

Resource Management Act 1991

Submission on Notified Proposed Plan Change to Central Otago District Plan

Clause 6 of Schedule 1, Resource Management Act 1991

(FORM 5)

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

Details of submitter

Name: Thyme Care Properties Ltd

Postal address: c/o Neil Bulling, 5 Iles Street, Cromwell 9310
(Or alternative method of service under [section 352](#) of the Act)

Phone: 0274 328 978

Email: nbulling@ppgwrightson.co.nz

Contact person: Rachael Law, Paterson Pitts Group, Agent on behalf of submitter.
rachael.law@ppgroup.co.nz

(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 *Rachel Law, agent
on behalf of submitter*

1/09/2022
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.

AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE

This form is approved by the Real Estate Institute of New Zealand Incorporated and by Auckland District Law Society Incorporated.

DATE:

VENDOR:

Samuel Peter Earl & Georgina Emma Buchanan Earl

PURCHASER:

Thyme Care Properties Limited

and/or nominee

The vendor is registered under the GST Act in respect of the transaction and/or will be so registered at settlement:

~~Yes~~/No

If "Yes", Schedule 1 must be completed by the parties.

Purchase price allocation (PPA) is relevant to the parties for income tax and/or GST purposes:

Vendor ~~Yes~~/No

If both parties answer "Yes", use of the PPA addendum for this agreement is recommended.

Purchaser/Purchaser's Nominee ~~Yes~~/No

PROPERTY

Address:

82 State Highway 6, Kawarau Gorge Road, Cromwell

Estate:

FREEHOLD

~~LEASEHOLD~~

~~STRATUM IN FREEHOLD~~

~~STRATUM IN LEASEHOLD~~

~~CROSS-LEASE (FREEHOLD)~~

~~CROSS-LEASE (LEASEHOLD)~~

If none of the above are deleted, the estate being sold is the first option of freehold.

Legal Description:

Area (more or less):

6930

Lot/Flat/Unit:

DP:

Record of Title (unique identifier):

Part Lot 2 DP 23343 Subject to Survey and as shown on the Development Plan

~~Plus GST (if any)~~ OR Inclusive of GST (if any)

If neither is deleted, the purchase price includes GST (if any).

GST date (refer clause 13.0):

Balance of purchase price to be paid or satisfied as follows:

(1) By payment in cleared funds on the settlement date which is:

OR

(2) In the manner described in the Further Terms of Sale.

Interest rate for late settlement:

14 % p.a.

CONDITIONS (refer clause 9.0)

Finance required (clause 9.1):

~~Yes~~/No

Finance date:

OIA consent required (clause 9.6):

~~Yes~~/No

LIM required (clause 9.3):

~~Yes~~/No

OIA date (clause 9.8):

Building report required (clause 9.4):

~~Yes~~/No

Land Act consent required (clause 9.7):

~~Yes~~/No

Toxicology report required (clause 9.5):

~~Yes~~/No

Land Act date (clause 9.8):

TENANCIES

Particulars of any tenancies are set out in Schedule 3 or another schedule attached to this agreement by the parties.

~~Yes~~/No

It is agreed that the vendor sells and the purchaser purchases the property, and any chattels listed, on the terms and conditions of this agreement.

Release date: 8 February 2022

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limitation) taking part in any planning hearing, or appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.

- (f) **Planning Proposal** includes (without limitation) any application for resource consent and/or plan change and/or variation of any nature under the relevant District Plan and/or proposed District Plan in respect of, or which affects the Land.
- (g) **Property** means 6,930 m² of land more or less to be subdivided and amalgamated with the Purchaser's existing land holding (being Part Lot 4 DP 22109 contained in RT OT15B/848 and Lot 1 DP 23343 contained in RT OT15B/1004), being the two areas marked on the Development Plan as "Proposed Site Area" of 1,565 m² and 5,365 m² (currently contained in RT OT15B/1003).
- (h) **Stakeholder** means the Vendor's solicitor as nominated by the Vendor from time to time.
- (i) **Subdivision** means the proposed subdivision set out in the Subdivision Plans.
- (j) **Subdivision Plans** means the LT Plans to be prepared by the Purchaser and registered with Land Information New Zealand.
- (k) **Territorial Authority** means the Central Otago District Council and/or the Otago Regional Council.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier OT15B/1003

