

From: Rachael Law
To: [District Plan](#)
Cc: [David Stark](#)
Subject: Freeway Orchards - Submission on CODC Proposed Plan Change 19
Date: Tuesday, 30 August 2022 2:41:24 pm
Attachments: [freeway orchards PC19 zone map.pdf](#)
[Freeway Orchards pc19 submission.pdf](#)
[freeway orchards PC19 Form 5.pdf](#)

Hi there,

Please see attached:

- Form 5,
- submission, and
- location map

for Freeway Orchards, landowner of Lot 1 DP 18843, 180 & 182 State Highway 8B and 1 Alpha Street, on Proposed Plan Change 19.

Regards,

Rachael Law

Planner

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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

Name: Freeway Orchards

Postal address: Freeway Orchard Partnership c/- David Stark, 29 The Mall, Cromwell
(Or alternative method of service under [section 352](#) of the Act)

Phone: 03 445 0616

Email: davidstark@meadstark.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 Rachael Law, agent
on behalf of submitter

26/08/22
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.

Freeway Orchards – submission on Proposed Plan Change 19

Name: Freeway Orchards

Postal address: Freeway Orchard Partnership c/- David Stark

29 The Mall, Cromwell

Phone: 03 445 0616

Email: davidstark@meadstark.co.nz

Submission:

The submitter is the landowner of a large site (Lot 1 DP 18843, 180 & 182 State Highway 8B and 1 Alpha Street) with a partial lake frontage and surrounded by existing residential activities in Cromwell.

Reason for submission:

The site's current zoning is Rural Area under the Operative District Plan. The proposed site zoning under Proposed Plan Change 19 (PC19) zoning is Medium Density Residential Zone (MRZ).

The site is currently used for horticultural purposes and commercial purposes. There is an existing orchard across much of the site, with a tasting room, restaurant and fruit and vegetables sales store located towards the centre-east of the site.

The submitter is supportive of the rezoning of the site to MRZ.

Overall relief sought:

The submitter is supportive of the zoning change, with amendments. Amend the provisions (including any consequential amendments or amendments which result in the same effect sought) as follows:

Notified Provision	Relief sought	Reasons
<p>MRZ-P6 Other non-residential activities</p> <p>Only allow other non-residential activities and buildings, including the expansion of existing nonresidential activities and buildings, where:</p> <ol style="list-style-type: none"> any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and the nature, scale and intensity of the activity is compatible 	<p>Amend the policy 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> <ol style="list-style-type: none"> any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; the nature, scale and intensity <u>hours of</u> 	<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. By specifying for health (includes physical and mental) and wellbeing of the community, this does not</p>

Notified Provision	Relief sought	Reasons
<p>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, 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>operation of the activity is compatible with the anticipated character and amenity 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, and for adjoining 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>Alternative relief sought: Insert new policy as follows:</p> <p><u>MRZ-Px Existing non-residential activities</u> Provide for the ongoing operation and minor expansion of existing non-residential activities where:</p> <ol style="list-style-type: none"> <u>the activity supports the health and wellbeing of the community; and</u> <u>any expansion of the activity does not</u> 	<p>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. Alternative relief sought is to maintain this wording and to insert a new policy ‘MRZ-Px existing non-residential activities’ which provides specific policy guidance for when expansion of existing non-residential activities might be appropriate, recognizing 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 utilises the defined terms – site is a defined term whilst</p>

Notified Provision	Relief sought	Reasons
	<p><u>undermine the viability of the Business Resource Areas; and</u></p> <p>3. <u>the nature, scale and operating hours of the existing non-residential activity including any proposed expansion maintains the anticipated character and amenity of the zone and surrounding area; and</u></p> <p>4. <u>the safe and efficient operation of the transport network is maintained.</u></p>	<p>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 of policy direction and therefore its inclusion is both unclear and unnecessary.</p>
<p>MRZ-R5 Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <p>1. The building is ancillary to a permitted activity.</p> <p>And the activity complies with the following rule requirements:</p> <p>1. For buildings or structures of more than 10m² , MRZ-S2 to MRZ-S6; or</p>	<p>Amend 1. To remove requirement to be ancillary to permitted activity.</p> <p>MRZ-R5 Accessory buildings and structures</p> <p>Activity Status: PER</p> <p>Where:</p> <p>1. The building is ancillary to a permitted activity.</p> <p>And the activity complies with the following rule requirements:</p> <p>1. For buildings or structures of more than</p>	<p>As an accessory building is defined and if it is of a small scale, and related to an existing building on a site then why should it need to be required to be associated with a permitted activity.</p> <p>Alternative relief sought: Would enable an ancillary building to be built within the standards required for the zone that is ancillary to an existing activity on a site, such as the existing commercial activities on this site.</p>

