

19/37



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
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Details of submitter

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

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(Name & designation, if applicable)

This is a submission on proposed Plan Change 19 to the Central Otago District Plan (the proposal).

I am / am not* a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (*select one)

~~I / We am / am not (select one) directly affected by an effect of the subject matter of the submission that:~~

~~(a) adversely affects the environment; and~~

~~(b) does not relate to trade competition or the effects of trade competition.~~

~~*Delete this paragraph if you are not a trade competitor.~~

The specific provisions of the proposal that my submission relates to are:

(Give details, attach on separate page if necessary)

separate pages

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.

✓ separate pages

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

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

Zoning of area between Lake Dunstan,
SH8b & SH6 be EDR (excluding
Wooping Tree block)

- 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.

A. J. Lawrence.
Signature

29/8/2022
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.

Objection to Central Otago District Plan Change 19

This objection specifically relates to the triangular area of land with boundaries State Highway 8b, State highway 6, and the riparian border with Lake Dunstan, but excluding the “Wooing Tree” block. For this objection, this is termed “the Triangle”. The objection also refers to the riparian border of Lake Dunstan, being boundaries directly on the lakefront or directly across a road from the lakefront.

Background

This area is largely zoned RRA6. This allows for very large residential lots. This location of large lot atmosphere has an anomaly, a parcel of land zoned RRA3, a higher density of houses on the south of Shortcut Road, and, most significantly, by the medium density housing in the Wooing Tree block. The entire block is within easy walking distance to the town centre. It has lost the aesthetic value of just large lots. It is all within walking distance to the town centre.

Masterplan 2021

The Masterplan 2021, adopted a strategy based on feedback from the Cromwell ‘Eye to the Future’ Masterplan Spatial Framework, 29 May 2019.

Relevant notes to consider:

1.2.1 The masterplan is to address growth in Cromwell over 30 years from 2018, in which time the population is expected expand from 5000 to approximately 12,000 people. It is now widely recognised due to the increased rate of development since 2018 that this estimation is probably conservative. The need for additional housing within the urban boundaries may well be more than estimated in the Masterplan.

1.4 Comment on past development at comparatively low densities at increasing distance from the core amenities with a continued reliance on car travel.

2.3.1 Increase housing density within the urban boundary, protect key views of surrounding landscapes and waterscapes and recognise significance of iwi.

Manage urban growth with an increased/higher density of development within comfortable walking distance of the town centre and other community assets. A comfortable walking distance generally being 400 – 800m (about a 5-10 minute walk). Our extended family regularly walk to the commercial centre for shopping and bike to school from 7 Thelma Place, via Partridge Rd, which is about 1200metrers maximum from the town centre. This is easily walkable. This will be more so when the Wooing Tree underpass is constructed. It is also closer to the town centre than some areas in the MDR area in the planned Freeway Orchard plan change.

Realistically all land within the triangle would be suitable for higher density housing, such as LDR, based on the closeness to the town centre and community support for this zoning within the town urban boundary. This was considered so in the Masterplan 2021.

Objective 5 : *residential development and amenity*

For residential locations aligning with the Masterplan it is important to acknowledge the desired 'yield' (as target densities) early to ensure that cumulatively the demand/supply factors are balanced so far as possible.

Once development is established at lower densities, it is often difficult to manage the transition to more intensive development and accommodate significant levels of growth via infill typographies. The Spatial Framework: Spatial Plan therefore identifies a number of greenfield locations close to the town centre as a cornerstone to 'Cromwell 2050'.

Plan 19 changes the "residential" (Masterplan 2021) zoning in the triangle to a mix of LDR and LLRZ. This mixed zoning in Plan 19 reduces the number of potential dwellings envisaged in the Masterplan within the urban boundary and predisposes towards *difficult to manage* infill housing within the 30 year timeframe of the plan.

Objective 7: rural productive environments, landscape and amenity values

Acknowledge the unique 'A World of Difference' values and resources within Cromwell's rural frame and manage in accordance with these attributes.....(as correlated to the community's preference to avoid urban sprawl,.....

