas; 4. provides a well-connected <u>movement active transport</u> network and usable public open spaces and streetscapes; and 5. achieves the built form outcomes in MRZ-P1. 	<p>development is undermined by requiring that it is compatible with the urban form of nearby areas. There are few vacant MRZ zoned sites large enough to consider utilizing this pathway and they are all surrounded by LRZ or lesser densities. The development should be forward focused and aimed at the anticipated character of the zone it is located in, not to conform to the character of the zone it is next to. Point 3 is thus deleted as inappropriate and being overly cautious to the point of making these activities unachievable.</p> <p>Movement network is not a defined term, nor is it recognized in the industry. Point 4 has been amended to refer to an active transport network instead.</p>
<p>MRZ-P3 – Residential activities</p> <p>Enable residential activities within a range of residential units types and sizes</p>	<p>Amend MRZ-P3 as per the below:</p> <p>Enable residential activities within a range of residential unit types and sizes <u>that ensure the development of the zone is of a form, scale and design that is compatible with the zone purpose, character and amenity.</u></p>	<p>Policy LRZ-P2 is not prescriptive enough and does not link to the objective of the zone. Proposed changes firm up the intent.</p>
<p>MRZ-P4 – Home business</p> <p>Provide for home businesses where:</p> <ol style="list-style-type: none"> 1. they are ancillary to a residential activity; 	<p>Amend MRZ-P4 as per the below and amend the numbering of the points as appropriate:</p> <p>MRZ-P4 – Home business</p> <p>Provide for home businesses where:</p>	<p>Many home businesses exist which are not ancillary to a residential activity (noting the definition of residential activity is ‘the use of land or buildings for people’s living accommodation’). Making jewelry at home and selling it via</p>

Notified Provision	Relief sought	Reasons
<p>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</p> <p>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with /do not compromise the amenity of adjoining sites</p>	<p>1. they are ancillary to a residential activity;</p> <p>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</p> <p>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with /do not compromise the amenity of adjoining sites.</p>	<p>an online service is not ancillary to living accommodation, but would fall under what is widely considered to be a home business.</p> <p>Requiring consistency with the anticipated character and amenity values of the zone is sufficient direction without overly restricting the scope of a home business, which point 1 currently does.</p> <p>The proposed removal of ‘do not compromise’ from point 3 is to remove the unnecessary repetition between that phrase and ‘are compatible with’ immediately before it. These phrases mean the same thing, therefore including both is unnecessary repetition.</p>
<p>MRZ-P5 – Retirement living</p> <p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and:</p> <p>1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</p> <p>2. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and</p>	<p>Amend MRZ-P5 as per the below and amend the numbering of the points as appropriate:</p> <p>MRZ-P5 - Retirement Living</p> <p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and <u>the scale, form, and design of the village maintains the character and amenity values of the surrounding area, and:</u></p> <p>1. any <u>significant</u> adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</p>	<p>The compatibility with the zone character is paramount, and therefore should be earlier in the policy direction, and be something that all the other points refer to – which is why point 2 has been moved to the front of the policy.</p> <p>The use of ‘avoid, remedy and mitigate’ ultimately ends with all applications mitigating effects. The changes to point 1 and the new proposed point 2 separates out that the intent is to avoid</p>

Notified Provision	Relief sought	Reasons
<p>3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</p> <p>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</p> <p>5. road safety and efficiency is maintained; and</p> <p>6. they are well-connected to commercial areas and community facilities.</p>	<p>2. <u>other adverse effects on residential amenity values are minimised; and</u></p> <p>3. the scale, form, composition and design of the village maintains the character and amenity values of the surrounding area; and</p> <p>4. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</p> <p>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</p> <p>6. road <u>network</u> safety and efficiency is maintained; and</p> <p>7. they are well-connected to commercial areas and community facilities, <u>where practical.</u></p>	<p>significant adverse effects, whilst other adverse effects are minimized.</p> <p>Point 6 added in 'network' for clarity that the effects of safety and efficiency are on the road network as an entity.</p>
<p>MRZ-P6 Other non-residential activities Only allow other non-residential activities and buildings, including the expansion of existing nonresidential activities and buildings, where:</p> <p>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</p> <p>2. the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; and</p> <p>3. the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; and</p> <p>4. the surrounding area retains a predominance of residential activities,</p>	<p>Amend MRZ-P6 as follows:</p> <p><u>Provide for</u>Only allow other non-residential activities and buildings <u>that contribute to the health and wellbeing of people and communities, including the expansion of existing</u> nonresidential activities and buildings, where:</p> <p>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</p> <p>2. the nature, scale and intensity <u>hours of operation</u> of the activity is compatible with the anticipated character and <u>amenity</u> qualities of the zone and surrounding area; and</p> <p>3. the activity is of a nature and scale that meet the needs of the local community and does not <u>undermine the viability of the Business Resource Areas; and</u></p> <p>4. the surrounding area retains a predominance of residential activities, and for adjoining</p>	<p>The wording 'provide for' is more positive language as is setting out that the purpose is for the health and wellbeing of the people and community, recognizing ultimately that non-residential activities (including commercial) help to make a residential area an attractive place to live, and provide spaces for the community to meet and socialize together, thus improving overall community happiness and wellbeing.</p> <p>By specifying for health (includes physical and mental) and wellbeing of the community, this does not provide for economic aspects per se, which would be the types of activities which could detract from the Business Areas (BA).</p>

Notified Provision	Relief sought	Reasons
<p>and for adjoining properties, a sense of amenity, security and companionship is maintained;</p> <p>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</p> <p>6. road safety and efficiency is maintained.</p>	<p>sitesproperties, a sense of amenity, security and companionship is maintained;</p> <p>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</p> <p>6. road safety and efficiency is maintained.</p> <p>Amend point 4 – define the term “sense of amenity, security and companionship”. If the term is not defined, the alternative relief sought is to delete this phrase from the policy entirely.</p>	<p>Deleting ‘the expansion of existing non-residential activities’ allows for the following listed criteria to be applied for these such activities. This approach proposed recognizes that these are features of the existing environment which are both accepted and make up part of the existing built form and character of the area, therefore their extension or minor expansion may be appropriate in certain instances.</p> <p>Deleting point 1 in conjunction with amending point 2 condenses the policy whilst still providing guidance for the same aspects of the activity and built form.</p> <p>Amendments to point 3 around the BA are to condense the policy whilst also recognizing that anything large scale is prevented through the rule framework and the bulk and location standards for the zone.</p> <p>Amendment to point 4 changing properties to site utilizes the defined terms – site is a defined term whilst property is not. Using defined terms clarifies intent and implementation of policy direction.</p>

Notified Provision	Relief sought	Reasons
		<p>Defining a ‘sense of amenity, security and companionship’ assists in interpretation. This term at the moment is very vague and could have unintended consequences and multiple interpretations, which does not provide guidance to plan users. If the intent is a sort of CPTED style policy, there are multiple examples of this in other District Plans in the country which work well and have less ambiguity. The deletion of this term sought as alternative relief sought is to remove the ambiguity in the policy direction and provide greater, clearer guidance to the plan users. Furthermore, as amenity and character are aspects which are considered earlier at point 2, this is considered potentially a double up of policy direction and therefore its inclusion is both unclear and unnecessary.</p>
<p>MRZ-R2 – Comprehensive Residential Development Master Plan</p> <p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Provision for housing diversity and choice, relative to other residential areas. b. How the development responds to its context and site features, including solar 	<p>Amend MRZ-R2 as follows and amend numbering as appropriate:</p> <p>Move to a number in the rule table after all the PER and CON activities, with associated rule table numbering changes.</p> <p>MRZ-R2 – Comprehensive Residential Development Master Plan</p> <p>Activity Status: RDIS</p>	<p>This rule needs to be located in the chapter with the appropriate numbering as per the National Planning Standards direction. The rule tables must be organized by PER activities, followed by any CON activities, followed by the RDIS activities and so on with DIS, NC and PR, in that order. Therefore, this rule needs to be reordered to be after all the PER and CON activities.</p>

Notified Provision	Relief sought	Reasons
<p>orientation, views, existing buildings and vegetation, and, within Precinct 1, the Clyde Heritage Precinct.</p> <p>c. Whether the urban form is compatible with the nearby land use mix, including providing convenient access to commercial centres and community facilities.</p> <p>d. The extent to which the development provides wellconnected and legible movement networks, integrating all access modes, with priority for walking and cycling.</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> <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>	<p>Matters of discretion are restricted to:</p> <p>a. Provision for housing diversity and choice, relative to other residential areas.</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. Whether the urban form is compatible with the nearby land use mix <u>built form anticipated in the zone,</u></p> <p>d. including <u>provisioning of</u> convenient access to commercial centres and community facilities.</p> <p>e. The extent to which the development <u>provisiones of</u> well-connected and legible movement <u>active transport</u> networks, integrating all access modes, with priority for walking and cycling.</p> <p>f. The location, extent and quality of public open space and streetscapes, taking into account servicing and maintenance requirements.</p> <p>g. The Incorporation of Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment.</p> <p>h. Whether the configuration of blocks and lots will allow for development that can readily achieve the outcomes sought in MRZ-P1.</p> <p>i. 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>	<p>Matter of Discretion a has an irrelevant reflection to ‘other residential areas’. The policy direction for all the residential zones provides for diversity in housing typology; therefore, there is no intended or sought difference in the diversity in housing choice for this zone comparative to others, from a policy direction perspective. This reference is therefore removed.</p> <p>Point c refers to compatibility with nearby land uses, which is inappropriate as the activity and built development in the zone should seek compatibility with the zone outcomes. It is therefore amended to seek consistency with the built form intended for the zone.</p> <p>Point c is also split up so that the provision of access to key surrounding amenities such as commercial centres and community facilities is its own point, for greater clarity.</p> <p>Point 2 is amended to be in similar syntax with the other points, and to amend the use of the phrase movement network, which is confusing and undefined, to active transport network, which, while</p>

