

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

I TE KŌTI TAIAO KI ŌTAUTAHI

IN THE MATTER OF the Resource Management Act 1991 ('the Act')

AND

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the Act

BETWEEN **ONE FIVE FIVE DEVELOPMENTS LP**

Appellant

AND **CENTRAL OTAGO DISTRICT COUNCIL**

Respondent

**NOTICE BY NTP DEVELOPMENT HOLDINGS LIMITED
OF WISH TO BE PARTY TO PROCEEDINGS**

Date: 29 August 2024

TO: The Registrar
Environment Court
DX:WX11113 Christchurch

Name of party giving notice

1 NTP Development Holdings Limited

The relevant proceedings

2 NTP Development Holdings Limited wished to be a party to the following appeal proceedings:

(a) *One Five Five Developments LP v Central Otago District Council*
(ENV-2024-CHC-44) (**Appeal**)

3 The appeal proceedings are brought by One Five Five Developments LP (**Appellant**) in relation to the Central Otago District Council's (**Respondent**) decisions on its Plan Change 19 to the Central Otago District Plan.

Status of party giving notice

4 NTP Development Holdings Limited is:

(a) a person who made a submission about the subject matter of the proceedings.

Trade competition

5 NTP Development Holdings Limited is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

Interest in proceedings

6 NTP Development Holdings Limited is interested in all of the proceedings.

Issues

7 NTP Development Holdings Limited is interested in the following particular issues:

- (a) The Appellant's decision to appeal the Central Otago District Council's decision to reject the relief sought in the Appellant's further submissions, being that the land in the south side of Dunstan Road extending through to Clyde-Alexandra Road/State Highway 8, and proposed to be zoned as MDRZ, should instead be zoned as Low Density Residential Zone (**LDRZ**).

Relief sought

8 NTP Development Holdings Limited opposes the relief sought because NTP Development Holdings Limited supports the application of the Medium Density Residential Zone (**MDRZ**) to its property (Sections 1, & 4-5 Survey Office Plan 524226).

Dispute resolution

9 NTP Development Holdings Limited agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 29th day of August 2024



Margo Perpick / Gabi Newman
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APPENDIX 1

NTP Development Holdings Limited Submission on Proposed Central Otago District
Plan – Plan Change 19

APPENDIX 2

Landpro Limited - Submission on Notified Proposed Plan Change to Central Otago
District Plan

FORM 5
SUBMISSION ON PROPOSED CENTRAL OTAGO DISTRICT PLAN –
PLAN CHANGE 19

Clause 6 of Schedule 1, Resource Management Act 1991

To: Central Otago District Council

Submitter Details:

Name of submitter: NTP Development Holdings Limited

Address for Service: NTP Development Holdings Limited
C/- Southern Planning Group
63 Antimony Crescent
Cromwell 9310

Attention: Sean Dent
sean@southernplanning.co.nz
021 946 955



1. This is a submission on the Proposed Central Otago District Plan – Plan Change 19.

2. Trade Competition

The submitter could not gain an advantage in trade competition through this submission.

3. Omitted

4. NTP Development Holdings Limited's submission is that:

4.1 NTP Development Holdings Limited "**NTP**" is the landowner of Sections 1, & 4-5 Survey Office Plan 524226 located on the north eastern side of State Highway 8 on the entrance to Alexandra as illustrated in Figure 1 below:



Figure 1. NTP Development Holdings Ltd Property. Source – CODC GIS 23.08.22

4.2 The subject site is 14.3388Ha in area and held in Record of Title 1039362.

4.3 In terms of the Operative District Plan "**ODP**" the subject site is split zoned with Section 1 SO 524226 contained within the Residential Resource Area and Sections 4-5 SO 524226 contained within the Rural Residential Resource Area as illustrated in Figure 2 below:



Figure 2. ODP Zoning. Source – CODC GIS 23.08.22

4.4 In the Proposed District Plan "PDP" the subject site is zoned Medium Density Residential Zone as illustrated in Figure 3 below:



Figure 3. PDP Zoning. Source – CODC GIS 23.08.22

The submitter generally **supports** the PDP subject to the following comments:

Zoning

4.5 The submitter supports the application of the Medium Density Residential Zone "MDRZ" to their property identified above.

