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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: Judy Hamilton + John Hamilton

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

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Contact person: Judy Hamilton
(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)

Large hot residential zones, Alexandra
(Dunstan Road, Hillside Road)

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.

Please see attached.

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

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

We would ask CODC to provide the regulatory framework for future access to our property eg making our driveway an unformed legal road. - See attached.

- We 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)
- ~~☐~~ 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

2nd September 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 at 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.

J & J Hamilton
35 Hillview Road RD1 Alexandra 9391

Introduction

We support the proposed Plan Change 19 (PC19) to the Central Otago District Plan (the proposal). The specific provisions of the proposal that our submission relates to are Large Lot Residential Zones, in particular the LLRZ incorporating properties on Dunstan Road and Hillview Road in Alexandra. Of significance to our submission are the Objectives and Policies found in the PC19 Residential Chapter Provisions Appendix 5, notably:

LLRZ-O2 Character and amenity values of the Large Lot Residential Zone

The Large Lot Residential Zone is a pleasant, low-density living environment which:
4. Is well-designed and *well-connected* into the surrounding area

LLRZ-P1 Built form

Ensure that development within the Large Lot Residential Zone:
6.. Maintains the *safe* and *efficient* operation of road

Conditions sought

We seek the following decisions from the consent authority:

*For Central Otago District Council (CODC) to provide through Plan Change 19 a clear legal framework to facilitate access and services to 'landlocked' properties within the LLRZ. i.e. properties without a public road frontage.

*That PC19 conditions reflect the objective of connectivity, as referenced in LLRZ-O2. Connectivity, in this sense, can be taken to mean the growth of residential land opportunities in a manner that prioritises the sympathetic interconnection of access and services, and protects amenity values.

*Formal recognition of the relationship between the efficient operation of new roads and their efficient planning and construction, by including access conditions that would encourage development of landlocked properties.

Connectivity

We believe that William Hill Estate, or any single subdivision, should not be considered in isolation, and that the plan change should incorporate measures to help open up large lot residential zones in our area for development. Keeping in mind the Objectives and Policies outlined in the PC19 proposal, we ask the consent authority to consider how William Hill Estate might be able to facilitate future access to neighbouring properties with similar development potential. For example, one way in which LLRZ connectivity might be enhanced would be to provide for legal roading that extends to the boundaries of William Hill Estate. In our view, this option is supported by LLRZ-P1 6, which would require new roads to operate efficiently. We submit that planning and construction of roads and accessways has a direct bearing on their efficient operation.

Connectivity applies with respect to all infrastructure services and access. Not just vehicle access, but potentially also walking and cycling trails that fit with the amenity values made possible by LLRZ developments. Connectivity is a highly relevant issue for all interested parties, and especially for landlocked properties with potentially challenging access issues. Failure to properly address and allow for connectivity might impede development efforts, and undermine the stated objectives of PC19. In summary, some potential large lots are physically restrained by rights of way at this time. We believe that connectivity should be created with adjoining blocks to make them feasible for development, and to help realise the anticipated yield. We want the rules in the plan to ensure connectivity is available, especially in terms of services and access (walking, cycling and road).

Notified v non-notified resource consents

We acknowledge that Plan Change 19 proposes to make a suite of changes to the way the District's residential areas are zoned and managed. Regardless of the outcome, we would like to see larger subdivision projects, such as William Hill Estate, go through a notified resource consent process. This would allow the public and all affected parties to engage with an entirely robust and transparent process that takes heed of the particular circumstances and complexities of larger developments that will leave a big footprint on our built environment.

Leg-in driveway

We return to the existing leg-in driveway that provides access to three Hillview Road properties, all of which would be rezoned Large Lot Residential should PC19 be adopted. As stated above, the driveway is 8m wide. In order to cover potential development contingencies, we ask that PC19 include provision for this driveway to become an unformed legal road and, further, to allow for a widening of the right of way to the extent that might legally be required to facilitate any future subdivisions.

To the latter point, however, we note a CODC hearing decision dated 21 February 2022, concerning the subdivision of a property in Tarras, in which a CODC Hearings Panel decided that a gravel road could be sealed to a minimum of 6.0m with standard 0.25m metalled shoulders. The panel allowed an upgrade, with modifications, so that it could become a 'Local Sealed Road' in accordance with Council's July 2008 Addendum to NZS4404, Table 3.2. This road upgrade was permitted in order to service 17 Lots. We raise the Tarras decision in the context of querying the minimum road width required by CODC to create access to a subdivision.

Other issues/queries

We do wish to be heard in support of this submission, and would hope to also be able to speak to any other relevant issues or queries, as yet unknown to us, that might emerge between now and the plan change hearings.

Thank you
J & J Hamilton