

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

RECEIVED 02/09/2022 CODC

Details of submitter

Name: Aidan & Philippa Helm

Postal address: 129 Gilligans Gully Rd, Alexandra
(Or alternative method of service under section 352 of the Act)

Phone: 0275633030

Email: piphelm@gmail.com

Contact person: Philippa Helm
(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)

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.

Attached.

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

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

- 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



Date

2-9-22

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.

Submission on notified Plan Change 19

1. Introduction and Background

Our names are Philippa and Aidan Helm.

We own and reside at 129 Gilligans Gully Road (Parcel ID 7078812, LOT 3 DP 399742). See Figure 1, below.



Figure 1: 1129 Gilligans Gully Road title area

Our submission should be read in conjunction with the submission of Shanon Garden of One Five Five Developments LP, relating to 155 Dunstan Road and surrounds.

2. Our submission:

As set out in the submission of One Five Five Developments LP, we seek:

- a) that ~1.0Ha of the bottom (south-eastern) end of our property be included in the proposed residential rezoning of this area notified in Plan Change 19.
- b) That the residential zoning applied to this portion of our property, along with the neighbouring 155 Dunstan Road property, be changed from Large Lot Residential (LLR), to either Low Density Residential (500m² min area), or in the alternative, Large Lot Residential (P1) (LLR-P1) (1000m² min area).

3. Background:

We have entered into a Sale and Purchase Agreement with One Five Five Developments LP, who have also contracted to acquire and develop 155 Dunstan Road, to sell them a 1.05Ha portion of our property, as shown in the scheme plan of Calder Surveyors in Figure 2, below. This sale is conditional on the outcomes of the Plan Change 19 re-zoning process.