Land Registration District Otago

Date Issued 14 December 1993

Prior References

OT15B/847

Estate Fee Simple
Area 2.0701 hectares more or less
Legal Description Lot 2 Deposited Plan 23343
Registered Owners
Samuel Peter Earl and Georgina Emma Buchanan Earl

Interests

372527 Transfer creating the following easements - 18.8.1971 at 9.00 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain sewage	Section 10 Block I Cromwell Survey District - CT OT5C/967	Blue line Transfer 372527	Lot 2 Deposited Plan 23343 - herein	
Drain sewage	Section 48 and Section 59 Block III Cromwell Survey District - CT OT197/39	Blue line Transfer 372527	Lot 2 Deposited Plan 23343 - herein	

544716 Gazette Notice declaring a portion of State Highway No. 6 fronting the within land to be a limited access road -
11.11.1980 at 2.46 pm

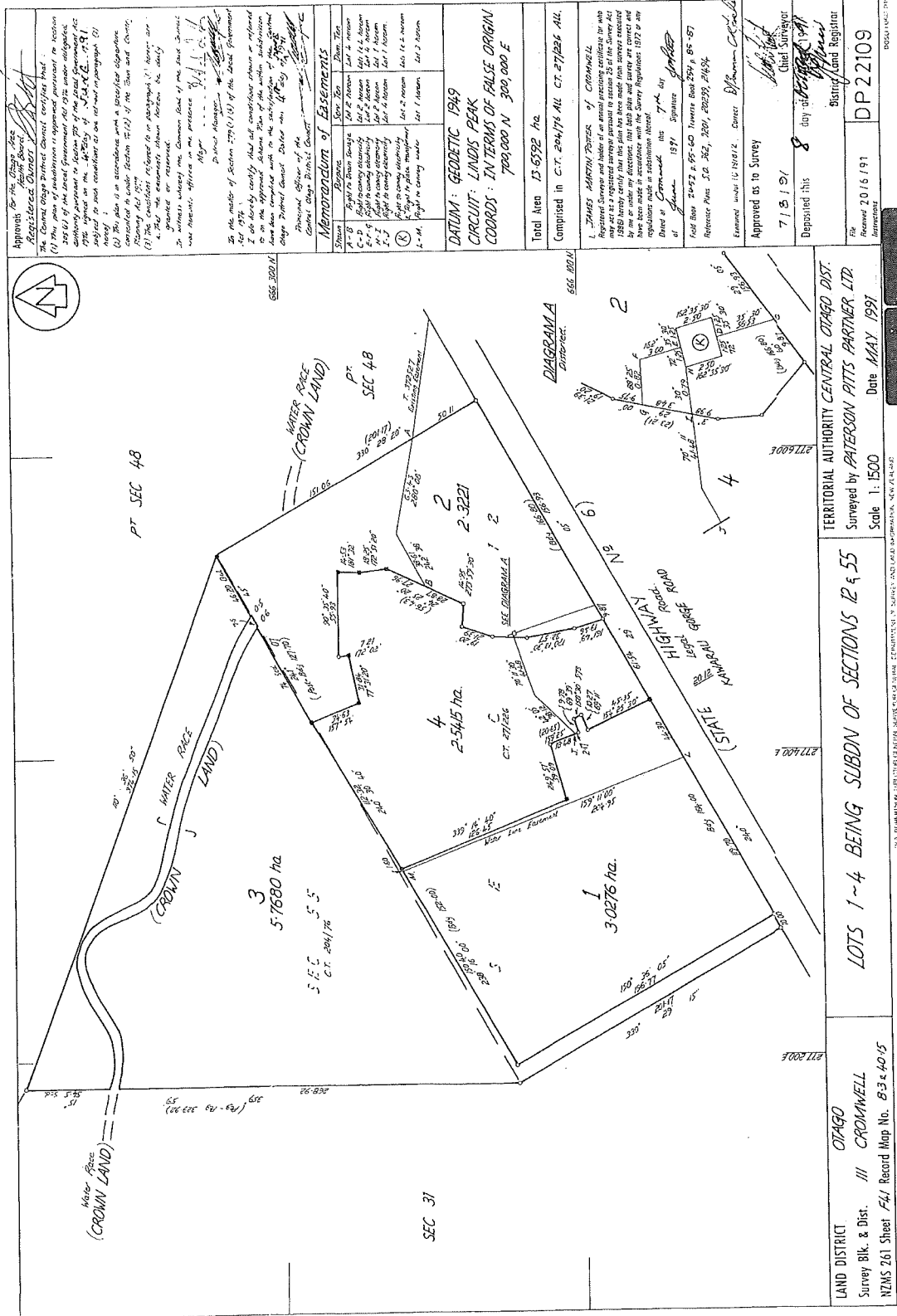
789816.5 Easement Certificate specifying the following easements - 8.10.1991 at 10.46 am (Subject to Section 243
Resource Management Act 1991)