Changing the zoning from that in the Masterplan to an average of lower density, within the urban boundary encourages *urban sprawl*. Larger land lots within the Triangle give more flexibility for housing, but larger lots outside, but near to, the urban boundary are well catered for by the Cherry Corp Shannon Farm subdivision in Ripponvale. The Cherry Corp subdivision was not anticipated in the Masterplan2021 or PC19. It will provide 160 lots all 2000 or more, square meters. It will, in effect, mitigate any loss of larger lots in the Triangle.

2.4 Growth Projections

Table, p28, shows estimated number of households as 3370 in 2018, and 5523 in 2048.

To enable this, the CMP Growth and Capacity Projections (2018) predicts 154 additional houses in the Triangle based on 500 square meter lots.

3.1 The Spatial Framework

The plans, p39 based on the CMP Growth and Capacity Projections show a rezoning of the entire Triangle to residential, with the only low density residential land in Cromwell remaining between Bannockburn Rd and Lake Dunstan, a much greater distance from the town centre.

To change this Triangle to an approximately 50:50 mix of LDR and LLRZ is a marked departure from the Masterplan, and the community preference.

3.3.2 The plan on page 40 shows a pedestrian/cycle link from McNulty Inlet to State Highway 8b. This connection is not possible as it commences in the north in a private motor camp, extends up the dry riverbed of Burn Cottage Stream, crossing private land to reach Shortcut Rd, then passing through private property to the south of Shortcut Rd and private property in the Wooing Tree subdivision. The Burn Cottage Stream dry riverbed has become an arbitrary dividing line between LLR and LDRZ in Plan 19 but holds no significance for

varied land use, as it is merely a scrub-filled wasteland, with a private camping ground and boat trailer and car park at the northern end.

Plan Change 19

Residential chapter Provisions

Large lot Residential Zone (LLRZ)

Policies

LLRZ-P8 Future Growth Overlay

Recognise and provide for rezoning of land within the Future Growth Overlay, where: 1. It is demonstrated as necessary to meet anticipated demand.

Zoning approximately half the triangle LLRZ reduces the capacity for future demand based on 2018 projections and sets the scene for future poor town planning with continual pressure for infill housing rather than an effective and consistent 30 year plan.

Low Density Residential Zone (LDR)

Introduction

This zone provides for traditional suburban housing, comprised predominantly of detached houses on sections with ample on-site open space and generous setbacks from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.

Policies

7. mitigates visual effects through screening of storage areas and provision of landscaping.....

LDR by the above definition provides more than adequate protection from dense, insensitive infill housing along the riparian boundary of Lake Dunstan.

Section 32 Evaluation Report

6. The zoning proposal in PC19 differs in two instances to that shown in the Cromwell Spatial Plan. The first is in relation to properties fronting Lake Dunstan on Bell Avenue, Lake View Terrace, Stout Terrace, Thelma Place, the McNulty Inlet recreational/lakefront, and the nohoanga site, that was identified in the Cromwell Spatial Plan as Low Density Residential. The density is considered inappropriate due to the proximity of the nohoanga site and recreational use of the lakefront and Large Lot Residential zoning is proposed. The change in density will reduce the residential yield anticipated in the Cromwell Spatial plan.

Nohoanga Site

The *nohoanga* site is landlocked and sits on McNulty Point. Its only adjoining property is the deGeest property to its west. *Ngai Tahu* have made no submission on PC19 (pers. Comm. Ann Rogers) relative to the *nohoanga* site.

There is no means to know what provision might be suitable within the Triangle for *nohoanga* site and no justification to change the zoning in the meantime to make provision for a perceived concern from *Ngai Tahu* that does not exist. Any conceivable concerns from *Ngai Tahu* would most likely affect the adjoining deGeest property alone such as by a Resource Consent condition rather than an inappropriate blanket zoning alteration. Selective zoning to LLRZ to protect the *nohoanga* site is a solution to a problem that does not, and may not, ever exist.

Recreational Use of the Lakefront

Recreational use of the lakefront bordering the whole of Cromwell town within its urban boundary is similar for the whole length with walking, cycling, boating

and swimming the main activities. Toilets and boat launching ramps extend throughout this whole border. The use is the same, whether bordering the Triangle, Freeway Orchard, or the rest of town.