Residential Density

- 4.6 The submitter supports Rule MRZ-R1 which provides for two residential units per site and the corresponding Standard MRZ-S1 which provides for a density of one residential unit per 200m² site area (where connected to reticulated sewage).

Minor Residential Units

- 4.7 The submitter supports Rule MRZ-R3 which provides for the establishment of one minor residential unit with a maximum floor area of 70m² – 90m² (over 70m² must incorporate a garage). In the submitter's opinion, this is a significant improvement over the ODP provisions which will enable greater diversity in housing typology and provide for the economic well-being of residential property owners by enabling an income stream to offset mortgage/building costs.

Comprehensive Residential Development Master Plan

- 4.8 The submitter supports in principle Rule MRZ-R2 which provides for the development of a Comprehensive Residential Development Master Plan. However, it is the submitters opinion that the proposed definition which requires a 3,000m² site is too large to incentivise individual developers.
- 4.9 A comprehensive residential development over a 3,000m² (minimum) site is a significant undertaking and unlikely to be implemented by developers due to the scale and risk associated with such a development proposal.
- 4.10 The submitter has found that similar comprehensive residential developments in other Districts are more palatable when based on a site size of 1,500m² – 2,000m².
- 4.11 The writer also has experience with the QLDC's Operative District Plan in gaining resource consents for comprehensive residential developments¹. Under that Plan, the minimum site size for this type of development was 2,000m².²
- 4.12 Accordingly, the submitter requests that the definition of Comprehensive Residential Development Master Plan reduces the minimum site area to 1,500m².

¹ QLDC Consent RM171138, 12 Unit Comprehensive Residential Development, St Georges Avenue, Queenstown. QLDC Resource Consent RM160394 and variation RM211036 for a 12 unit comprehensive residential development, St Lukes Lane, Queenstown.

² QLDC Operative District Plan, Chapter 7 – Residential Areas, Rule 7.5.3.4(v) and Definitions Chapter, Page D-3.

Building Height

- 4.13 In terms of building height in the MDRZ, the submitter notes that Standard MRZ-S2 is ambiguous as to what height is Permitted. In column 1 height is specified as being Permitted to 11m and three storeys. The submitter supports this.
- 4.14 However, in Column two, it is stated that if the building height exceeds 10m, the consent status is listed as Non-Complying. The submitter requests that this ambiguity is corrected, and the 11m/three storey height limit prevail as Permitted.

Height Recession Planes

- 4.15 In terms of recession planes, the submitter supports the use of recession planes to avoid substantial building dominance, privacy, and solar access issues. The requirement in Standard MRZ-S3 for recession planes to commence at 2.5m in height if a site is adjacent to a Low-Density Residential Zone is considered appropriate to avoid significant adverse effects from more intensive development.
- 4.16 However, it is noted that the PDP seeks to Zone Section 7 SO 524226 which lies between the submitters site and SH8 and Section 2 SO 524226 which lies adjacent to the north east corner of the submitters site as Low Density Residential.
- 4.17 Both of these sites are vested in Council for tree planting purposes. As they will not be developed for residential purposes, the more restrictive recession planes are not considered necessary adjacent to these boundaries.
- 4.18 Accordingly, the submitter requests that
- (a) the applicable zoning that applies to these two properties is changed from Low Density Residential Zone to Medium Density Residential Zone
 - or
 - (b) Standard MRZ-S3.2 is amended to exempt the recession planes from applying to boundaries adjacent to public land vested in or owned by Council.
- 4.19 Further to the above, the submitter considers that the recession planes that apply to the MDRZ are complex to understand/interpret by having to rely on the height in relation to boundary diagram in Schedule 1.

4.20 The submitter requests that Schedule 1 is deleted in its entirety and MRZ-S3 is amended to specify that the following recession planes should apply:

- Northern Boundary 55 degrees
- All other boundaries 45 degrees.

Building Coverage

4.21 Standard MRZ-S4 specifies the maximum building coverage for the MDRZ shall not exceed 40%. This is the same building coverage that applies in the proposed LDRZ.