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain sewage	Lot 2 Deposited Plan 23343 - herein	A-B DP 22109	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	

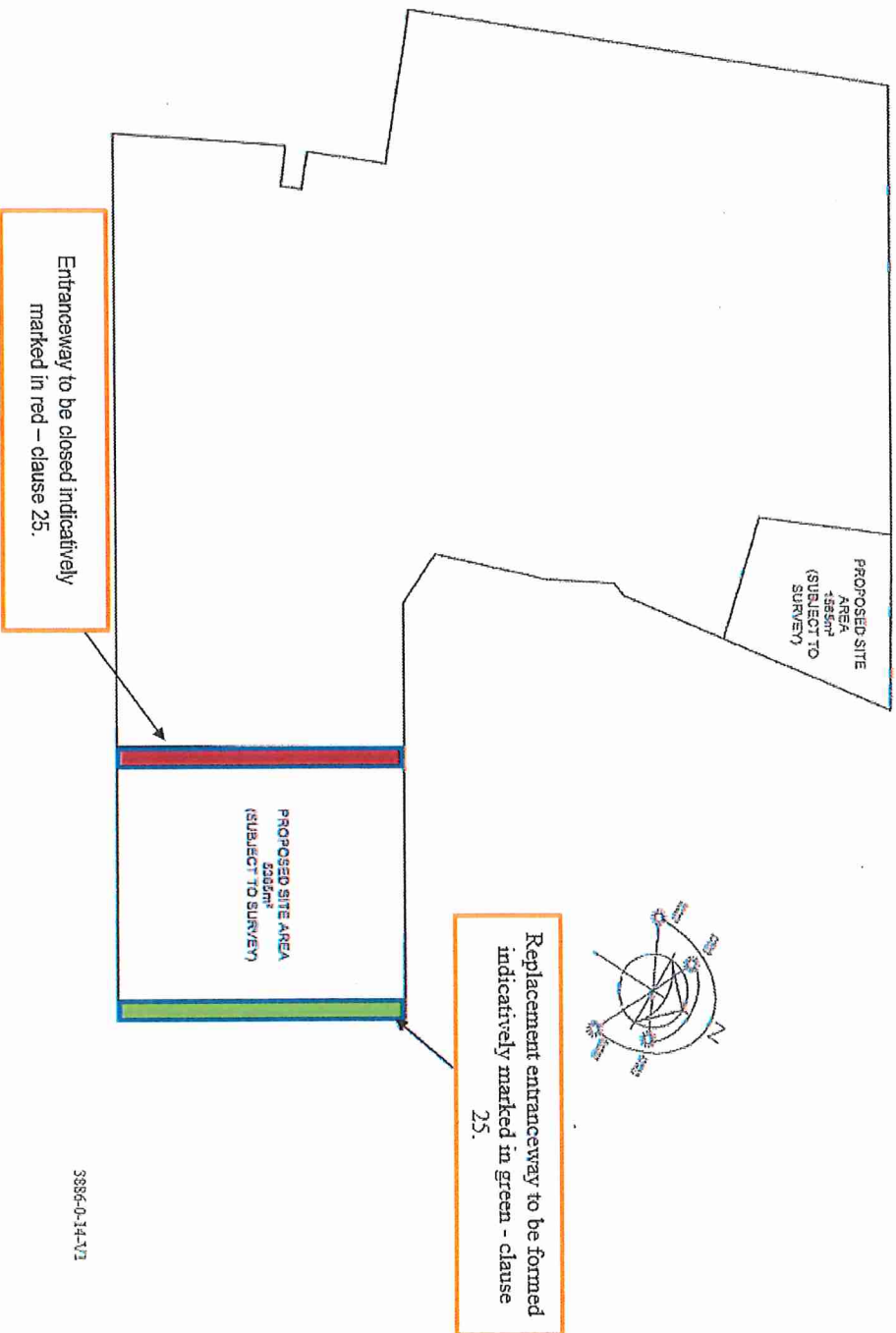
843477.3 Easement Certificate specifying the following easements - 26.11.1993 at 10.17 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	A DP 23286	Lot 2 Deposited Plan 23343 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 2 Deposited Plan 23343 - herein	B DP 23286	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	Section 243 (a) Resource Management Act 1991