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		<p>undefined, is well understood in the industry.</p> <p>Point g is seeking consistency with the anticipated built form for the zone, and is deleted as repetition with point c.</p>
<p>MRZ-R3 – Minor residential unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site; 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage; and 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6 and MRZ-S8.</p> <p>Activity status when compliance is not achieved with R2.1: NC</p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p>	<p>Amend MRZ-R2 as per the following:</p> <p>MRZ-R2 – Minor Residential Unit</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site. 2. The maximum floor area of the minor residential unit is 70m² or 90m² including a garage. 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit. <p>And the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6 and MRZ-S8.</p> <p>Activity status when compliance is not achieved with R2.1: NC <u>DIS</u></p> <p>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</p> <p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>An elevation to NC is quite extreme and also not provided for the in the direction in the objectives and policies. As an additional minor residential unit, the matters that need to be assessed are effects on bulk and location, scale, density, amenity and access, all of which are assessed as an RDIS activity for an additional principal residential unit on a site. Consider that if two full residential dwellings are appropriate to be assessed as an RDIS activity then to assess the effects of two minor residential units on a site would be sufficient at a DIS activity status.</p> <p>MRZ-S8 is proposed to be deleted in the relief sought below and thus is deleted from here also.</p>

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<p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>		
<p>MRZ-R4 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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. <p>And the activity complies with the following rule requirements: MRZ-S1 to MRZ-S13.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> a. The time period within which the building will be placed on its foundations. b. Identification of, and the time period to complete reinstatement works to the exterior of the building. c. Provision of servicing. d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. 	<p>Delete this rule entirely as per the below:</p> <p>MRZ-R4 – Relocated buildings</p> <p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 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; <p>And the activity complies with the following rule requirements: MRZ-S1 to MRZ-S13.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> a. The time period within which the building will be placed on its foundations. b. Identification of, and the time period to complete reinstatement works to the exterior of the building. c. Provision of servicing. d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond. 	<p>All of these requirements are Building Act and Building Consenting issues and are not necessary nor appropriate in a resource management act document.</p> <p>The definition of residential unit will trigger a relocated dwelling, and this would therefore be covered by MRZ-R1.</p>
<p>MRZ-R5 – Accessory buildings and structures</p> <p>Activity Status: PER</p>	<p>Amend MRZ-R5 as follows:</p> <p>MRZ-R5 – Accessory buildings and structures</p>	<p>This rule as drafted has some unintended consequences relating to new minor buildings and structures being built to</p>

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<p>Where:</p> <ol style="list-style-type: none"> The building is ancillary to a permitted activity. <p>And the activity complies with the following rule requirements:</p> <ol style="list-style-type: none"> For buildings or structures of more than 10m², MRZ-S2 to MRZ-S6; or For buildings or structures of 10m² or less, MRZ-S2 - MRZ-S5 <p>Activity status when compliance is not achieved with R4.1: DIS</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The building is ancillary to a permitted activity. <p>And the activity complies with the following rule requirements:</p> <ol style="list-style-type: none"> For buildings or structures of more than 10m², <u>compliance is achieved with MRZ-S2 to MRZ-S6; or</u> For buildings or structures of 10m² or less, <u>compliance is achieved with MRZ-S2 - MRZ-S5</u> <p>Activity status when compliance is not achieved with R4.1: DIS</p>	<p>support existing non-residential activities.</p> <p>For example, under this rule as proposed, if an established retirement village at some point in the future want to build a shed for storage, they need a discretionary resource consent. The same sized shed for a residential unit, or a Visitor Accommodation activity, or childcare services, is permitted.</p> <p>The effects of the shed are the same in the zone – it is the same size, located within the same bulk and location standards. There is no value therefore in linking the ability to build an accessory building to a permitted activity over any activity that is existing in the zone. The control for effects should consider the bulk and location standards, regardless of whether it is ancillary to a permitted activity or not.</p> <p>The proposed changes to the rule enable buildings and structures to be built as accessory to any established activity, where compliant with standards for height, height in relation to boundary, building coverage, setbacks from road and internal boundaries.</p>

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<p>MRZ-R7 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. The maximum occupancy is 6 guests per night; and The access to the site is not shared with another site. <p>And the activity complies with the following rule requirements: MRZ-S13</p> <p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the effects of the activity on the amenity and safety of any sites sharing access. 	<p>Amend MRZ-R7 as follows:</p> <p>MRZ-R7 – Visitor accommodation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The visitor accommodation is undertaken within a residential unit and is ancillary to a residential activity. The maximum occupancy is 6 guests per night; and The access to the site is not shared with another site. <p>And the activity complies with the following rule requirements: MRZ-S13</p> <p>Activity status when compliance is not achieved with R6.1 or R6.2: Discretionary</p> <p>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <u>For sites that share access, the effects on:</u> <ol style="list-style-type: none"> of the activity on the amenity; and safety <u>and efficient access</u>of any sites sharing access. 	<p>The changes proposed are to clarify the intent of the Matters of Discretion to ensure they are RMA issues. The effects of safety of the visitor accommodation activity might be things such as physical safety from guests, which is a policing matter not an RMA matter, and the effects of amenity on sharing a driveway with guests would be hard to explain, as driveways are not typically spaces in which we recreate or enjoy our properties. This separation allows the intent of the Matters of Discretion to be clearer.</p>
<p>MRZ-R8 – Home business (unless otherwise specified in MRZ-R9 or MRZ-R15)</p> <p>Activity Status: PER</p> <p>Where:</p>	<p>Amend MRZ-R8 as follows and amend the numbering as appropriate:</p> <p>MRZ-R8 – Home business (unless otherwise specified in LRZ-R9 or LRZ-R15)</p>	<p>Requirements 1 and 4 are the same, requiring that the activity is undertaken in doors, thus the deletion of point 1 entirely. Point 1 is deleted as often a home business will be undertaken within a garage space or a detached studio.</p>

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<p>1. The home business is undertaken within a residential unit and is ancillary to a residential activity;</p> <p>2. The maximum floor area occupied by the home business is no more than 30m²;</p> <p>3. Any employee engaged in the home business resides on-site;</p> <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>And where the activity complies with the following rule requirements: MRZ-S13</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential unit and is ancillary to a residential activity; 2. The maximum floor area occupied by the home business is no more than 30m²; 3. <u>At least one</u> Any employee engaged in the home business resides on-site; 4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and 5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day. <p>And where the activity complies with the following rule requirements: MRZ-S13</p>	<p>These are permitted activities under MRZ-R5 to construct, but would be then a DIS activity for someone to use/convert them as a home business, which is also intended to be a permitted activity. Therefore, the requirement to be within a building is sufficient under point 4 and the requirements to be within a residential unit is inappropriate.</p> <p>The requirement for an activity to be ancillary to a residential activity is similarly not appropriate. Making jewelry at home for example could not be considered ancillary to a residential activity (means use of land and buildings for people’s living accommodation). Therefore, the requirement to be ancillary to a residential activity is inappropriate and point 1 is deleted in its entirety.</p> <p>The specific requirements in point 3 are also considered unnecessary and overly onerous. A home business could be successful enough to employ one employee, who would then need to move in with the home owner for it to remain permitted. The effects of one employee living off site would not be likely to be noticed in terms of traffic movements to and from the site, nor in</p>

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		<p>noise given that point 4 requires all activities to be undertaken within a building. It is noted that traffic movements to and from the site are managed through point 5. The perceivable issues from employing staff who work off site are therefore managed through the other conditions (including GFA, location of the activity itself and the maximum number of vehicle movements per day).</p> <p>The rule title specifying where the activity is not x or y is adding confusion not clarity. The text in the rule should be sufficient to demark this rule from the other commercial activities in the zone.</p>
<p>MRZ-R9 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. <p>And where the activity complies with the following rule requirements: MRZ-S13</p>	<p>Amend MRZ-R9 as follows:</p> <p>MRZ-R9 – Childcare services</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The childcare service is undertaken within a residential unit and is ancillary to a residential activity. 2. The maximum number of children in attendance at any one time is 6, excluding any children who live onsite. <p>And where the activity complies with the following rule requirements: MRZ-S13</p>	<p>As above for home businesses, a childcare service (the looking after or caring for children) is not and cannot be related to a residential activity, which means the use of land and buildings for people’s living accommodation. The requirement for this activity to be ancillary to a residential activity is therefore inappropriate and is thus deleted.</p>

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<p>MRZ-R10 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the site on which it is located; 3. The sign does not exceed 0.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 6. The sign does not obscure driver visibility to and from access ways. <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>Amend MRZ-R10 as follows:</p> <p>MRZ-R10 – Signs</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one sign per site; 2. The sign relates to the <u>activities undertaken on the site</u> on which it is located; 3. The sign does not exceed <u>0</u>1.5m² in area; 4. The sign is not illuminated and does not use reflective materials; 5. The sign is fixed and does not move; and 6. The sign does not obscure driver visibility to and from access ways. 	<p>The trigger of 0.5m² is too small of a trigger, and is causing unnecessary consent applications for minor activities, causing unnecessary costs and time delays to members of the community as applicants.</p> <p>Note that the rule specifically requires the sign to be related to the site on which it is located. This would mean that all signs would need to be descriptors of the site itself under the definition. The intent is for the signs to be related to the activities undertaken on the site where they are located. The relief sought achieves this.</p>
<p>MRZ-R11 Excavation</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume or area of land excavated within any site in any 12- 	<p>Amend MRZ-R11 as below:</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume or area of land excavated within any site in any 12-month period does not exceed <u>2500</u>m² per site. 	<p>Not possible to have a m² amount as a volume.</p> <p>200m² is too small an area, and across these vacant sites would require a consent to achieve any build. Seek that the area is changed to match the Otago Regional Council trigger for residential earthworks.</p>