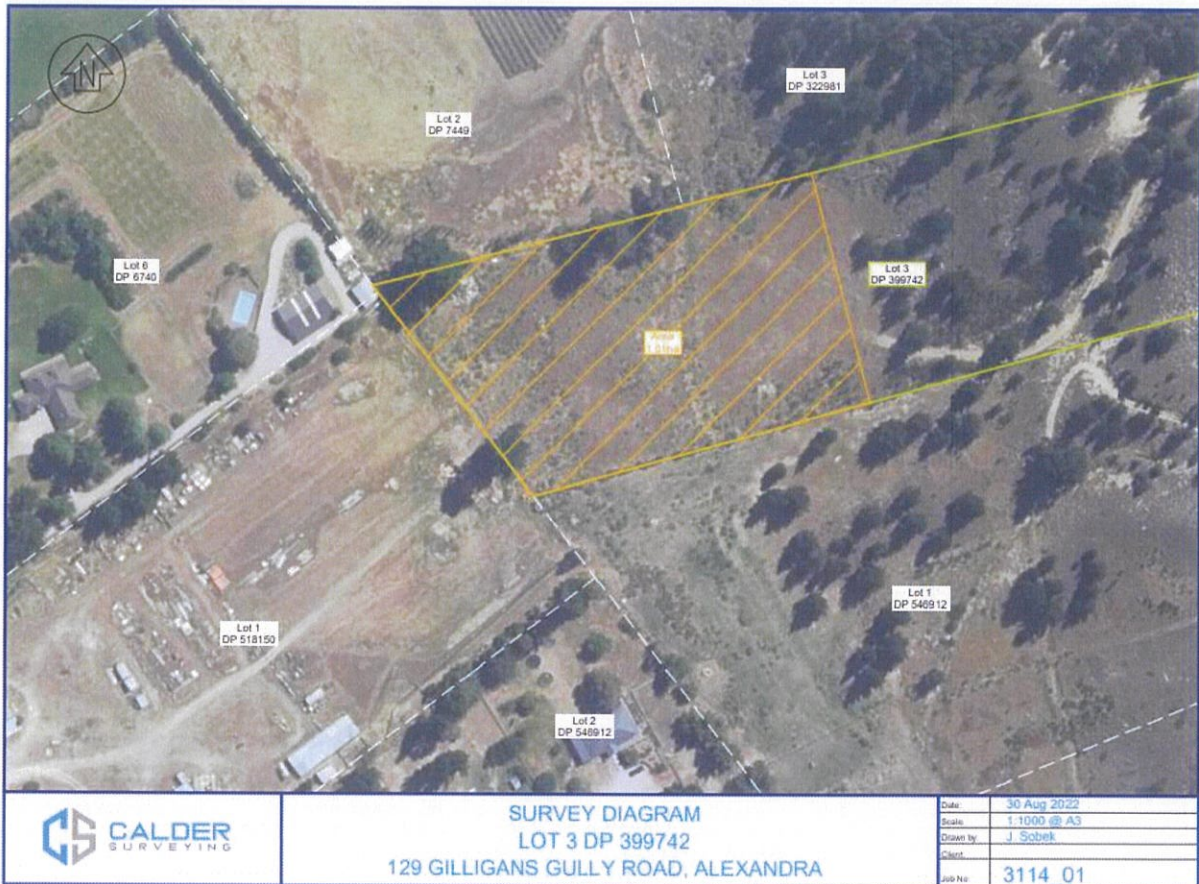


Figure 2: Area contracted to be sold to One Five Five Developments LP

Following the Plan Change, an application for subdivision consent (boundary adjustment) would be made and this area would be amalgamated into 155 Dunstan Road.

The basis upon which this area has been agreed is described in detail in the submission of Shanon Garden/One Five Five Developments LP. In summary, this area is the lower, flat, portion of our block, well connected to 155 Dunstan Road and well suited to residential housing.

This area is physically separate from our house and main living area. We seldom access it. It serves no productive purpose.

Once amalgamated, access to this land will be via Dunstan Road.

4. Rationale for inclusion of this area into the residential zone

We refer to the more detailed submissions of One Five Five Developments LP.

Figure 3, below, taken from the submission of One Five Five Developments, illustrates how the area contracted to be sold would naturally fit into the proposed residential zone.

The yellow dotted line in Figure three illustrates a theoretical boundary between the lower, flatter area suited to residential, and the steeper treed face that is referred to in the Vincent Spatial Plan documents as an amenity area.

Were it not for the existing boundary being lower down, and the desirability of having plan zones follow boundaries, we think it probable that this area would have been proposed to be rezoned as part of the notified Plan Change 19, in the same manner as 155 Dunstan Road.

Residential houses that result from this re-zoning will sit at the same alignment as two recently constructed dwellings at the same elevation immediately to the south.