Convey water	Lot 2 Deposited Plan 23343 - herein	C-D-E DP 23286	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	Section 243 (a) Resource Management Act 1991
Convey water	Lot 2 Deposited Plan 23343 - herein	I-J DP 23286	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	Section 243 (a) Resource Management Act 1991
Convey sewage	Lot 1 Deposited Plan 23343 - herein	G-H DP 23286	Part Lot 4 Deposited Plan 22109 - CT OT15B/848	Section 243 (a) Resource Management Act 1991
844828.3 Easement Certificate specifying the following easements - 14.12.1993 at 10.38 am				
Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey electricity	Lot 1 Deposited Plan 23343 - CT OT15B/1004	A-B DP 23343	Lot 2 Deposited Plan 23343 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 2 Deposited Plan 23343 - herein	C-D DP 23343	Lot 1 Deposited Plan 23343 - CT OT15B/1004	Section 243 (a) Resource Management Act 1991
861227 Transfer creating the following easements - 27.7.1994 at 10.47 am				
Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain sewage	Lot 2 Deposited Plan 23343 - herein	A-B Transfer 861227	Lot 1 Deposited Plan 23343 - CT OT15B/1004	
9976154.2 Mortgage to Bank of New Zealand - 4.3.2015 at 5:05 pm				
10901961.1 Variation of Mortgage 9976154.2 - 26.9.2017 at 6:55 pm				







Thyme Care Properties Ltd – submission on Proposed Plan Change 19

Name: Thyme Care Properties Ltd

Postal address: C/- Neil Bulling

5 Iles Street

Cromwell 9310

Phone: 0274 328 978

Email: nbulling@pggwrightson.co.nz

Submission:

The submitter is the landowner of Part Lot 4 DP 22109, Lot 1 DP 23343 (94 and 84 Kawarau Gorge Road) and is in the process of negotiating the purchase of part of the adjacent Lot 2 DP 23343 (82 Kawarau Gorge Road) (see attached Sale and Purchase Agreement). As landowner of one of the largest residential areas of Cromwell close to the town centre, they would like to develop it and expand it in a manner that is appropriate to a residential zoning. Therefore, the submitter opposes PC19 in its entirety as it applies to their site (Part Lot 4 DP 22109, Lot 1 DP 23343) and the site to the immediate north (Lot 2 DP 23343) in both provisions and zoning.

Reason for submission:

The site's current zoning is Rural Residential Area (RR) which allows for:

- Average lot size of 2ha, with one residential unit permitted per site.

The site has not been proposed for residential rezoning as part of Proposed Plan Change 19 (PC19).

The site is irregular in shape, north of State Highway 6 (SH6) and within 1km of the Cromwell town centre to the east. Part Lot 4 DP 22109 has a current built form with a residential retirement village (Ripponburn Hospital and Home). It is noted that the nearby retirement village located at Lot 1 DP 23737 has been rezoned Medium Density Residential (MRZ) through PC19.

Overall, the RR zone of the Operative District Plan (ODP) significantly limits the development potential of the site and the intentions for the southern section of the site to the immediate north (Lot 2 DP 23343) of this existing residential development close to the town centre of Cromwell. The submitter is opposed to the exclusion of the site from residential rezoning under PC19, and opposes provisions of the MRZ.

Specific Relief sought:

Amend the mapping related to the subject site (Part Lot 4 DP 22109, Lot 1 DP 23343 and Lot 2 DP 23343), and amend the provisions (including any consequential amendments or amendments which result in the same effect sought) as follows:

Notified Provision	Relief sought	Reasons
Mapping	Mapping change: Rezone the site known legally as Part Lot 4 DP 22109, Lot 1 DP 23343 from Rural Residential Area (RR) to Medium Density Residential Zone (MRZ).	The site is currently zoned RR with an average lot size of 2ha across SH6 from RRA(12) and R areas. The continuation of this zoning for a site which is already developed in dense residential activities is considered unnecessarily limiting for the site and unrecognizing of the existing environment and needs of the landowner to maintain and provide for these residential activities. This current rural based zoning also limits any potential development or redevelopment of the residential site. The MRZ zoning would enable the site owner more options for potential development of the site to take the best opportunity of the site. It is noted that the retirement village approximately 350m to the northeast from the subject site has been rezoned to MRZ.
Mapping	Mapping change: Rezone part of the site known legally as Lot 2 DP 23343 from Rural Residential Area (RR) to Medium Density Residential Zone (MRZ) in alignment with the proposed area of 5365m ² along the boundary with Kawarau Gorge Road as shown in the attached Sale and Purchase Agreement.	The site is currently zoned RR with an average lot size of 2ha across SH6 from RRA(12) and R areas. The submitter is in the process of purchasing the indicated area of this allotment, and thus a continuous zoning of MRZ for the submitter's landholdings is considered suitable to enable the development of the site in a manner which provides the greatest flexibility for the submitter. The MRZ zoning would enable the site owner more options for potential development of the site to take the best opportunity of the site.

Notified Provision	Relief sought	Reasons
MRZ-R11 Excavation Activity Status: PER Where: - Any extraction of material shall not exceed 1m in depth within 2m of any site boundary; and - The maximum volume or area of land excavated within any site in any 12-month period does not exceed 200m² per site.	Amend 2. To remove reference to volume as below and amend minimum area: The maximum volume or area of land excavated within any site in any 12-month period does not exceed 2500m² per site	Not possible to have a m² amount as a volume. 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.
MRZ-R13 Retirement villages Activity Status: RDIS Where the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6.	Amend standard. Remove requirement to comply with MRZ-S4 Building coverage. MRZ-R13 Retirement villages Activity Status: RDIS Where the activity complies with the following rule requirements: <u>MRZ-S2, MRZ-S3, MRZ-S5 and to</u> MRZ-S6.	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.
MRZ-S1 Density - Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m². - Where the residential unit is not connected to a reticulated sewerage system, the minimum site	Amend standard. Seek that the elevation for non-compliance with the density standard is to Discretionary instead of Non-Complying MRZ-S1 Density - Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m². - Where the residential unit is not connected to a reticulated sewerage	The proposed elevation to NC is a very high elevation. The policy direction in the subdivision and MRZ chapters should be sufficient to guide decision makers without requiring a NC resource consent pathway.

Notified Provision	Relief sought	Reasons
area per unit is 800m² 3. Where MRZ-S1.1 is not met but the minimum site area per unit is 180m²: DIS. Where MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: NC.	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. Where MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: NCDIS.	
MRZ-S4 Building coverage The building coverage of the net area of any site must not exceed 40%.	Amend standard. Seek that the building coverage is changed from 40% to 60%. MRZ-S4 Building coverage The building coverage of the net area of any site must not exceed 460%.	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.
MRZ-S6 Setback from internal boundary Any building or structure shall be setback a minimum of: 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 2. 15m from the margin of any lake.	Amend to include the following exemptions to the standard: MRZ-S6 Setback from internal boundary Any building or structure shall be setback a minimum of: 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 2. 15m from the margin of any lake. <u>This standard MRZ-S6.1 does not apply to:</u> • <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</u>	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. 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. 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

Notified Provision	Relief sought	Reasons
	<u>horizontally and/or vertically by a common wall or common floor.</u>	another separated by common floors.
MRZ-S7 Outdoor Living Space Each residential unit must have an exclusive outdoor living space: - for units with common living space at ground floor level, of at least 30m² with a minimum dimension of 4m; and - 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 - located on the north, west or east side of the residential unit and which is accessible from the living space of the residential unit. Activity status where compliance not achieved: RDIS Matters of discretion are restricted to: - provision of useable outdoor space; and - accessibility and convenience for residents; and	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. MRZ-R7 Outdoor Living Space Each residential unit must have an exclusive outdoor living space: for units with common living space at ground floor level, of at least 30m² with a minimum dimension of 4m; and 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 located on the north, west or east side of the residential unit and which is accessible from the living space of the residential unit. MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of useable, accessible outdoor living space for residents.</u> MRZ-S5 Setback from road boundary Matters of discretion are restricted to: <u>d. provision of useable, accessible outdoor living space for residents.</u> MRZ-S6 Setback from internal boundary Matters of discretion are restricted to:	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. 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. The use of the word 'dimension' is not clear whether the intent is a circle with a dimension of 4m, or a square with a depth of 4m. The change to 'width' clarifies this standard. 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

Notified Provision	Relief sought	Reasons
c. whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident's needs.	<u>e. provision of useable, accessible outdoor living space for residents.</u> 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. MRZ-R7 Outdoor Living Space Each residential unit must have an exclusive outdoor living space: 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. Activity status where compliance not achieved: RDIS Matters of discretion are restricted to: a. <u>topographical and other site constraints; and</u> b. provision of useable outdoor space; and	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. 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.

