

Before the Hearings Panel
Appointed by the Central Otago District Council

Under the Resource Management Act 1991

In the matter of: Plan Change 19 to the Central Otago Operative
District Plan

and **Rowan and John Klevstul**
(Submitter #163)

Summary of Planning Evidence of Brett James Giddens

16 May 2023



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SUMMARY OF EVIDENCE OF BRETT JAMES GIDDENS

- 1 My full name is Brett James Giddens and I have provided evidence in chief (**EIC**) dated 16 May 2023.
- 2 The Klevstuls made a submission on PC19 to rezone their land from Rural (**RRA**) to Large Lot Residential (**LLR**).¹ Their land abuts the township of Bannockburn and provides for a logical extension for future residential living that would form part of the township, rather than being isolated or disjointed from it.
- 3 A number of further submissions were received on the submission, notably all but one recognising the merits in providing for the small area of urban expansion of the township to the south to include the submitters land. The responses to the Klevstul submission are a good indication of community views in my opinion and what is apparent to me is that the community (a) wish to contain urban expansion to logical locations around Bannockburn; and (b) avoid the loss of highly productive land.
- 4 Notably, the relief sought achieves both outcomes. The relief would result in up to around 35 residential dwellings being established on the ~7ha site, given they typographical constraints of the site, access, and, significantly, focus on open space, as part of a hamlet or cluster style development. Some minor refinements to the Large Lot Residential zone provisions are sought to achieve this, relating to the inclusion of a 1,000m² average allotment size with a 400m² minimum allotment size. While the yield will be slightly over that which could be achieved by a standard 2,000m² subdivision (calculated at around 32 lots), the result will be what the evidence considers as a superior landscape and amenity outcome for this setting.
- 5 A number of “key issues” relating to submissions seeking rezoning to the south and west of Bannockburn have been traversed in the section 42A report and responded to in my EIC. In brief response to these points:
 - 5.1 The subject site is not LUC 1, 2 or 3 and therefore not highly productive land, and therefore does not engage (and risk being contrary to) the NPS-HPL. This fact distinguishes the submitter’s relief from the majority of other rezoning requests or theoretical opportunities for expansion in Bannockburn;
 - 5.2 The rezoning can provide a modest, yet material addition to housing capacity at Bannockburn, at an overall LLR zone style of development which offers a variety of section sizes through the use of a minimum and average rule density framework

¹ Refer to the refined relief set out in my EIC.

which will retain a predominance of open space over built form;

- 5.3 The site can be readily serviced with on site servicing as identified in Mr Cruden's evidence, alternatively the addition of around 35 residential lots can contribute substantially toward local wider infrastructure upgrades;
- 5.4 The rezoning provides an opportunity to improve on the CODP and PC19 zoning extents by establishing a distinctive and legible edge to the southern part of the Bannockburn township; and
- 5.5 In terms of how a Rural Hamlet style development could be realised, the relief sought and supported in my evidence has been configured so that it responds to the site while integrating with the PC19 LLRZ framework, through a relatively minor addition of bespoke rules to ensure the outcomes identified occur. A Structure Plan has been prepared to identify those outcomes, and could also be included in the District Plan if the Panel wished to provide additional guidance.

6 Turning to section 32 of the RMA:

- 6.1 The objectives of the LLR zone are the most appropriate to achieve the purpose of the RMA. This is same zone as the adjoining Bannockburn township and will provide some consistency over the submitter's land;
- 6.2 The existing policies are the most appropriate way to achieve the objectives, alongside the site-specific refinements to the rules relating to lot averaging, minimum allotment size and a maximum cap on development yield;
- 6.3 The benefits of the rezoning far outweigh the costs, through the management of landscape effects, addition to the local housing supply which in turn creates employment and has economic positives, avoiding significant natural hazards, enabling development to be appropriately serviced, providing safe and efficient access to the roading and pedestrian trails networks, and notably avoiding highly productive land and providing an efficient use of land that would otherwise have little rural productive value.
- 6.4 The risk of acting (i.e. adopting the rezoning) is low and the risk of not acting (i.e. retaining the land as rural) would have adverse implications on the submitter meaning that the land is effectively sterilised from reasonable use bearing in mind that it not located on soils with productive values, which in

turn creates issues with the objective and policies of the Rural zone which the site would struggle to achieve through permitted or consented activity.

- 7 In my opinion, the most appropriate option for the land is to zone it LLR as requested by the submitter.

Dated: 16 May 2023



Brett James Giddens