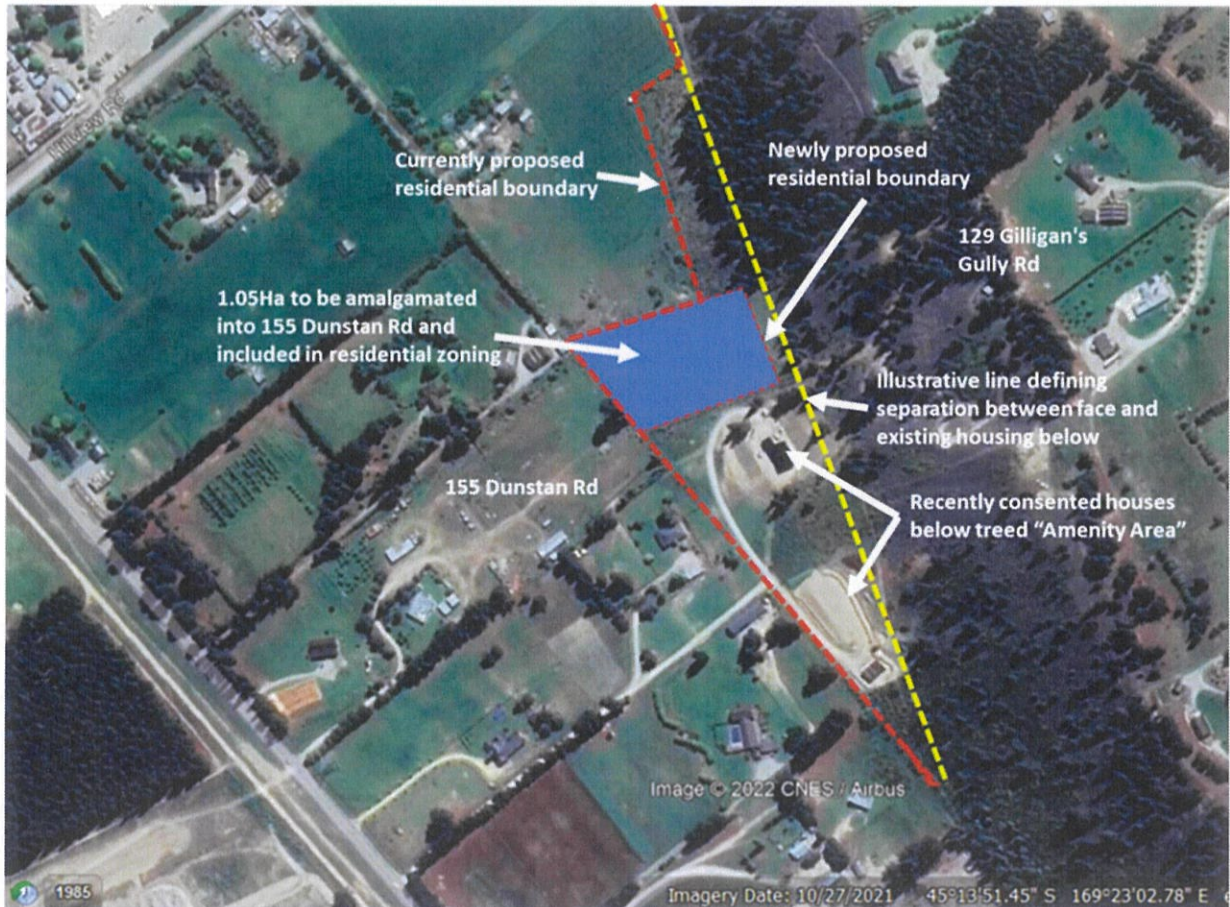


Figure 3: A recent google earth image showing the area proposed to be re-zoned and adjacent housing

The advertised spatial plan documents referred to the treed face above as follows:

“an amenity area would be added along the eastern terrace embankment providing opportunities for a stronger natural landscape backdrop to Alexandra, Clyde and recreation links.

This is further shown in an excerpt from a map in that Vincent Spatial Plan document shown in Figure 4, below.

If thought necessary, we welcome further discussion between ourselves, One Five Five Developments LP, and Council to ensure the integration of the proposed rezoning with the amalgamation process. We acknowledge that it is not desirable to rezone this area unless it is assured that there will be a corresponding sale and amalgamation.