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<p>month period does not exceed 200m² per site.</p> <p>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 5. Any effects on the road network arising from the excavation. 6. Any effects on archaeological, heritage or cultural values. 7. Any mitigation measures proposed. 	<p>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, volume and area of earthworks. 2. The effect on amenity values or safety of neighbouring properties <u>sites</u>. 3. The effect on water bodies and their margins. 4. The impact on visual amenity and landscape character. 5. Any effects on the road network arising from the excavation <u>earthworks</u>. 6. Any effects on archaeological, heritage or cultural values. 7. Any mitigation measures proposed. 	<p>The rule refers to excavation but the Matters of Discretion refer to earthworks. As these terms are defined, it is inappropriate to use them interchangeably.</p> <p>The term ‘site’ is defined whilst the term ‘property(ies)’ is not. It is inappropriate to use a term which is intended to mean the same thing as a defined term but not use the defined term.</p>
<p>MRZ-R13 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6.</p>	<p>Amend standard. Remove requirement to comply with MRZ-S4 Building coverage.</p> <p>MRZ-R13 Retirement villages</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: MRZ-S2, MRZ-S3, MRZ-S5 and to MRZ-S6.</p>	<p>Given that in most designs retirement villages are much denser in development from usual developments, and considering that requiring compliance with S2, S3, S5 and S6 will protect the character and amenity of the zone when experienced from outside of the site, the compliance with S4 for a retirement village would be unreasonable.</p>
<p>MRZ-R15 - Any activity not otherwise listed in MRZ-R1 to MRZ-R13 or MRZ-R15 to MRZ-R18</p>	<p>Amend MRZ-R15 as follows:</p>	<p>Unnecessary for this rule to have listed the rules out which do not apply – it adds confusion rather than clarity. This is</p>

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<p>Activity status: DIS</p>	<p>MRZ-R15 - Any activity not otherwise listed in MRZ-R1 to MRZ-R13 or MRZ-R15 to MRZ-R18</p> <p>Activity Status: DIS</p>	<p>further highlighted by the fact that there was a double up of rule numbering which makes the inclusion of a precise list incorrect.</p> <p>Furthermore, if in future additional rules are added, this rule will need corresponding changes. This adds unnecessary additional changes to a potential plan change or update to the chapter, and adds opportunity for human error where it might be missed and this rule have unintended consequences.</p>
<p>MRZ-R19 Buildings on Land Subject to Hazards</p> <p>Activity Status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> 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. 	<p>Amend MRZ-R19 as follows:</p> <p>MRZ-R19 – <u>Construction of b</u>Buildings on Land Subject to Hazards</p> <p>Activity Status: NC <u>DIS</u></p> <p>Where:</p> <p>The erection of any <u>habitable</u> 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.</p>	<p>There may be already buildings present on a site which is subject to hazards which has been lawfully established, the activity is therefore the construction of buildings which needs to be managed.</p> <p>The erection of a shed or garage on a site potentially subject to hazards will not necessarily pose a risk to human life and should be allowed to occur. It is when the building is to be habited that the construction needs to be addressed.</p> <p>An NC status is very severe. It is possible to locate and design habitable buildings which are able to mitigate the risk from natural hazards present on a site. A DIS status, and the inclusion of restricting</p>

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		<p>this rule to habitable buildings only, is much more appropriate to recognize that natural hazards and the community response to them are very nuanced issues. A risk tolerance approach is the current industry best practice, which this rule as drafted does not achieve.</p>
<p>MRZ-S1 Density</p> <ol style="list-style-type: none"> 1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m². 2. Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m² 3. Where MRZ-S1.1 is not met but the minimum site area per unit is 180m²: DIS. <p>Where MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: NC.</p>	<p>Amend standard. Seek that the elevation for non-compliance with the density standard is to Discretionary instead of Non-Complying. Amend numbering accordingly.</p> <p>MRZ-S1 Density</p> <ol style="list-style-type: none"> 1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m². 2. Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m² 3. Where MRZ-S1.1 is not met but the minimum site area per unit is 180m²: DIS. <p>Where MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: <u>NC</u>DIS.</p>	<p>The proposed elevation to NC is a very high elevation. There is no policy direction in the chapter currently that supports a NC activity status for this activity.</p> <p>The policy direction in the subdivision and MRZ chapters should be sufficient to guide decision makers without requiring a NC resource consent pathway.</p> <p>The removal entirely of points 2 (and amendments in point 1) relates to the requirement for compliance with new proposed standard SUB-S4 which is proposed to be inserted for all SUB rules, and requires either connection to Council reticulated wastewater services (to Council standards) or an onsite disposal system (also to Council standards). All new buildings are required under the Building Act and the Building Consenting process to be connected to appropriate sewage disposal, and so there is no risk that new</p>

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		dwellings will be built that do not have appropriately set up wastewater connections.
<p>MRZ-S2 – Height</p> <ol style="list-style-type: none"> 1. The maximum height of buildings and structures must not exceed: <ol style="list-style-type: none"> a. 11m measured from ground level to the highest part of the building or structure; and b. 3 storeys <p>Activity status where compliance not achieved – Where: MRZ-S2.1 is not met, but the height of the building or structure does not exceed 10m: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the increased height. <p>Where: MRZ-S2.1 is not met, and the height of the building or structure exceeds 10m: NC</p>	<p>Amend MRZ-S2 as follows and amend numbering accordingly:</p> <p>MRZ-S2 – Height</p> <ol style="list-style-type: none"> 1. The maximum height of buildings and structures must not exceed: <ol style="list-style-type: none"> a. 11m measured from ground level to the highest part of the building or structure; and b. 3 storeys <p>Activity status where compliance not achieved – Where: MRZ-S2.1 is not met, but the height of the building or structure does not exceed <u>4 storeys or 120m</u>: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the increased height. d. <u>topographical or other site constraints that make compliance with the standard impractical.</u> e. <u>Whether increase in height is to mitigate natural hazard risk.</u> f. <u>Retention of established landscaping.</u> g. <u>Location, design and appearance of building or structure.</u> 	<p>Currently as worded the standard permits an 11m height but also requires a NC consent for over 10m in height. Amendments are sought to rectify this so that the permitted baseline has to be breached before elevation of rule status occurs.</p> <p>A 4 storey dwelling and a 12m height limit is the first elevation proposed. A 4 storey dwelling can fit in a 12m height, and 1m additional height and 1 storey additional level are aspects which can be assessed and are not so over the permitted standard so as to be out of place in the permitted baseline and built form anticipated.</p> <p>NC is a difficult consenting pathway, and so it should be set at a height limit which would be unanticipated and inappropriate for the zone. 15m in an area which has 11m as a permitted baseline would be borderline inappropriate and should be subject to the more difficult consenting pathway.</p>

Notified Provision	Relief sought	Reasons
<p>Within Precinct 1</p> <p>2. The maximum height of buildings and structures must not exceed:</p> <p>a. 8.5m measured from ground level to the highest part of the building or structure; and</p> <p>b. 2 storeys.</p> <p>Where: MRZ-S2.2 is not met: NC</p>	<p>Where: MRZ-S2.1 is not met, and the height of the building or structure exceeds <u>120m: NC-DIS</u></p> <p><u>Where: MRZ-S2 is not met, and the height of the building or structure exceeds 15m: NC</u></p> <p>Within Precinct 1</p> <p>2. The maximum height of buildings and structures must not exceed:</p> <p>a. 8.5m measured from ground level to the highest part of the building or structure; and</p> <p>b. 2 storeys.</p> <p>Where: MRZ-S2.2 is not met: NC</p> <p>Insert new standard which addresses height within MRZ-PREC01-S1 as below:</p> <p><u>MRZ-PREC01-S1 – Height</u></p> <p><u>The maximum height of buildings and structures must not exceed:</u></p> <p>a. <u>8.5m measured from ground level to the highest part of the building or structure; and</u></p> <p>b. <u>2 storeys.</u></p> <p><u>Where: MRZ-PREC01-S1 is not met: NC</u></p>	<p>Between 12 and 14 m should be assessed at a higher degree than 12 and below, but not so difficult as 15m, and thus there is the introduction of a DIS pathway for these breaches.</p> <p>Proposed to delete the standard within MRZ-S2 as it relates to Precinct 1 to bring this into alignment with the National Planning Standards and the direction for Precincts which requires specific and separate framework for these areas within the underlying zone chapter. Proposed new standard which addresses Height in Precinct 1.</p>
<p>MRZ-S3 – Height in relation to boundary</p> <p>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in</p>	<p>Amend MRZ-S3 as follows:</p> <p>MRZ-S3 – Height in relation to boundary</p>	<p>The diagram in Schedule 1 is difficult to interpret and should be replaced with something similar to the operative district plan diagram.</p>

Notified Provision	Relief sought	Reasons
<p>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 the Large Lot Residential Zone.</p> <p>2. MRZ-S3.1 does not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road. b. Common walls along a site boundary. c. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. d. Antennas, aerials, satellite dishes (less than 1m in diameter). e. Solar panels which do not project beyond the building envelope by more than 0.5m. f. Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m. g. A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height. 	<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 the Large Lot Residential Zone.</p> <p>2. MRZ-S3.1 <u>This standard</u> does not apply to:</p> <ul style="list-style-type: none"> a. A boundary with a road. b. Common walls along a site boundary. c. Eaves inclusive of gutters with a maximum depth of 20cm measured vertically. d. Antennas, aerials, satellite dishes (less than 1m in diameter). e. Solar panels which do not project beyond the building envelope by more than 0.5m. f. Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m. g. A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m² in area and no greater than 1m in height. h. <u>A boundary with a shared access in excess of 3m in width; the measurement shall be taken from the furthest side.</u> i. <u>For retirement villages or comprehensive residential developments, MRZ-S3 only applies to the external boundary of the site.</u> <p>Activity status where compliance not achieved – RDIS</p>	<p>Exemptions have been moved from being a numbered part of the standard to simply rule text. The exemptions are exactly that, exemptions to a rule, not part of the rule itself.</p> <p>Additional exemptions added in to capture where the height in relation to a boundary might be along an internal boundary with an access strip. In a similar vein to exempting this standard from a boundary with road, height in relation to boundary does not need to be assessed against an access leg.</p> <p>The other exemption is proposed for retirement villages and comprehensive residential developments, that they need only comply with this standard for external boundaries. As aforementioned, retirement villages and comprehensive residential developments often have denser development than usual build projects, and requiring height in relation to boundary standards for all internal boundaries would thus be inappropriate.</p> <p>There are many factors for which a dwelling might not meet the height in relation to boundary standard which are not captured in the Matters of</p>