There is a larger setback from the lakeside in McNulty Inlet. Part is behind the yacht club and includes the *nahaonga* site. It is a wasteland constantly broken up by four-wheel drivers. The other setback used to the Rotary Glen Reserve. It is now a dust bowl used as a private camping ground, in front of which is a boat trailer and car park. None of this area has any reason to be thought of as requiring special aesthetic consideration.

Most of the land in the Triangle which has a boundary on the riparian Lake Dunstan border has already been subdivided into 4000 square meter sites. Virtually all sections have a large house across this riparian border with no possibility of further housing visible from the lake, whatever the zoning.

Land, other than greenfield land within the triangle, that could possibly have additional housing adjacent to and influencing the lakeside reserve are:

1. One lot on Stout Terrace.
2. A 900 square meter site on Thelma Place and lot 11, Thelma Place. Neither of these sites on Thelma Place are visible from the lakeside reserve, screened by mature trees. 7 Thelma place could have an additional dwelling. This is my house site. However, it is unlikely as the vacant part of the site is taken up fully by an in-ground heating exchange system.
3. Addresses 2,10 and 18 on Bell Avenue could possibly have an additional dwelling each under a LDR zone.
4. Addresses 1 and 2, Scott Terrace could possibly each support an additional dwelling. In PC 19 these two properties are zoned LDR, which permits infill housing.

If the entire lakeside frontage for existing 4000 square meter lots were to change from the proposed LLRZ in PC19 to the Masterplan 2021 proposal of LDR, the maximum infill on this entire lakeside frontage in the Triangle from houses that could be seen from the lakeside reserve would be up to 8

dwellings. In the unlikely event that all 8 dwellings were to be built, this would have an insignificant effect on the use and aesthetics of the lakeside reserve. It hardly requires a zoning change to LLRZ to protect it.

There are two greenfield properties, deGeest and a nectarine orchard on 3A Scott Terrace, with riparian borders.

1. deGeest property. The location to the *nohaonga* site has been discussed above. This property also has a riparian border to a popular swimming and boating beach. The property is isolated from the lakeside reserve by an escarpment which is heavily planted in poplars and willows. No dwelling built on the deGeest property could be seen from the lakeside reserve.
2. Section 3A, Scott Terrace, the nectarine orchard, has a riparian frontage. This is set back from an escarpment. The existing orchard is not visible from the lakeside reserve, and neither would any dwellings be built on it.

In PC19 these two greenfield sites are zoned LLRZ. This zoning reduces the number of potential dwellings envisaged in the Masterplan 2021, it will have no effect on the lakeside reserve. It simply reduces the residential yield for no gain.

The recreational/lakefront area extends beyond the triangle along State Highway 8b, wrapping around the existing Cromwell town. Recreation use by swimming, boating, walking, cycling and visibility from State Highways is similar in these areas to in the Triangle. PC19 is inconsistent in its dealing with the same riparian usage and visibility in Cromwell town and the Triangle.

In the Triangle all land with a riparian border is zoned LLRZ, except sections 1 and 2, Scott Terrace, which are zoned LDR. The Freeway Orchard block, from the shops to Alpha Street is zoned MDR. This section of the Freeway Orchard block to be made MDR is very visible from the lakeside recreational area with the clipped poplar shelter belt immediately visible from the lake reserve to the north, and visible for kilometers from State Highway 8.

From State Highway 8b to Killala Street the zoning is LDR and from Killala Street to Melmore Terrace it is MDR. From Melmore Street to the wastewater ponds the zoning is LDR.

There is no consistency on lakeside reserve boundary zoning. There is no provision for any restrictions in residential land near to the town. There is no allowance for the impact of MDR zoning for the very visible Freeway Orchard block. There is both LLRZ and LDR zoning on the riparian lake frontage land in the Triangle.

If it is felt necessary to limit dwellings on land bordering the lakefront reserve, might this be more consistently be done with a Resource Consent condition of a minimal boundary length for new subdivisions?