4.22 The submitter considers that there should be a different (greater) building coverage in the MDRZ and therefore requests that the permitted building coverage is increased to 50%.

Landscape Coverage

4.23 The submitter supports the Standard MRZ-S8 which requires a 30% landscape coverage.

Setbacks & Acoustic Insulation

4.24 The submitter supports Standards MRZ-S5 and MRZ-S6 which apply road boundary and internal boundary setbacks and acoustic insulation standards for residential buildings located with 80m of the edge of the State Highway.

Visitor Accommodation

4.25 The submitter supports enabling the use of a residential unit for short term visitor accommodation as specified in Rule MRZ-R7. However, the submitter considers there is no clarity around what level of use is 'ancillary' to residential activity as required by the proposed Rule.

4.26 Further, with no specified level of permitted use in the Rule, in the event of Council receiving complaints, the frequency of visitor accommodation use and whether it is 'ancillary to' residential activity will be difficult to monitor and enforce.

4.27 In addition, visitor accommodation can in some situations result in issues with anti-social behaviour that affect residential amenity for adjacent neighbours, and which can be exceedingly difficult to resolve particularly when there is no enforcement available from the Council (other than excessive noise

directions issued under Section 327 of the RMA for breaching Section 16 of the Act).

4.28 Accordingly to protect the residential amenity of future residents when the submitters land is subdivided, the submitter opposes Permitted visitor accommodation and requests that a tiered approach is imposed I.E.

- Controlled Activity Consent for up to 90 nights use,
- Restricted Discretionary for 91 – 180 nights use and
- Non-Complying for 181 – 365 nights use.

4.29 Matters of control should include:

- a. The scale of the activity, including the number of guests on site per night;
- b. The management of noise, use of outdoor areas, rubbish, and recycling;
- c. The location, provision, use and screening of parking and access;
- d. The compliance of the residential unit with the Building Code as at the date of the consent;
- e. Health and safety provisions in relation to guests;
- f. Guest management and complaints procedures;
- g. The keeping of records of RVA use, and availability of records for Council inspection; and
- h. Monitoring requirements, including imposition of an annual monitoring charge.

4.30 Matters of discretion should include:

- a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;
- b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;
- c. The scale and frequency of the activity, including the number of nights per year;
- d. The management of noise, use of outdoor areas, rubbish, and recycling;
- e. The location, provision, use and screening of parking and access;
- f. The compliance of the residential unit with the Building Code as at the date of the consent;
- g. Health and safety provisions in relation to guests;
- h. Guest management and complaints procedures;
- i. The keeping of records of RVA use, and availability of records for Council inspection; and

- j. Monitoring requirements, including imposition of an annual monitoring charge.

Community Facilities

- 4.31 The submitter supports Rule MRZ-R14 which provides for the establishment of community facilities as a Restricted Discretionary Activity Consent.
- 4.32 In considering the future subdivision of the submitters land, the ability to provide a consenting pathway for community facilities within a potentially substantial number of residential allotments is important for residents social, and cultural well-being and their health.

Convenience Retail Activities

- 4.33 The submitter supports Rule MRZ-R12 which provides for the establishment of convenience retail facilities as a Restricted Discretionary Activity Consent.
- 4.34 Similarly to the above, in considering the future subdivision of the submitters land, the ability to provide a consenting pathway for convenience retail activities such as local dairies within a potentially substantial number of residential allotments is important for the day-to-day functioning and convenience of residents.
- 4.35 However, the submitter suggests that the definition of convenience retail activities should be amended to increase the maximum gross floor area from 150m² to 250m². The reason for this increase is to enable both a large enough public floor area and sufficient goods storage for stock.

Retirement Villages

- 4.36 The submitter supports Rule MRZ-R13 which provides for the development of retirement villages as a Restricted Discretionary Activity.
- 4.37 The submitter supports the definition of retirement village and in particular, the inclusion of related facilities for retirement village residents including recreation, leisure, supported residential care, welfare, and medical facilities (inclusive of hospital care) and other non-residential activities.
- 4.38 As a greenfield development site more than 14Ha, the submitters land is well placed to facilitate the development of a new retirement village in conjunction with the overall development of the land in accordance with the MDRZ provisions for residential, community facilities, and convenience retail activities.