Notified Provision	Relief sought	Reasons
<p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Dominance of built form in the surrounding area. b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties. c. Any mitigation measures proposed which reduce the adverse effects of the breach. d. <u>Topographical or other site constraints that make compliance with the standard impractical.</u> e. <u>Whether the increase in height is to mitigate natural hazard risk.</u> f. <u>Retention of established landscaping.</u> g. <u>Location, design and appearance of building or structure.</u> <p>Amend the diagram in Schedule 1 as follows: Delete the diagram and replace with one which is more readily interpretable, such as that which is utilised in the Operative District Plan.</p>	<p>Discretion, such a topographical and site constraints, whether the house is on higher than usual piles to raise floor levels for flooding or ponding issues in a natural hazard event, whether there are existing trees / vegetation which are proposed to remain which would mitigate the breach, and the location and design of the building itself, which may have mitigating features.</p>
<p>MRZ-S4 Building coverage</p> <p>The building coverage of the net area of any site must not exceed 40%.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. 	<p>Amend standard. Seek that the building coverage is changed from 40% to 60%.</p> <p>MRZ-S4 Building coverage</p> <p>The building coverage of the net <u>site</u> area of any site must not exceed 40<u>60</u>%.</p> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p>	<p>Given the small lot sizes allowed in the zone, the net building coverage needs to be correspondingly higher to be able to allow for reasonable sized buildings on these sites, especially considering this standard relates to net site area and not site area.</p> <p>Net area of a site is not a defined term. Net site area is a defined term. When terms have been defined, they should be used appropriately to avoid confusion.</p>

Notified Provision	Relief sought	Reasons
<ul style="list-style-type: none"> b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. d. Any mitigation measures proposed which reduce the adverse effects of the breach. 	<ul style="list-style-type: none"> a. Compatibility of the built form with the existing or anticipated character of the area. b. Dominance of built form in the surrounding area. c. The extent to which a level of openness around and between buildings is retained. d. Any mitigation measures proposed which reduce the adverse effects of the breach. 	
<p>MRZ-S5 – Setback from road boundary</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>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Any adverse effects on the safety and efficiency of the road network. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. compatibility of the building or structure with the surrounding built environment. <p>Within 80m of the seal edge of a State Highway:</p>	<p>Amend MRZ-S5 as follows:</p> <p>MRZ-S5 – Setback from road boundary</p> <ul style="list-style-type: none"> <u>1.</u> 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>Activity status where compliance not achieved <u>with MRZ-S5.1</u> – RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Any adverse effects on the safety and efficiency of the road network. b. The extent to which the breach will have adverse effects on visual amenity values, including dominance. c. compatibility of the building or structure with the surrounding built environment. d. <u>Any topographical or other site constraints.</u> <ul style="list-style-type: none"> <u>2.</u> Within 80m of the seal edge of a State Highway: 	<p>Formatting changes proposed to clarify the two aspects of the standard – 1 – setback from road boundaries and 2 – noise insulation requirements from State highways.</p> <p>An elevation is added to the standard for setbacks from the State Highway, as no elevation is inappropriate and confusing. Matters of Discretion are provided which allow processing planners to consider alternative methods of noise insulation or sound barriers to that required by the standard as drafted.</p>

Notified Provision	Relief sought	Reasons
<p>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>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:</p> <ul style="list-style-type: none"> a. 35dBA Leq (24hr) in bedrooms; and b. 40dBA Leq (24hr) for other habitable rooms <p>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><u>Activity status where compliance not achieved with MRZ-S5.2 – RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Whether there is screening by other structures or distance from noise sources.</u> 2. <u>The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials.</u> 3. <u>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site.</u> 	
<p>MRZ-S6 Setback from internal boundary</p> <p>Any building or structure shall be setback a minimum of:</p>	<p>Amend to include the following exemptions to the standard:</p> <p>MRZ-S6 Setback from internal boundary</p>	<p>The deletion of the exception for decks and common walls from the standard text and their subsequent inclusion in a</p>

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<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>2. 15m from the margin of any lake.</p> <p>Activity status where compliance not achieved –RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Adverse effects on privacy, outlook, or shading on the affected property. The extent to which the breach will have adverse effects on visual amenity values, including dominance. The compatibility of the building or structure with the surrounding built environment. Any adverse effects on accessibility to the lake. 	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 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 15m from the margin of any lake. <p><u>This standard MRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <u>Uncovered decks of less than 1m in height.</u> <u>Multi-unit housing residential units and retirement villages.</u> <u>Two or more residential units connected horizontally and/or vertically by a common wall or common floor.</u> <p>Activity status where compliance not achieved – RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Adverse effects on privacy, outlook, or shading on the affected property. The extent to which the breach will have adverse effects on visual amenity values, including dominance. The compatibility of the building or structure with the surrounding built environment. Any adverse effects on accessibility to the lake. <p>Seek that the phrase ‘margin of any lake’ is clearly defined.</p>	<p>separate section makes the standard clearer to read.</p> <p>The proposed inclusion of multi unit housing and retirement villages from the internal boundary setbacks enables the ability to construct these types of developments without the need for triggering a standard. These setback aspects will be managed by market demand.</p> <p>The inclusion of ‘horizontally and or vertically’ and ‘common floor’ recognizes that buildings and dwellings can be separated by a common or party wall vertically, where two dwellings exist side by side with a party wall between them; but also horizontally, where two or more dwellings exist in the same building over different storeys, one on top of another separated by common floors.</p> <p>The definition of ‘margin of any lake’ will ensure that this is beyond personal interpretation. A standard needs to be readily comprehensible. It needs to be measurable and cannot involve discretion, interpretation or room for doubt. Currently with no definition for</p>

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<p>MRZ-S7 Outdoor Living Space</p> <p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> 1. for units with common living space at ground floor level, of at least 30m² with a minimum dimension of 4m; and 2. for units located entirely above the ground floor level, that comprises a balcony of at least 12m² , with a minimum dimension of 1.5m; and 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. <p>Activity status where compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. provision of useable outdoor space; and b. accessibility and convenience for residents; and c. whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident’s needs. 	<p>Delete standard MRZ-S7 and add in ‘provision of useable, accessible outdoor living space for residents’ as Matter of Discretion for MRZ-S4 through MRZ-S6.</p> <p>MRZ-R7 Outdoor Living Space</p> <p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> 1. for units with common living space at ground floor level, of at least 30m² with a minimum dimension of 4m; and 2. for units located entirely above the ground floor level, that comprises a balcony of at least 12m² , with a minimum dimension of 1.5m; and 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. <p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of useable, accessible outdoor living space for residents.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of useable, accessible outdoor living space for residents.</u></p> <p>MRZ-S6 Setback from internal boundary</p>	<p>‘margin of any lake’ MRZ-S6.2 does not meet the requirements for a standard.</p> <p>Delete MRZ-S7 as it is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to recreate outdoors within their own sites is allowed as a reason for which council can approve or deny a consent application. This is added as a matter of discretion to MRZ-S4 through MRZ-S6 as MRZ-S1 doesn’t have matters of discretion, and breaches to solely height or height in relation to boundary controls are unlikely to have any affect on the provision of useable outdoor space for residents.</p> <p>Alternative relief sought: Overall the requirement for Outdoor Living Space and that of Outlook Space are requiring the same thing, and so are unnecessary repetition; thus if the primary relief sought is not granted and this standard remains, it is sought that MRZ-S10 not be retained at all.</p> <p>The use of the word ‘dimension’ is not clear whether the intent is a circle with a</p>

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	<p>Matters of discretion are restricted to: <u>e. provision of useable, accessible outdoor living space for residents.</u></p> <p>Alternative relief sought: keep MRZ-S7 with amendments (but do not keep both outdoor living space and outlook space): Change 'dimension' to 'width' in .1 Remove references to orientation of outdoor living space in .3 Insert new matter of discretion to consider potential site or topographical constraints.</p> <p>MRZ-R7 Outdoor Living Space</p> <p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> 1. for units with common living space at ground floor level, of at least 30m² with a minimum dimension <u>width</u> of 4m; and 2. for units located entirely above the ground floor level, that comprises a balcony of at least 12m² , with a minimum dimension of 1.5m; and 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. <p>Activity status where compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: a. <u>topographical and other site constraints; and</u></p>	<p>dimension of 4m, or a square with a depth of 4m. The change to 'width' clarifies this standard.</p> <p>The orientation of a house and the outdoor space that one enjoys is a purely personal choice. Where located on a south facing hill slope, there will be limited sunlight access, and thus the requirement for north, east and western orientations of outdoor areas (and houses, given that .3 requires access directly from living areas to the outdoor area) becomes an unreasonable and unnecessary control and consent application. The same may be true in areas with a predominant wind that is from a northerly direction, rendering an outdoor living space to the south of the residential unit desirable.</p> <p>The insertion of the consideration of topographical and other site constraints recognizes that in some instances provision of this space may not be practical due to real world existing built form and / or natural landform.</p>