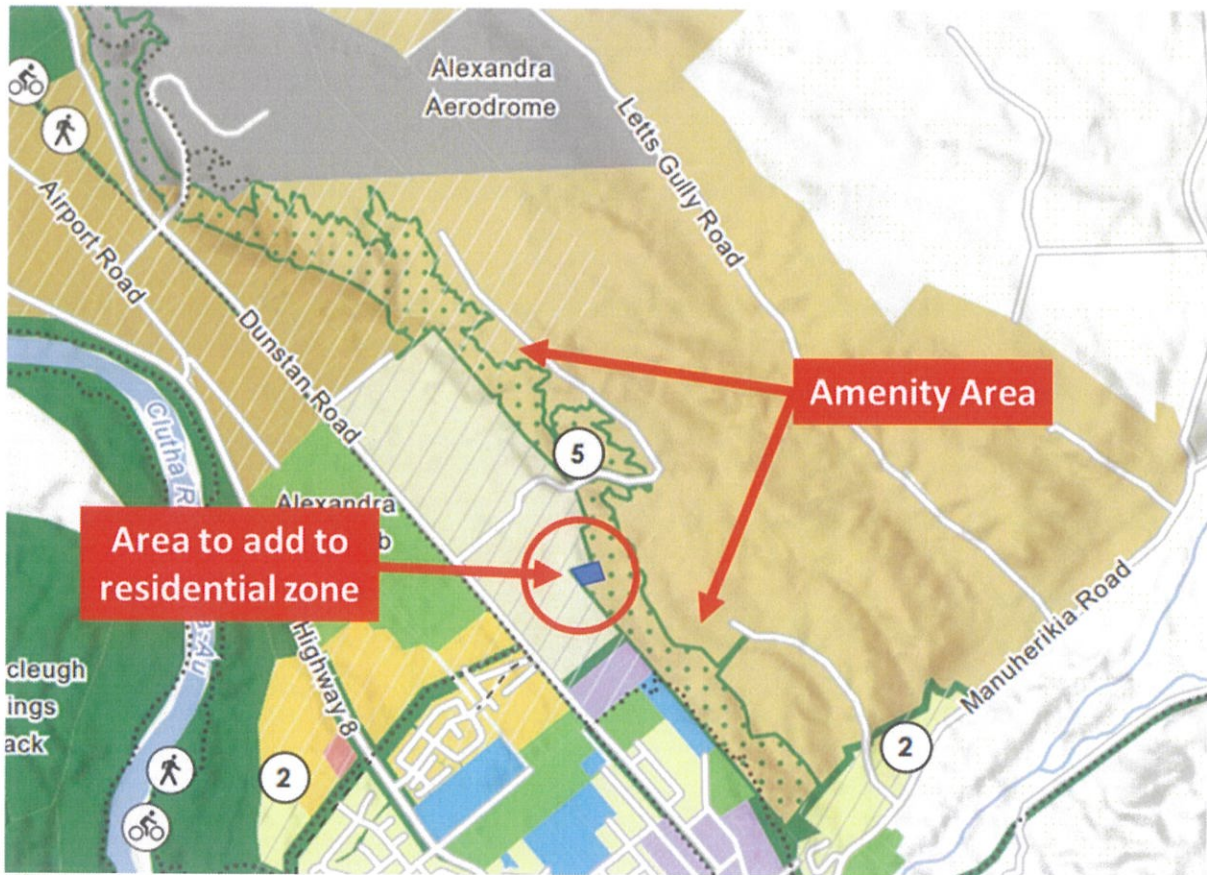


Figure 4: Vincent Spatial Plan map, showing land in proposed amenity area

As the proposed new boundary is set below the tree line (with sufficient offset to avoid problems associated with tree fall), and is physically below the steep treed face, we do not consider that the use of this land for residential housing will in any way diminish the amenity provided by that treed face, nor diminish the visual amenity it provides for the surrounding area.

5. Rationale for smaller lot sizes and higher density

Other points we would like to highlight in conjunction with the submission of One Five Five Developments are:

- The proposed >2000m² zoning along the adjacent section of Dunstan Road is inconsistent with the zoning immediately across the road to the south (200m²) and to the east along Dunstan Road (500m²).
- Our property is not located in an “outer area” as described in the relevant proposed LLR rules. We feel this portion of our property more comfortably reflects the characteristics described of Low Density Residential (i.e. central, with access to amenities and services).
- We share the views, expressed by One Five Five Developments LP, that the current plan arbitrarily stops the higher density Low Density Residential (LRZ) zone on the north of Dunstan Road at the Fulton Hogan Boundary. This makes little sense in terms of planning outcomes. Arguments made that this is necessary because of a) reverse sensitivity from the industrial blocks, b) adequate supply elsewhere, c) poor infrastructure, all do not stack up.

6. Conclusion

In conclusion, the area we propose to sell to One Five Five Developments is well suited to inclusion in the residential zoning. Its amalgamation into 155 Dunstan Rd would create a lot boundary that is consistent with the proposed residential zoning (and existing houses) to the east and west.

There will be no negative effects of removing this area from the treed amenity zone illustrated in mapping from the Vincent Spatial Plan documents. The character of that treed face will be preserved.

As outlined by One Five Five Developments LP, it would seem to make good use of the available land, near to town, to zone it for smaller lot sizes than the proposed 2000m² minimum. So we ask that a zoning of either LLR (P1) or LRZ be applied to this 1.0Ha portion of our land.

We thank you for the opportunity of making this submission in support of Plan Change 19.