Other zoning within the Triangle

Anomalies in the zoning of the riparian border are discussed above. There are further anomalies within the Triangle.

The northern corner of State Highway 6 and Shortcut Road, which is the furthest land from the riparian lake border, being 740 meters from the lake riparian border, and even further from the *nohaonga* site, is zoned LLRZ. This is land within the Triangle, zoned to protect the lake border and *nohaonga* site but the furthest from the sites being “protected”.

The Burn Cottage Creek dry bed delineates LLRZ and LDR but the land each side is the same and all land is a significant distance from both the lake and the *nahaonga* suite, yet land closer to the lake and *nohaonga* site to the north of Shortcut Road is zoned LDR and land further from the lakeside reserve and *nohaonga* site on State Highway 6 is zoned LLRZ.

Residential Yield

In CP19 the residential yield in the Triangle will be reduced compared to the Masterplan 2021. The CMP Growth and Capacity Projections, December 2018, in option 3, which was adopted in the Masterplan, expected the Triangle to be zoned for 500 square meter lots to meet projected housing demand. This demand is likely to be more than anticipated in 2018. (pers. Comm. Ann Rogers). Most of the increase in possible house numbers to the projected 154

in this area must come from greenfield areas. This is because many existing 4000 square meter lots have a large house centred on them, with little capacity for infilling. All greenfield areas in the Triangle other than one block to the north of Shortcut Road have had the zoning adjusted from LDR in the Masterplan to LLRZ in PC19.

The residential yield has thus been, in practical terms, significantly reduced from the 145 envisaged in the Masterplan. The change of zoning will put pressure on maintaining Cromwell township within its urban boundary according to option 3 in the Masterplan.

The change of zoning is somewhat arbitrary when sited on the GIS map, as it does not simply follow the riparian border, its perceived justification. It also takes no account of topography and screening by existing mature trees. It will likely lead to continual RC variation requests over the next 30 years for infill housing based on this anomaly.

PC19 which should be removing anomalies and creating consistency, is, in fact, increasing anomalies and inconsistencies. This is town planning at its worst, when foresight at this stage could produce a sound vision for the future.

26 Regional Policy Statement

Objective EIT-INF-05, policy EIT-INF-P17, method EIT-INF-M5

...provide for the development of nationally and regionally significant infrastructure and land use in a co-ordinated manner.

Kai Tahu ki Otago Natural Resource Management Plan

5.3.4(10) to promote integrated riparian management throughout entire catchments.

The zoning in the Triangle is uncoordinated and the zoning of riparian border for Cromwell in three different zones is not integrated.

37. The Cromwell Spatial Plan has been developed with the community and was adopted by the Cromwell Community Board in June 2019.....The Spatial Plan reflects the community's preferred option for providing for the anticipated growth within Cromwell.....

75. The final options sought to be reflected in PC19 are consistent with the preferred community options for managing growth.

Conclusion

1. PC19 has gone against the wishes of the community, and the community board's preference, by changing zoning in the Triangle that will allow fewer potential dwellings within the Cromwell urban boundary.
2. PC19 is not providing for infrastructure in a co-ordinated manner.
3. PC19 is not promoting integrated riparian management throughout the Cromwell urban boundary.
4. PC 19 removes an anomaly, such as the current mix of RRA3 and RRA6 and replaces it with a new anomaly, the proposed mix of LDR and LLRZ.

This objection requests:

1. The zoning of the block of land boarded by SH8b, SH6 and Lake Dunstan, excluding the Wooing Tree block, be zoned consistently as Low Density Residential.
2. That if provision is required for the riparian lake border, it be done in an integrated manner for the whole of Cromwell town, including Freeway Orchard. This could be with a minimum frontage rather than by variation in zone.
3. If provision needs to be made for the *nohaonga* site it is done once any possible concerns are known. These concerns be dealt with Resource Consent conditions rather than a zone variation.
4. If it is deemed necessary to zone land related to the *nohaonga* site or the Lake Dunstan riparian border Large Lot Residential Zone, that this zoning is not extended beyond these immediate

areas, and particularly not to areas that could have no effect on the lakeside reserve.