Notified Provision	Relief sought	Reasons
	<p>b. provision of useable outdoor space; and c. accessibility and convenience for residents; and d. whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident’s needs.</p> <p>Alternative relief sought: Retain the references to orientation in .3, and insert elevation from MRZ-S7.3 for CON activity:</p> <p><u>Activity status where compliance not achieved with MRZ-S7.3:</u> <u>CON</u></p> <p><u>Matters of control are restricted to:</u></p> <p>a. <u>topographical and other site constraints; and</u> b. <u>provision of useable outdoor space; and</u> c. <u>accessibility and convenience for residents; and</u> d. <u>whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident’s needs.</u></p>	
<p>MRZ-S8 Landscaping</p> <p>At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation.</p>	<p>Delete standard MRZ-S8 and add in ‘provision of landscaping which increases the proposal’s compatibility with the character of the area and provides a balance between built form and open space’ as Matter of Discretion for MRZ-S2 through MRZ-S6.</p> <p>MRZ-S8 Landscaping</p> <p>At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation.</p> <p>MRZ-S2 Height</p>	<p>Delete MRZ-S8 as this type of control unnecessarily creates consent applications for applicants who are looking for low maintenance sites. As the matters of discretion are around balance between built form and open space, and the other bulk and location standards require a 40% site coverage as well as yard minimums, it is considered that this standard is not necessary to achieve a compatibility with the character of the area or a balance of built form and open</p>

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	<p>Matters of discretion are restricted to: <u>e. provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space.</u></p> <p>MRZ-S3 Height in relation to boundary Matters of discretion are restricted to: <u>d. provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space.</u></p> <p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space.</u></p> <p>MRZ-S6 Setback from internal boundary Matters of discretion are restricted to: <u>e. provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space.</u></p> <p>Alternative relief sought, keep with amendments: Amend from 30% to 20%.</p>	<p>space, which will be achieved through the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards.</p> <p>Landscaping is thus added as a matter of discretion to MRZ-S2 through MRZ-S6 as MRZ-S1 doesn't have matters of discretion.</p> <p>Alternative relief sought: A 30% vegetation requirement in conjunction with a 40% site coverage will not allow much room, especially considering the provision for carparking and driveways, which is assumed to not be located in the same spot as trees or shrubs, likewise for stormwater sumps and the like given there is no reticulated stormwater in the District. These on site systems need maintenance from time to time and can be undermined by tree roots and other vegetation. Therefore the amendment for 20% landscaping is proposed.</p> <p>The wording change proposed is to simplify the standard. As it is drafted as an 'or' standard in which any of the options are suitable, the word 'vegetated' is all inclusive and is simpler.</p>

Notified Provision	Relief sought	Reasons
	<p>Remove 'planted in grass, trees, shrubs or other vegetation' and replace with 'vegetated'.</p> <p>MRZ-S8 Landscaping</p> <p>At least 32020% of the site shall be planted in grass, trees, shrubs or other vegetation <u>vegetated</u>.</p>	
<p>MRZ-S9 Service and Storage Space</p> <ol style="list-style-type: none"> Each residential unit must have an outdoor or indoor service space of at least 2.5m² with a minimum dimension of 1.5m available for use for the storage of waste and recycling bins. The required spaces can be provided either individually or within a communal space for multiple units. 	<p>Delete standard MRZ-S9 and add in 'provision of useable and accessible service and storage space for residents' as Matter of Discretion for MRZ-S4 through MRZ-S6.</p> <p>MRZ-S9 Service and Storage Space</p> <ol style="list-style-type: none"> Each residential unit must have an outdoor or indoor service space of at least 2.5m² with a minimum dimension of 1.5m available for use for the storage of waste and recycling bins. The required spaces can be provided either individually or within a communal space for multiple units. <p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of useable and accessible service and storage space for residents.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of useable and accessible service and storage space for residents.</u></p> <p>MRZ-S6 Setback from internal boundary</p>	<p>Delete MRZ-S9 as it is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided for residents to have usable and accessible storage and service space within their own or communal sites is allowed as a reason for which council can approve or deny a consent application. This is added as a matter of discretion to MRZ-S4 through MRZ-S6 as MRZ-S1 doesn't have matters of discretion, and breaches to solely height or height in relation to boundary controls are unlikely to have any affect on the provision of useable service and storage space for residents.</p> <p>Alternative relief sought: The use of the word 'dimension' is not clear whether the intent is a circle with a dimension of 1.5m, or a square with a</p>

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	<p>Matters of discretion are restricted to: <u>e. provision of useable and accessible service and storage space for residents.</u></p> <p>Alternative relief sought, keep with amendments:</p> <p>MRZ-S9 Service and Storage Space</p> <ol style="list-style-type: none"> 1. Each residential unit must have an outdoor or indoor service space of at least 2.5m² with a minimum dimension <u>width</u> of 1.5m available for use for the storage of waste and recycling bins. 2. The required spaces can be <u>are</u> provided either individually or within a communal space for multiple units. 	<p>depth of 1.5m. The change to ‘width’ clarifies this standard.</p> <p>Standards are requirements, and the language used needs to be active, thus the change from ‘can be’ to ‘are’.</p>
<p>MRZ-S10 Outlook Space</p> <p>Each residential unit must provide the following minimum outlook spaces:</p> <ol style="list-style-type: none"> 1. for a principal living room, 4m in depth and 4m in width; 2. for a principal bedroom, 3m in depth and 3m in width; and 3. all other habitable rooms, 1m in depth and 1m in width. 	<p>Delete standard MRZ-S10 and add in ‘provision of visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites’ as Matter of Discretion for MRZ-S4 through MRZ-S6.</p> <p>MRZ-S10 Outlook Space</p> <p>Each residential unit must provide the following minimum outlook spaces:</p> <ol style="list-style-type: none"> 1. for a principal living room, 4m in depth and 4m in width; 2. for a principal bedroom, 3m in depth and 3m in width; and 3. all other habitable rooms, 1m in depth and 1m in width. 	<p>Delete MRZ-S10 as it is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the space provided around residential units to maintain a level of privacy and outlook is allowed as a reason for which council can approve or deny a consent application. This is added as a matter of discretion to MRZ-S4 through MRZ-S6 as MRZ-S1 doesn’t have matters of discretion, and breaches to solely height or height in relation to boundary controls are unlikely to have</p>

Notified Provision	Relief sought	Reasons
	<p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites.</u></p> <p>MRZ-S6 Setback from internal boundary Matters of discretion are restricted to: <u>e. provision of visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites.</u></p>	<p>any affect on the provision of uninterrupted open space / depth outside of habitable rooms.</p>
<p>MRZ-S11 Fencing</p> <p>The maximum height of any fence along a road boundary shall be:</p> <ol style="list-style-type: none"> 1. 1m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where 50% or more of the fence structure is visually transparent. 	<p>Delete standard MRZ-S11 and add in 'provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape' as Matter of Discretion for MRZ-S2 through MRZ-S6.</p> <p>MRZ-S11 Fencing</p> <p>The maximum height of any fence along a road boundary shall be:</p> <ol style="list-style-type: none"> 1. 1m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where 50% or more of the fence structure is visually transparent. <p>MRZ-S2 Height Matters of discretion are restricted to:</p>	<p>The height and permeability of fencing materials is a purely personal choice. When this standard is considered in conjunction with MRZ-S7, which as drafted has requirements for the orientation of the outdoor living space for a site, this could potentially be requiring below average fence heights along a road frontage and exposing resident's outdoor space to the street, thereby reducing their privacy in their onsite recreation space, unless a consent is sought.</p> <p>Furthermore, a young child or pet (e.g. cat or dog), would be able to climb or jump a fence of 1m in height. While the standard as drafted allows for a height of</p>

Notified Provision	Relief sought	Reasons
	<p><u>e. provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape.</u></p> <p>MRZ-S3 Height in relation to boundary Matters of discretion are restricted to: <u>d. provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape.</u></p> <p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape.</u></p> <p>MRZ-S6 Setback from internal boundary Matters of discretion are restricted to: <u>e. provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on streetscape.</u></p>	<p>1.8m, this comes with a loss of privacy through more than 50% permeability. This 50% or more permeability may also enable smaller dogs sufficient space to escape sites.</p> <p>The deletion of the standard and allowance for landowners to choose their own fencing along road boundaries, whilst including this aspect for as a matter of discretion for the remainder of the bulk and location standards, enables Council to consider this factor when processing applications for breaches to standards.</p> <p>Alternative relief sought: Allowing the minimum height to be 1.2m, which is a more standard low fence height in residential areas, and removing the requirement for transparency, enables far more choice for landowners. 1.2m still enables adequate sunlight access to outdoor spaces, whilst the ability to have a fence with materials of choice will support the ability to have some privacy in outdoor space if it is orientated towards the road frontage.</p> <p>The 1.8m alternative remains, with the transparency set at at-least 50%. This</p>