Notified Provision	Relief sought	Reasons
<p>2. For buildings or structures of 10m² or less, MRZ-S2 - MRZ-S5.</p>	<p>10m² , MRZ-S2 to MRZ-S6; or</p> <p>2. For buildings or structures of 10m² or less, MRZ-S2 - MRZ-S5.</p> <p>Alternative relief sought: Where:</p> <ol style="list-style-type: none"> 1. The building is ancillary to a permitted activity; or 2. <u>The building is ancillary to an existing lawfully established activity.</u> 	
<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-month period does not exceed 200m² per site. 	<p>Amend 2. To remove reference to volume as below:</p> <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 200m² per site 	<p>Not possible to have a m² amount as a volume.</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: <u>MRZ-S2, MRZ-S3, MRZ-S5 and to MRZ-S6.</u></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-S4 Building coverage</p>	<p>Amend standard. Seek that the building coverage is changed from 40% to 60%.</p>	<p>Given the small lot sizes allowed in the zone, the net building coverage needs to be correspondingly higher to be</p>

Notified Provision	Relief sought	Reasons
<p>The building coverage of the net area of any site must not exceed 40%.</p>	<p>MRZ-S4 Building coverage</p> <p>The building coverage of the net area of any site must not exceed 4060%.</p>	<p>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>Insert the following new rule and make associated numbering changes as required.</p> <p><u>MRZ-Rx Additions and alterations to existing non-residential buildings</u></p> <p><u>Activity Status: RDIS</u></p> <p><u>Where:</u></p> <p>1. <u>The proposed additions or alterations increase the existing building or structure by a maximum of 30% of the existing gross floor area.</u></p> <p><u>And the activity complies with the follow rule requirements: MRZ-S2, MRZ-S3 and MRZ-S5.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>a. <u>The scale and hours of operation of the existing non-residential activity, including any proposed increases to these aspects, and their ability to maintain the amenity and character anticipated in the zone.</u></p> <p>b. <u>Adverse amenity effects on neighbouring sites.</u></p> <p>c. <u>Outdoor storage, including rubbish collection areas.</u></p> <p>d. <u>The need for any additional car parking and loading areas, and their location and design.</u></p>	<p>The insertion of this rule provides clarity for existing non-residential activities that they can expand their existing lawfully established activities within certain boundaries of the MRZ zone standards.</p> <p>As an RDIS activity Council are able to assess the application and approve or reject it, whilst providing clarity to the applicant as to what aspects of the activity are important and of potential concern to Council.</p>
<p>MRZ-S6 Setback from internal boundary</p>	<p>Amend to include the following exemptions to the standard:</p>	<p>The deletion of the exception for decks and common walls</p>

Notified Provision	Relief sought	Reasons
<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> 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. 	<p>MRZ-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. 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. <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>from the standard text and their subsequent inclusion in a 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>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 	<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 	<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</p>

Notified Provision	Relief sought	Reasons
<p>the residential unit and which is accessible from the living space of the residential unit.</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. 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>balcony of at least 12m², with a minimum dimension of 1.5m; and</p> <p>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> <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 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>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 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</p>

Notified Provision	Relief sought	Reasons
	<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:</p> <ol style="list-style-type: none"> a. <u>topographical and other site constraints; and</u> 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>Alternative relief sought: Retain the references to orientation in .3, and insert elevation from MRZ-S7.3 for CON activity:</p>	<p>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><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> <ul style="list-style-type: none"> 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>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 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</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 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>

Notified Provision	Relief sought	Reasons
	<p>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%. Remove 'planted in grass, trees, shrubs or other vegetation' and replace with 'vegetated'.</p> <p>MRZ-S8 Landscaping</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>At least 320% of the site shall be planted in grass, trees, shrubs or other vegetatedion.</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 Matters of discretion are restricted to: <u>e. provision of useable and accessible service and storage space for residents.</u></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 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>

Notified Provision	Relief sought	Reasons
	<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 <u>are</u> provided either individually or within a communal space for multiple units. 	
<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>MRZ-S4 Building coverage Matters of discretion are restricted to:</p> <p><u>e. provision of visual privacy and outlook between habitable</u></p>	<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 any affect on the provision of uninterrupted open space / depth outside of habitable rooms.</p>

Notified Provision	Relief sought	Reasons
	<p><u>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>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: <u>e. provision of fencing that is of a suitable height and</u></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, most young children and pets, in particular dogs, would be able to jump a fence of 1m in height. While the standard as drafted allows for a height of 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>

Notified Provision	Relief sought	Reasons
	<p><u>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</u></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 allows for sunlight access and privacy for residents, whilst also the ability to ensure young children and pets stay within the bounds of the site.</p>


Notified Provision	Relief sought	Reasons
	<p><u>height of fencing has adverse effects on streetscape.</u></p> <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 <u>a minimum of 50% or more</u> of the fence structure is visually transparent. 	
<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>	

Freeway Orchards PC19 Submission

Created Date: 17/08/2022
Created Time: 2:58 PM
Created By: anonymous



 Scale: 1:3793
Original Sheet Size A4
Projection: NZTM2000

Bounds: 1301331.91774466,5005606.98141438
1302033.35475954,5006479.01112242

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