Other MDRZ Rules and Standards

- 4.39 The submitter notes that there are other Rules and Standards not specifically addressed in paragraphs 4.1 to 4.38 above. While the submitter has no direct comments on these remaining provisions and generally supports these as notified, it is noted that they will have a bearing on the development and activities that can be undertaken within their land.
- 4.40 Accordingly, in terms of scope of their submission, the submitter retains an interest in all Objectives, Policies, Rules, and Standards of the MDRZ and any consequential amendments that may be made to the notified provisions through the plan change process.

Draft Medium Density Residential Guidelines

- 4.41 In principle, the submitter supports the use of urban design guidelines to facilitate the development of mixed housing typology with a high amenity outcome in the MDRZ.
- 4.42 However, there does not seem to be any direct requirement for consideration of the Draft Medium Density Residential Guidelines in the Objectives, Policies, or Rules of the MDRZ.
- 4.43 Should it be Council's intention that this document is utilised for the assessment of future MDRZ development (when it has been completed to a final form), then it is considered that the Objective MRZ-02 is deleted in its entirety and is replaced with:
- "Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context."*
- 4.44 This new Objective should be supported by new Policies that specifically address the importance of urban design and require consideration of the Medium Density Residential Guidelines as follows:
1. *Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).*
 2. *Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.*

3. *Ensure street frontages are not dominated by garaging through consideration of their width, design, and proximity to the street boundary.*
4. *Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.*
5. *Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).*
6. *Require consideration of the relevant design elements identified in the Medium Density Residential Guidelines 2022.*

4.45 The revised Objective and Policies should be implemented with a new Rule that states:

For all restricted discretionary and discretionary activities under Rules MRZ-R1.1, MRZ-R2, MRZ-R12, MRZ-R13, MRZ-R14, applications for resource consent shall include a statement confirming that the relevant design elements from the Medium Density Residential Guidelines 2022 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.

4.46 The abovementioned provisions provide a clear and discernible link to the implementation and use of the Medium Density Residential Guidelines 2022.

Subdivision

4.47 The submitter opposes Rule SUB-R5. The way this Rule reads is that for any subdivision of the submitters 14.3388Ha landholding that creates more than three allotments, they will require a Non-Complying Activity Consent unless:

- The submitter makes the subdivision application concurrent with or following a land use consent application to establish more than two units on their site;

And

- The development complies with the density requirements of SUB-S1 unless land use consent has been granted for a comprehensive residential development plan (in accordance with MRZ-R2.

- 4.48 The submitter's land affected by PDP is significant in size. It is unlikely that they are going to want to spend significant capital resources on the complete design of residential units or a comprehensive residential development plan for more than 14Ha of land.
- 4.49 The submitter has intentions of subdividing the land to provide for a range of residential allotment sizes (all above the minimum specified in the PDP), as well as the provision of larger Lots to provide for future comprehensive residential developments, retirement villages, community facilities and convenience retail activities.
- 4.50 It is considered unreasonable for a subdivision of the submitter's 14Ha site to be classed as a Non-Complying Activity for creating more than three Lots. It is considered that Rule SUB-R5 should be deleted in its entirety and that Rule SUB-R4 that applies to all residential subdivision not otherwise specified, as a Restricted Discretionary Activity Consent apply to subdivision of the submitters land.
- 4.51 The extensive matters of discretion listed in SUB-R4 are considered sufficient to ensure a high-quality subdivision that achieves the purpose, character, and quality of the MDRZ.

5. The submitters seek the following decision from the Central Otago District Council:

- That the MDRZ be applied to the submitters land as illustrated in Figure 3 above;
- That the relevant Objectives, Policies and Provisions of the MDRZ and Subdivision Chapters of Plan Change 19 are amended to take into account the concerns raised in the body of this submission;
- The submitter also seeks such further or consequential or alternative amendments necessary to give effect to this submission, and to:
 - (a) promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991 ("Act");
 - (b) meet the reasonably foreseeable needs of future generations;
 - (c) enable social, economic, and cultural wellbeing;
 - (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of section 32 and other provisions of the Act.