Notified Provision	Relief sought	Reasons
	<p>Alternative relief sought: keep with amendments to .1 minimum height and transparency and .2 transparency.</p> <p>MRZ-S11 Fencing</p> <p>The maximum height of any fence along a road boundary shall be:</p> <ol style="list-style-type: none"> 1. 1.2m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where a minimum of 50% or more of the fence structure is visually transparent. 	<p>allows for sunlight access and privacy for residents, whilst also the ability to ensure children and pets (in particular dogs) stay within the bounds of the site.</p>
<p>MRZ-S12 Habitable Rooms</p> <p>Each residential unit must have a habitable room located at ground floor level.</p>	<p>Delete standard MRZ-S12 and add in 'provision of habitable rooms at ground floor to ensure activation of frontages and visual interest' as Matter of Discretion for MRZ-S2 through MRZ-S6.</p> <p>MRZ-S12 Habitable Rooms</p> <p>Each residential unit must have a habitable room located at ground floor level.</p> <p>MRZ-S2 Height Matters of discretion are restricted to: <u>e. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u></p> <p>MRZ-S3 Height in relation to boundary Matters of discretion are restricted to:</p>	<p>Delete MRZ-S12 as it is unnecessary when considered in conjunction with the other bulk and location standards MRZ-S1 through MRZ-S6. By adding it as a matter of discretion where the other standards are breached the ability to consider the street activation and visual interest is allowed as a consideration for Council in the resource consent processing for breaches to the bulk and location standards. This is added as a matter of discretion to MRZ-S2 through MRZ-S6 as MRZ-S1 doesn't have matters of discretion.</p>

Notified Provision	Relief sought	Reasons
	<p><u>d. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u></p> <p>MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u></p> <p>MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u></p> <p>MRZ-S6 Setback from internal boundary Matters of discretion are restricted to: <u>e. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u></p>	
Subdivision		
Overall comments	Rewrite the objectives and policies to provide direction for the matters of discretion found in the rules and standards.	The one objective for the subdivision of these zones does not set up at all the myriad of matters of discretion in the subdivision rules. The purpose of objectives and policies is to provide guidance for the rules. At the moment the rule framework is coming completely out of nowhere with little to no policy framework to support it.
<p>SUB-O1 – Subdivision design</p> <p>The subdivision of land within residential zones creates sites and patterns of development that are consistent with the</p>	<p>Amend SUB-O1 as follows:</p> <p>SUB-O1 – Subdivision design</p>	Proposed amendments add in additional aspects of direction for subdivision, including consideration of the character and amenity sought for the zone as well as consideration of the roading network.

Notified Provision	Relief sought	Reasons
purpose, character and amenity values anticipated within that zone.	<p>The subdivision of land within residential zones creates sites and patterns of development that:</p> <ol style="list-style-type: none"> 1. are consistent with the purpose, character and amenity values anticipated within that zone, <u>and</u>; 2. <u>Provide for the health and wellbeing of communities;</u> 3. <u>Maintain the safety and efficiency of the transport network.</u> 	
	<p>Insert new objective as follows:</p> <p><u>SUB-O2 – Servicing of allotments</u></p> <p><u>Subdivisions in Residential Zones are serviced by reticulated infrastructure and on-site stormwater with sufficient capacity to accommodate any proposed or anticipated development.</u></p>	<p>New objective which seeks that allotments are properly serviced, to set up the direction in the policies that is currently found in the Matters of Discretion.</p>
<p>SUB-P1 – Creation of new sites</p> <p>Provide for subdivision within residential zones where it results in allotments that:</p> <ol style="list-style-type: none"> 1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and 2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone; 3. minimise natural hazard risk to people's lives and properties; and 4. are adequately served by public open space that is accessible, useable and well-designed. 	<p>Amend SUB-P1 as follows:</p> <p>SUB-P1 – Creation of new <u>allotments sites</u></p> <p>Provide for subdivision within residential zones where it results in allotments that:</p> <ol style="list-style-type: none"> 1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and 2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone; 3. <u>protect areas of significant landscape or natural values;</u> 4. minimise natural hazard risk to people's lives and properties; <u>and</u> 	<p>Changes proposed are to amend the policy wording to include appropriate aspects that are drawn from the Matters of Discretion, and therefore set up the standards and the Matters of Discretion.</p> <p>The definition of allotment and sites are different, and the policy text refers to the creation of allotments, not sites, therefore the policy title has been amended to be consistent.</p>

Notified Provision	Relief sought	Reasons
	<p>5. are adequately served by public open space that is accessible, useable and well-designed; and</p> <p>6. <u>have legal and physical access to each allotment created by the subdivision.</u></p>	
	<p>Insert new policy as follows:</p> <p><u>SUB-P6 – Boundary adjustments</u></p> <p><u>Control boundary adjustments to ensure that the size, design and layout of the allotments is sufficient to accommodate existing development on or proposed development of the site, in a way that does not adversely effect the transport network.</u></p>	<p>New proposed boundary adjustment policy which sets up the boundary adjustment rule framework.</p>
	<p>Insert new policy as follows:</p> <p><u>SUB-P7 – Functioning of the transport network</u></p> <p><u>Provide for subdivision where it maintains the safe and efficient functioning of the transport network by:</u></p> <ol style="list-style-type: none"> 1. <u>Ensuring roads and any vehicle access to sites meet minimum design standards to allow for safe and efficient traffic movements and can safely accommodate the intended number of users;</u> 2. <u>Where opportunities exist, including transport network connections within and between communities;</u> 3. <u>Where consistent with the zone, providing for a variety of travel modes that reflect the purpose, character and amenity values of the zone, including walking, cycling and access to public transport; and</u> 4. <u>Achieving safe and efficient access onto and from state highways.</u> 	<p>New proposed policy which sets up the Matters of Discretion in the rule framework regarding access and road network considerations in subdivisions.</p>

Notified Provision	Relief sought	Reasons
	<p>Insert new policy as follows:</p> <p><u>SUB-P8 – Integration with infrastructure</u></p> <p><u>Require infrastructure to be provided in an integrated and comprehensive manner by:</u></p> <ol style="list-style-type: none"> 1. <u>Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation;</u> 2. <u>Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and</u> 3. <u>Ensuring telecommunications and power supply is provided to all allotments.</u> 	<p>New proposed policy which sets up the Matters of Discretion in the rule framework regarding connections to services and other infrastructure in subdivisions.</p>
	<p>Insert new policy as follows:</p> <p><u>SUB-P9 – Subdivision in Future Urban Zones</u></p> <p><u>Avoid subdivision within the Future Urban Zone that may result in one or more of the following:</u></p> <ol style="list-style-type: none"> 1. <u>The efficient and effective operation of the local and wider transport network being compromised;</u> 2. <u>The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development;</u> 	<p>New policy suggested which sets up the direction for preventing subdivision in areas which are ear marked currently as future growth for residential.</p>

Notified Provision	Relief sought	Reasons
	<ol style="list-style-type: none"> 3. <u>The efficient provision of infrastructure being compromised;</u> 4. <u>Reverse sensitivity effects when urban development occurs;</u> 5. <u>Reverse sensitivity effects on existing rural activities or infrastructure; or</u> 6. <u>Fragmentation of sites in a manner that may compromise the appropriate form or nature of future urban development.</u> 	
	<p>Insert new policy as follows:</p> <p><u>SUB-P10 – Subdivision for infrastructure</u></p> <p><u>Control the creation of allotments for the purposes of infrastructure to ensure that:</u></p> <ol style="list-style-type: none"> 1. <u>Any allotments are of a sufficient design and layout to accommodate its required use;</u> 2. <u>There is adequate access to any proposed allotments; and</u> 3. <u>Infrastructure with sufficient capacity is provided to service any proposed allotment.</u> 	<p>New proposed policy which sets up the rule framework regarding subdivisions for infrastructure utilities.</p>
	<p>Insert new policy as follows:</p> <p><u>SUB-P11 – Subdivision around existing lawfully established residential units in a residential zone</u></p> <p><u>Provide for subdivision within the Medium Density Residential Zone, Low Density Residential Zone and Large Lot Residential Zone where it occurs around existing, lawfully established residential units, and can be demonstrated that the proposed lots are appropriate to accommodate a residential unit that is of a size, scale and location anticipated for the Zone.</u></p>	<p>New proposed policy which sets up a new proposed rule for where subdividing around existing dwellings may be appropriate.</p>

Notified Provision	Relief sought	Reasons
	<p>Insert new policy as follows:</p> <p><u>SUB-P12 – Access to back land</u></p> <p>Insert text as appropriate.</p>	<p>This is a matter of discretion in the rule framework which is unsupported by the policy framework, and thus no guidance is provided to the plan user as to what is intended by providing access to back land, and what the purpose and intent of this would be in the residential zones of the District.</p> <p>Relief sought is that Council create a new policy to provide this direction to plan users.</p>
	<p>Insert new policy as follows:</p> <p><u>SUB-P13 – Protection of water races</u></p> <p>Insert text as appropriate.</p>	<p>This is a matter of discretion in the rule framework which is unsupported by the policy framework, and thus no guidance is provided to the plan user as to what is intended by protecting water races, and what the purpose and intent of this would be in the residential zones of the District.</p> <p>Relief sought is that Council create a new policy to provide this direction to plan users.</p>
<p>SUB-R1 – Boundary adjustments</p> <p>Activity Status: CON</p> <p>Where the activity complies with the following rule requirements:</p> <ol style="list-style-type: none"> The allotments comply with SUBS1; or 	<p>Amend SUB-R1 as follows:</p> <p>SUB-R1 – Boundary adjustments</p> <p>Activity Status: CON</p> <p>Where the activity complies with the following rule requirements:</p>	<p>The proposed changes introduce a need to comply with the proposed new standards (access and connections to services) which set up the matters of control, as they assess the effects of not connecting to the road network and services appropriately.</p>