Notified Provision	Relief sought	Reasons
	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. Alternative relief sought: Retain the references to orientation in .3, and insert elevation from MRZ-S7.3 for CON activity: <u>Activity status where compliance not achieved with MRZ-S7.3:</u> <u>CON</u> <u>Matters of control are restricted to:</u> 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>	
MRZ-S8 Landscaping At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation.	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. MRZ-S8 Landscaping At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation. MRZ-S2 Height	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 space, which will be achieved through

Notified Provision	Relief sought	Reasons
	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> 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> 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> 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> 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</u>	the other standards and landscaping can be addressed as matters of discretion for breaches to these other standards. Landscaping is thus added as a matter of discretion to MRZ-S2 through MRZ-S6 as MRZ-S1 doesn't have matters of discretion. 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. 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.

Notified Provision	Relief sought	Reasons
	<u>between built form and open space.</u> Alternative relief sought, keep with amendments: Amend from 30% to 20%. Remove 'planted in grass, trees, shrubs or other vegetation' and replace with 'vegetated'. MRZ-S8 Landscaping At least 320% of the site shall be planted in grass, trees, shrubs or other vegetationed.	
MRZ-S9 Service and Storage Space 1. 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. 2. The required spaces can be provided either individually or within a communal space for multiple units.	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. MRZ-S9 Service and Storage Space 1. 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. 2. The required spaces can be provided either individually or within a communal space for multiple units. MRZ-S4 Building coverage Matters of discretion are restricted to: <u>e. provision of useable and accessible service and storage space for residents.</u> MRZ-S5 Setback from road boundary Matters of discretion are restricted to:	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. 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 depth of 1.5m. The change to 'width' clarifies this standard.

Notified Provision	Relief sought	Reasons
	<u>d. provision of useable and accessible service and storage space for residents.</u> MRZ-S6 Setback from internal boundary Matters of discretion are restricted to: <u>e. provision of useable and accessible service and storage space for residents.</u> Alternative relief sought, keep with amendments: MRZ-S9 Service and Storage Space 1. Each residential unit must have an outdoor or indoor service space of at least 2.5m² with a minimum <u>dimension 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.	Standards are requirements, and the language used needs to be active, thus the change from 'can be' to 'are'.
MRZ-S10 Outlook Space Each residential unit must provide the following minimum outlook spaces: 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.	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. MRZ-S10 Outlook Space Each residential unit must provide the following minimum outlook spaces: 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	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

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	3. all other habitable rooms, 1m in depth and 1m in width. 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> 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> 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>	have any affect on the provision of uninterrupted open space / depth outside of habitable rooms.
MRZ-S11 Fencing The maximum height of any fence along a road boundary shall be: 1. 1m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where 50% or more of the fence structure is visually transparent.	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. MRZ-S11 Fencing The maximum height of any fence along a road boundary shall be: 1. 1m, where less than 50% of the fence structure is visually transparent; or 2. 1.8m, where 50% or more of the fence structure is visually transparent.	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. Furthermore, most young children or pets (e.g cats or dogs) would be able to jump a fence of 1m in height. While the standard as drafted allows for a height of

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	MRZ-S2 Height 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> 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> 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> 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> MRZ-S6 Setback from internal boundary	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. 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. 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. The 1.8m alternative remains, with the transparency set at at least 50%. This 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.

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	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> Alternative relief sought: keep with amendments to .1 minimum height and transparency and .2 transparency. MRZ-S11 Fencing The maximum height of any fence along a road boundary shall be: 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.	
MRZ-S12 Habitable Rooms Each residential unit must have a habitable room located at ground floor level.	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. MRZ-S12 Habitable Rooms Each residential unit must have a habitable room located at ground floor level. 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> MRZ-S3 Height in relation to boundary	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.

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	Matters of discretion are restricted to: <u>d. provision of habitable rooms at ground floor to ensure activation of frontages and visual interest.</u> 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> 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> 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>	