6) The submitter wishes to be heard in support of their submission.

- 7) If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to read 'Sean Dent', written in a cursive style.

(Sean Dent on behalf of NTP Development Holdings Limited)

Date...02 September 2022

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

I TE KŌTI TAIAO KI ŌTAUTAHI

IN THE MATTER OF the Resource Management Act 1991 ('the Act')

AND

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the Act

BETWEEN **ONE FIVE FIVE DEVELOPMENTS LP**

Appellant

AND **CENTRAL OTAGO DISTRICT COUNCIL**

Respondent

**NOTICE BY NTP DEVELOPMENT HOLDINGS LIMITED
OF WISH TO BE PARTY TO PROCEEDINGS**

Date: 29 August 2024

TO: The Registrar
Environment Court
DX:WX11113 Christchurch

Name of party giving notice

1 NTP Development Holdings Limited

The relevant proceedings

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Status of party giving notice

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(a) a person who made a submission about the subject matter of the proceedings.

Trade competition

5 NTP Development Holdings Limited is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

Interest in proceedings

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Issues

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Relief sought

8 NTP Development Holdings Limited opposes the relief sought because NTP Development Holdings Limited supports the application of the Medium Density Residential Zone (**MDRZ**) to its property (Sections 1, & 4-5 Survey Office Plan 524226).

Dispute resolution

9 NTP Development Holdings Limited agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 29th day of August 2024



Margo Perpick / Gabi Newman
Counsel for NTP Development Holdings Limited

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APPENDIX 1

NTP Development Holdings Limited Submission on Proposed Central Otago District
Plan – Plan Change 19

APPENDIX 2

Landpro Limited - Submission on Notified Proposed Plan Change to Central Otago
District Plan



RESOURCE MANAGEMENT ACT 1991 – FORM 5

SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE TO CENTRAL OTAGO DISTRICT COUNCIL

Clause 6 of Schedule 1, Resource Management Act 1991

To: Central Otago District Council
PO Box 122
Alexandra 9340

SUBMITTER: Landpro Ltd

1. Introduction

1. This is a submission on proposed Plan Change 19 (Plan Change 19) to the Operative Central Otago District Plan (Operative CODP).
2. Landpro Limited (Landpro) could not gain an advantage in trade competition through this submission.
3. This submission relates to Plan Change 19 in its entirety.
4. Landpro wish to be heard in support of this submission and will consider presenting a joint case with other parties that make a similar submission.
5. Landpro welcomes the opportunity to submit on a new chapter of the District Plan. As noted in Section 1.1.2 of the existing District Plan, Council is obliged to commence a full review of the District Plan ten years after it became operate. The existing District Plan became fully operative in 2008, and a review of the plan is long overdue as growth within the District risks outpacing the rules that govern development. Landpro looks forward to additional chapters as they are released for consultation.
6. Landpro generally supports the development of proposed Plan Change 19. However, we consider there are specific provisions of the Plan Change that require additional consideration or revision. We also have concerns over how the information has been presented to the public leading to uncertainty over the proposed changes to Residential Chapter of the District Plan and

what underpins some of the changes. Our submission addresses the proposed Residential Chapter Provisions and the Appendix 5 documents, followed by general comments specific to wider issues related to the Plan Change.