Notified Provision	Relief sought	Reasons
<p>2. Any existing allotment that does not meet SUB-S1 does not decrease in area.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The area of the proposed allotments. 2. The location, design and construction of access, and its adequacy for the intended use of the subdivision. 3. Public access requirements. 4. The provision of services and their adequacy for the intended use of the subdivision. 5. Any amalgamations and easements that are appropriate. 6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan. 7. Any other matters provided for in section 220 of the Act. <p>Activity status where compliance is not achieved with R1.1 and R1.2: DIS</p>	<ol style="list-style-type: none"> 1. The allotments comply with SUB_S1; or 2. Any existing allotment that does not meet SUB-S1 does not decrease in area. 3. <u>The allotments comply with SUB-S2 to SUB-S6.</u> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The area of the proposed allotments. 2. The location, design and construction of access, and its adequacy for the intended use of the subdivision. 3. Public access requirements. 4. The provision of services and their adequacy for the intended use of the subdivision. 5. Any amalgamations and easements that are appropriate. 6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan. 7. Any other matters provided for in section 220 of the Act. <p>Activity status where compliance is not achieved with R1.1 and R1.2: <u>RDIS</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <ol style="list-style-type: none"> a. <u>The area of the proposed allotments.</u> b. <u>The matters of any infringed standard.</u> 	<p>Points 5 and 7 are removed as they are both matters addressed in section 220 of the Act and are not required to be spelt out in a District Plan and their presence here serves only to repeat the Act, which is unnecessary.</p> <p>It is not appropriate that a subdivision in general be an RDIS activity but that non-compliance with a CON activity boundary adjustment be a full DIS activity. Seek that the elevation is changed to RDIS, with appropriate Matters of Discretion identified.</p>
<p>SUB-R2 – Subdivision to create a network or public utility or a reserve</p> <p>Activity Status: CON</p> <p>Matters of control are restricted to:</p>	<p>Amend SUB-R2 as follows:</p> <p>SUB-R2 – Subdivision to create <u>new allotments for a network or public utility or a reserve</u></p> <p>Activity Status: CON</p>	<p>Subdivision is the act of subdividing land, it cannot create network or public utilities, nor reserves. The rule title is therefore amended to be within the scope of what a subdivision can achieve.</p>

Notified Provision	Relief sought	Reasons
<ol style="list-style-type: none"> 1. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring properties and the site's ability to dispose of waste (if required). 2. The location, design and construction of access, and its adequacy for the intended use of the subdivision. 3. Public access requirements. 4. The provision of services and their adequacy for the intended use of the subdivision. 5. Any amalgamations and easements that are appropriate. 6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan. 7. Any other matters provided for in section 220 of the Act. 	<p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Any balance allotment complies with SUB-S1.</u> 2. <u>The new allotments for infrastructure comply with SUB-S2.</u> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring properties <u>sites</u> and the site's ability to dispose of waste (if required). 2. The location, design and construction of access, and its adequacy for the intended use of the subdivision. 3. Public access requirements. 4. The provision of services and their adequacy for the intended use of the subdivision. 5. Any amalgamations and easements that are appropriate. 6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan. 7. Any other matters provided for in section 220 of the Act. <p><u>Activity status where compliance is not achieved with R2: RDIS</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <ol style="list-style-type: none"> a. <u>The area of the proposed allotments and their suitability for the intended purpose.</u> b. <u>The matters of SUB-S2.</u> 	<p>Points 5 and 7 are removed as they are both matters addressed in section 220 of the Act and are not required to be spelt out in a District Plan and their presence here serves only to repeat the Act, which is unnecessary.</p> <p>Properties is not a defined terms whereas sites is, change of phrase to avoid confusion in interpretation.</p> <p>It is proposed to include requirements to make these activities controlled, and where the proposal cannot comply (balance allotments do not meet the minimum density standard for the zone or cannot provide physical or legal access) there is also introduced an elevation to RDIS whereby Council can refuse to grant consent should the activity be inappropriate in regards to both allotment size and / or inadequate access. As drafted, this activity would have to be accepted as a CON activity regardless of whether the balance allotments created are of a useable size or if no access is provided to the allotments.</p>
<p>SUB-R3 – Subdivision where any part of the site is within a Heritage Precinct</p> <p>Activity Status: RDIS</p>	<p>Amend SUB-R3 as follows:</p> <p>SUB-R3 – Subdivision where any part of the site is within a Heritage Precinct</p>	<p>The proposed changes introduce a need to comply with the proposed new standards (access and connections to services). This ensure that subdivision,</p>

Notified Provision	Relief sought	Reasons
<p>Where:</p> <ol style="list-style-type: none"> The application for subdivision consent is submitted concurrently with an application for land use consent under Section 11. <p>Where the activity complies with the following rule requirements: SUB-S1</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Those matters specified in SUB-R4. The impact of the proposed subdivision on the heritage values and character of the Heritage Precinct. <p>Activity status when compliance is not achieved with R3.1: DIS</p> <p>And the activity complies with the following rule requirements: SUB-S1</p> <p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> The application for subdivision consent is submitted concurrently with an application for land use consent under Section 11. <p>Where the activity complies with the following rule requirements: SUB-S1 <u>to SUB-S6</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Those matters specified in SUB-R4. The impact of the proposed subdivision on the heritage values and character of the Heritage Precinct. <u>The matters of any infringed standard.</u> <p>Activity status when compliance is not achieved with R3.1: DIS</p> <p>And the activity complies with the following rule requirements: SUB-S1 <u>to SUB-S6.</u></p> <p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>regardless of whether it is located within a heritage precinct or not, has appropriate connections to services and legal and physical access. The rule as drafted allows a loophole for subdivision within heritage precincts to not provide services and their lack cannot be assessed as they are not currently listed as Matters of Discretion.</p>
<p>SUB-R4 – Subdivision not otherwise specified</p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: SUB-S1</p>	<p>Amend SUB-R4 as follows and amend numbering as appropriate:</p> <p>SUB-R4 – Subdivision not otherwise specified</p> <p>Activity Status: RDIS</p>	<p>7c deleted as repetition of points 2 and 4.</p> <p>Points 14 and 15 are removed as they are both matters addressed in section 220 of the Act and are not required to be spelt out in a District Plan and their presence</p>

Notified Provision	Relief sought	Reasons
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose, character, and qualities of the applicable zone. 2. The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services. 3. The ability to lawfully dispose of wastewater and stormwater. 4. The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision. 5. The provision of landscaping, including road berms. 6. Earthworks necessary to prepare the site for development occupation, and/or use. 7. Subdivisional design including the shape and arrangement of allotments to: <ol style="list-style-type: none"> a. facilitate convenient, safe, efficient and easy access. b. achieve energy efficiency, including access to passive solar energy sources. 	<p>Where the activity complies with the following rule requirements: SUB-S1 to SUB-S6</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose, character, and qualities of the applicable zone. 2. The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services. 3. The ability to lawfully dispose of wastewater and stormwater. 4. The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision. 5. The provision of landscaping, including road berms. 6. Earthworks necessary to prepare the site for development occupation, and/or use. 7. Subdivisional design including the shape and arrangement of allotments to: <ol style="list-style-type: none"> a. facilitate convenient, safe, efficient and easy access. b. achieve energy efficiency, including access to passive solar energy sources. c. facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and coordinated ultimate pattern of development. d. maintain and enhance amenity values. e. facilitate adequate access to back land. 	<p>here serves only to repeat the Act, which is unnecessary.</p> <p>Amendments proposed to point 10 to specifically address the identified landscape areas on the planning maps.</p> <p>The proposed changes introduce a need to comply with the proposed new standards (access and connections to services) which set up the matters of discretion, as they assess the effects of not connecting to the road network and services appropriately.</p>

Notified Provision	Relief sought	Reasons
<p>c. facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and coordinated ultimate pattern of development.</p> <p>d. maintain and enhance amenity values.</p> <p>e. facilitate adequate access to back land.</p> <p>f. protect existing water races.</p> <p>8. The provision of or contribution to the open space and recreational needs of the community.</p> <p>9. The provision of buffer zones adjacent to roads, network utilities or natural features.</p> <p>10. The protection of important landscape features, including significant rock outcrops and escarpments.</p> <p>11. Provision for pedestrian and cyclist movement, including the provision 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. Any amalgamations and easements that are appropriate.</p>	<p>f. protect existing water races.</p> <p>8. The provision of or contribution to the open space and recreational needs of the community.</p> <p>9. The provision of buffer zones adjacent to roads, network utilities or natural features.</p> <p>10. The protection of <u>identified Outstanding Natural Landscapes, Outstanding Natural Features, and Special Amenity Landscapes</u> important landscape features, including significant rock outcrops and escarpments.</p> <p>11. Provision for pedestrian and cyclist movement, including the provision 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. Any amalgamations and easements that are appropriate.</p> <p>15. Any other matters provided for in section 220 of the Act.</p>	

Notified Provision	Relief sought	Reasons
<p>15. Any other matters provided for in section 220 of the Act.</p>		
<p>SUB-R5 – Subdivision of three or more allotments in the Medium Density Residential Zone</p> <p>Activity Status: RDIS</p> <p>Where:</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>Where the activity complies with the following rule requirements: 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>Matters of discretion are restricted to:</p> <p>1. Those matters set out in SUB-R4.</p> <p>Activity status when compliance is not achieved with R5.1: NC</p> <p>And the activity complies with the following rule requirements: SUB-S1</p> <p>And the activity complies with the following rule requirements: SUB-S1</p>	<p>SUB-R5 – Subdivision that creates of three or more allotments in the Medium Density Residential Zone</p> <p>Activity Status: RDIS</p> <p>Where:</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<u>2</u>, or after the grant of a land use consent.</p> <p>Where the activity complies with the following rule requirements:</p> <p>a. 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. <u>SUB-S2 to SUB-S6.</u></p> <p>Matters of discretion are restricted to:</p> <p>1. Those matters set out in SUB-R4.</p> <p>Activity status when compliance is not achieved with R5.1: NC</p> <p>And the activity complies with the following rule requirements: SUB-S1</p> <p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>	<p>Changes proposed to the rule title to clarify that the rule is triggered when three or more allotments are created, not when subdividing three or more existing allotments into further allotments.</p> <p>Change to the rule for which this application must be made in accordance with – MRZ-R1 (as this rule is drafted to be applied for in concurrently with) relates to Residential units in the MRZ. MRZ-R2 as suggested relates to Comprehensive Residential Development Master Plans, which it is assumed is the intended rule to which this reference should be made (also noting that MRZ-R2 as an RDIS activity should be located after all the PER and CON activities in the MRZ chapter and thus the numbering has been sought through this submission to be amended, and the changes to SUB-R5 will need to reflect this new numbering of the rule MRZ-R2 Comprehensive Residential Development Master Plans).</p> <p>The elevation to NC has been deleted. This is because R5.1 requires that the subdivision activity be applied for</p>