7. Landpro question why the Plan Change has been split up into four separate documents that all need to be read in conjunction with each other to get a full picture of the changes proposed. This is very confusing for most lay people. Furthermore, the Medium Density Residential Design Guide is not even listed with the other Plan Change 19 information, instead it is tucked down the bottom of the webpage under supporting documents where it is extremely easy to miss.
8. Landpro would like clarification why the National Policy Statement (NPS) on Urban Development 2020 has not been addressed. The Amendments to this NPS as updated in May 2022 redefined the definition of 'urban environment' (b) part of a housing and labour market of at least 10,000 people. Because of this definition change, we would now contend that Alexandra, Clyde and Cromwell form part of an interconnected urban environment that is excess of 10,000 people, and as such should be considered a tier 3 urban environment under this definition. This triggers some additional monitoring requirements to publish data underlying supply and demand of dwelling/land in the District. We think under these provisions there needs to be a clear link to expected demand and Council's expectations of the zoned land yields to meet this supply contained within the residential chapter. We note that the Expert Panel as part of the Wooing Tree fast track consent regarded Cromwell as an 'urban environment' in terms of the NPS.
9. Landpro consider the zoned areas shown on the planning maps as being misleading. The primary cause of this confusion stems from the fact that most of the reserves, greenways and areas that are subject to no building restrictions are identified as residential land that could be developed. In our opinion this inflates the area of available land for residential development to a degree that fundamentally changes the possible development growth within our communities. This is particularly true in the Cromwell area with its large areas of greenway. It would be helpful to have the areas of each zone available to be developed, along with the expected yield, giving everyone a clearer understanding of how open space interacts with the expected development.
10. The chapter by chapter review approach has created irregularities where newly proposed chapters reference or are reliant on the existing outdated information contained within other chapters of the District Plan. For example, rules around activities on hazardous lands are being

changed, however the identified hazards are those on the existing outdated planning maps, despite new information that has been provided over the life of the current plan to show that the risks previously identified in some areas, do not exist or are overstated.

2. Chapter Provisions and Appendix 5

Primary changes

11. Landpro notes that some definitions require further clarification to reduce uncertainty. For example, the definition of 'Noxious Activity' is not clear whether the keeping of animals currently permitted under the residential chapter, being less than 12 domestic fowl (excluding roosters) and horse, sheep, or goats to graze vacant residential sites, would be captured as a noxious activity for the intensive confinement of animals or are excluded as domestic animals associated with residential activities. Other definitions that we would appreciate additional clarification on include 'Convenience Retail Activities' and 'Large Format Retailing'.

Large Lot Residential Zone – General comments

12. Landpro notes that there are areas off Lynn Lane, Bannockburn that are currently zoned as Residential Resource Area (4) but are not captured within the Large Lot Residential Zone proposed for the area within this Plan Change. There are completed subdivisions (RC 160312) and approved resource consents ([2017] NZEnvC193) within this area not captured by the proposed Large Lot Residential Zone in this area. This primarily affects Lot 51 DP 511592 (69 Hall Road), Lot 12 DP 511592 (48 Lynn Lane), Lot 11 DP 511592 (50 Lynn Lane) and Lot 50 DP 511592. It is not clear as to whether this was Council's intention or was an error.

Low Density Residential Zone – Rules

13. Council's matters of discretion include '*the design of road frontages and frontages to public open spaces in relation to... activation*'. It is not clear what '*activation*' means or refers to.

Medium Density Residential Area – General comments

14. The Medium Density Residential Zone (MDRZ) is for more intensive density of development compared to other residential zones, for the purpose of being within walking distance of commercial and community facilities. Within Alexandra, there are MDRZ at the northwestern

edge of town (Part Section 88 Block VII Leaning Rock SD, Sec 1 and Sec 4-6 SO 524226). There are no associated commercial/mixed use areas near this area at present. We question whether this is an accurate reflection of what appropriate density at this location should be given, considering there are no current commercial facilities near this location. Unless progressing alongside existing commercial facilities, it would seem more appropriate that this area is zoned as Low Density Residential Zone.

Medium Density Residential Zone – Rules

15. Rule MRZ-R1 (Residential units) specifies that Council's matters of discretion include '*the design of road frontages and frontages to public open spaces in relation to... activation*'. It is not clear what '*activation*' means or refers to.
16. Rule MRZ-R2 (Comprehensive Residential Development Master Plan) specifies that Council's matters of discretion include '*whether the urban form is compatible with the nearby land use mix, including providing convenient access to commercial centres and community facilities*'. It is not clear as to what expectation there is for new development located within MDRZ located adjacent to a different zone. For example, for a development in the MDRZ directly adjacent to the Low Density Residential Zone or Rural Zone, it is not clear how much consideration would be required for the adjacent lower density zone for compatibility purposes.

Medium Density Residential Zone – Standards

17. Standard MRZ-S4 (Building Coverage) states that '*the building coverage of the net area of any site must not exceed 40%*'. This percentage unduly impacts those with smaller lot sizes, as well as discourages higher density development. For example, for a property which has an area of 200m² as per MRZ-S1, a building would not be able to be larger than 80m². For lower density zones, 40% building coverage is appropriate. The building coverage area should be increased to at least 50% to allow for a more intensive level of development, as anticipated in the MDRZ.
18. There are several standards that are confusing, particularly when considering infill development in the MDRZ. In comparison to other District Plans, some aspects of the standards appear to be overly prescriptive in our opinion. For example, Standard MRZ-S12 (Habitable Rooms) requires a ground floor level habitable room, which would exclude some types of dwellings anticipated in this zone, such as buildings that contain an upstairs flats or residential units located above a commercial activity.

Residential Zones Subdivision – Standards

19. Standard SUB-S1 and LRZ-S1 (Density) specify a minimum allotment size of 500m² where a reticulated sewerage system is available in the Low Density Residential Zone. The existing minimum allotment size in Residential Resource Area (where reticulated sewage is available) is 250m² (unless otherwise specified). This proposed change represents an erosion in property owner's ability to develop in the residential area. Furthermore, the Low Density Residential area as specified in the Vincent Spatial Plan (the most recent spatial plan for the District) identifies a minimum lot size of 400m², rather than 500m². Was it Council's intention to prevent all further subdivision of historical 800m² sections, such as those found in the Old Cromwell area or the established parts of Alexandra?

Schedule 1 – Height in Relation to Boundary

20. The Schedule 1 – Height in relation to boundary in Plan Change 19 provides little to no guidance as to how recession planes are calculated using this schedule. We suggest this needs to be updated with a description of how to calculate recession planes using this diagram.

3. General comments

21. Between the current zones and the proposed zones, there is little actual increase in density within the zones. Across all the zones, intensification is limited to Residential Resource Area 6 and 7, which currently have a maximum area of 4000m² and 1 ha, respectively, proposed to decrease to 2000m² and 6000m². Across all other zones, there is either no change in intensification or an increase in the permitted minimum lot size compared to their current zones. Given that property affordability is a significant issue in the District and over time there is a general understanding that more development will be permitted in time. However, the proposed changes seem to do the opposite for large areas within our District. Should Council not amend the changes towards allowing denser development within all areas of the residential zone in our district to provide for natural infill development over time?
22. The Future Growth Overlay identifies any area for Large Lot, Low Density, and Medium Density Residential Zoning in the future and that *"a Plan Change will be required to rezone this area in the future"*. If this land is being zoned with residential zoning as part of this Plan Change, it is not clear as to why a Plan Change would then be required to rezone land with the Future Growth Overlay in the future. The proposed underlying zoning should be applied regardless, with the

Future Growth Overlay only used to identify land that is intended for development but which may potentially not be completed within the next ten years. Otherwise if the land is suitable to be developed and a developer is willing to connect the appropriate services to the land, then should we not be allowing these areas to be developed now.

23. The proposed 'Introductions' to each residential zone chapter in Plan Change 19 state with respect to Future Growth overlays, that *'the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development'*.
24. Each residential zone chapter includes a policy that requires the Central Otago District Council (CODC) to 'recognise and provide' for rezoning of land subject to a 'Future Growth' overlay, where it is demonstrated as necessary to meet anticipated demand and can be serviced by reticulated water and wastewater networks.
25. The National Planning Standards defines overlays as "An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions". Landpro seeks clarification as whether the proposed use of future growth overlays aligns with this definition. While it may be appropriate to include "Future Urban Zones" in the CODP, reviewing the CODP chapter by chapter does not allow for these types of changes to be made.

4. Summary

26. Landpro thanks the Council for providing the opportunity to submit on the proposed Plan Change 19. Landpro is supportive of the proposed Plan Change but notes that there are clarifications or revisions required in some areas. Landpro looks forward to the release of future Plan Changes for the remaining chapters of the District Plan.

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