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<p>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</p>		<p><i>concurrently</i> as a Comprehensive Residential Development Plan OR <i>after</i> the grant of the land use consent. It is difficult therefore to ascertain when compliance is not achieved in order to trigger the NC activity status. Deleted also the requirement to comply with SUB-S1 – if an activity is NC, there is no need to also comply with SUB-S1. If an application did not comply with SUB-S1, but was NC as it did not comply with R5.1, where can it go from here? PR activity status?</p> <p>The proposed changes introduce a need to comply with the proposed new standards (access and connections to services) which set up the matters of discretion, as they assess the effects of not connecting to the road network and services appropriately.</p>
	<p>Insert new rule as follows:</p> <p><u>SUB-R7 - Subdivision around existing lawfully established buildings (excluding accessory buildings) or buildings (excluding accessory buildings) approved or part of a resource consent application where no vacant allotments are created.</u></p> <p><u>All residential zones</u></p> <p><u>Activity Status: CON</u></p>	<p>This new proposed rule would enable subdivisions around existing lawfully established residential units, without consideration of the density standard, which would have been addressed through the land use consent. This allows for subdivisions around the existing built form, where compliant with Council access standards and compliant with connections for services,</p>

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	<p><u>Where:</u> Compliance is achieved with SUB-S2 to SUB-S6.</p> <p><u>Matters of Control are limited to:</u></p> <ol style="list-style-type: none"> <u>The matters in SUB-P1, SUB-P7 and SUB-P8.</u> <p><u>Activity Status where compliance is not achieved with SUB-R7.1: RDIS.</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The matters in SUB-P1, SUB-P7 and SUB-P8.</u> <u>The matters in the breached standard.</u> 	<p>also in accordance with Council standards.</p>
<p>SUB-S1 – Density</p> <p>Medium Density Residential Zone</p> <ol style="list-style-type: none"> 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 200m² . Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m² . <p>Activity Status where compliance is not achieved: NC</p> <p>Low Density Residential Zone</p> <ol style="list-style-type: none"> 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 500m² . 	<p>Amend SUB-S1 as follows:</p> <p>SUB-S1 – Density <u>Minimum allotment size</u></p> <p>Medium Density Residential Zone</p> <ol style="list-style-type: none"> 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 200m² . Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m² . <p>Activity Status where compliance is not achieved: NC <u>DIS</u></p> <p>Low Density Residential Zone</p> <ol style="list-style-type: none"> 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 5<u>300</u>m² . 	<p>The deletion of the LLRZ Precinct standards and inclusion of new standards specific for each precinct is to be in keeping with the requirements of Precinct use under the National Planning Standards. Also noting that referring to “precinct 1” is not specific enough in this district wide chapter as there is a precinct 1 in the MRZ for the Clyde Heritage Area.</p> <p>The elevation directly to NC is extreme and not supported by the policy direction in either this chapter or the zone chapters. A DIS status is more than capable of assessing the affects of a smaller lot size than the minimum, without requiring the application be put through the Gateway Tests.</p>

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<p>4. Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m²</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Large Lot Residential Zone</p> <p>5. The minimum size of any allotment shall be no less than 2000m² .</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Precinct 1</p> <p>6. The minimum size of any allotment shall be no less than 1000m² .</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Precinct 2</p> <p>7. The minimum size of any allotment shall be no less than 3000m² .</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Precinct 3</p> <p>8. The minimum size of any allotment shall be no less than 6000m² .</p>	<p>4. Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m²</p> <p>Activity Status where compliance is not achieved: NC <u>DIS</u></p> <p>Large Lot Residential Zone</p> <p>5. The minimum size of any allotment shall be no less than 2000m² .</p> <p>Activity Status where compliance is not achieved: NC <u>DIS</u></p> <p>Precinct 1</p> <p>6. The minimum size of any allotment shall be no less than 1000m².</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Precinct 2</p> <p>7. The minimum size of any allotment shall be no less than 3000m².</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Precinct 3</p> <p>8. The minimum size of any allotment shall be no less than 6000m².</p> <p>Activity Status where compliance is not achieved: NC</p> <p>Insert new standards for each specific Precinct as follows:</p>	<p>The removal entirely of points 2 and 4 (and amendments in points 1 and 3) relates to the requirement for compliance with new proposed standard SUB-S4 which is proposed to be inserted for all SUB rules, and requires either connection to Council reticulated wastewater services (to Council standards) or an onsite disposal system (also to Council standards).</p> <p>The change in standard title from density to minimum allotment size is to reflect that in the subdivision chapter what we are talking about and controlling is the minimum allotment size, not necessarily the density of development.</p> <p>For the LRZ, the 500m² is double what is the minimum area for subdivisions at the moment. 300m² would provide for development in the LRZ to a degree that is similar to that being achieved currently. Most of the older allotment sizes are 800m², with an existing dwelling on them. This means that in practice we often see infill subdivisions with allotments being split in a 300m² and 500m² split. By limiting the majority of the existing residential areas of the District to a minimum of 500m² this is excluding the ability to carry out what is</p>

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<p>Activity Status where compliance is not achieved: NC</p>	<p><u>LLRZ-PREC01-SUB-S1 – Density</u> <u>The minimum size of any allotment shall be no less than 1000m2 .</u></p> <p><u>Activity Status where compliance is not achieved: DIS</u></p> <p><u>LLRZ-PREC02-SUB-S1 – Density</u> <u>The minimum size of any allotment shall be no less than 3000m2 .</u></p> <p><u>Activity Status where compliance is not achieved: DIS</u></p> <p><u>LLRZ-PREC03-SUB-S1 – Density</u> <u>The minimum size of any allotment shall be no less than 6000m2 .</u></p> <p><u>Activity Status where compliance is not achieved: DIS</u></p>	<p>currently a standard infill subdivision. This rule as drafted does not take into account the real-world situation of the District and its existing built form and existing allotment sizes.</p>
	<p>Insert new standard as follows:</p> <p><u>SUB-S2 – Access</u></p> <p><u>All new allotments must have physical and legal access to all new allotments in accordance with Council standards.</u></p> <p><u>Activity Status where compliance is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p>	<p>New standard to require that all new subdivisions comply with Council access standards.</p>

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	<ul style="list-style-type: none"> a. <u>The safe, efficient and effective functioning of any private way, including firefighting access and the safety of pedestrians and cyclists;</u> b. <u>The suitability of any alternative design options.</u> c. <u>The safe, efficient and effective functioning of the transport network; and</u> d. <u>Site and topographical constraints.</u> 	
	<p>Insert new standard as follows:</p> <p><u>SUB-S3 – Water supply</u></p> <ul style="list-style-type: none"> 1. <u>Where a connection to Council’s reticulated water supply systems is available, all new allotments must be provided with a water supply connection at the allotment boundary to council standards</u> 2. <u>Where reticulated water supply is not available, all new allotments must be provided with onsite supply of x litres and x storage for firefighting supply or sprinkler system in the proposed dwelling.</u> <p><u>Activity Status where compliance is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The provision of an alternative water supply;</u> b. <u>The potability of the alternative water supply;</u> c. <u>Measures to maintain the health and safety of users of the water; and</u> d. <u>The ability for the proposal to provide for fire safety.</u> 	<p>New standard to require that all new subdivisions comply with Council water supply standards and FENZ firefighting supply standards.</p> <p>The specifics of the requirements has been left open for an expert to confirm.</p>
	<p>Insert new standard as follows:</p> <p><u>SUB-S4 – Waste water disposal</u></p>	<p>New standard to require that all new subdivisions comply with Council wastewater standards.</p>

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	<p>1. <u>Where a connection to Council’s reticulated wastewater systems is available, all new allotments must be provided with a connection at the allotment boundary to council standards</u></p> <p>2. <u>Where reticulated waste water disposal is not available, all allotments must be provided with a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner within the net site area of the allotment in accordance with council standards</u></p> <p><u>Activity Status where compliance is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The wastewater demand generated by the proposal and the need for wastewater connections;</u> b. <u>The alternative wastewater system proposed and its long term effectiveness in providing for the wastewater management of the development;</u> c. <u>The effects of the proposed wastewater system and disposal on the health and safety of people; and</u> d. <u>The capacity of the wastewater network and the impact of the development on the capacity of the system.</u> 	
	<p>Insert new standard as follows:</p> <p><u>SUB-S5 – Stormwater disposal</u></p> <p>1. <u>Where a connection to Council’s stormwater management systems is available, all new allotments must be provided with a</u></p>	<p>New standard to require that all new subdivisions comply with Council stormwater standards.</p>

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	<p><u>connection at the allotment boundary to council standards</u></p> <p>2. <u>Where a connection to Council’s stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater.</u></p> <p><u>Activity Status where compliance is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>a. <u>Any potential impacts on any downstream flooding hazard from the proposed stormwater disposal from the site; and</u></p> <p>b. <u>The size and scale of the development and the additional stormwater that the proposal will generate compared to the existing situation.</u></p>	
	<p>Insert new standard as follows:</p> <p><u>SUB-S6 – Telecommunications and electricity supply</u></p> <p>1. <u>All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments.</u></p> <p>2. <u>All new allotments must have provision for electricity connections to the legal boundary of the allotments.</u></p> <p><u>Activity Status where compliance is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p>	<p>New standard to require that all new subdivisions provide telecommunications to all new allotments.</p>

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	a. Alternative provision of telecommunication and power supply.	