

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: CHP Developments Limited

Postal address: 13 Pinot Noir Drive, PO Box 302, Cromwell, 9342
(Or alternative method of service under [section 352](#) of the Act)

Phone: 03 445 9905

Email: info@landpro.co.nz

Contact person: Landpro c/o Walt Denley, Planning Team Leader
(Name & designation, if applicable)

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

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

~~I~~ We are ~~am~~ ~~I 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)

Plan Change 19 in its entirety.

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.
-

See 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~~ **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.



(Signed on behalf)

02/09/2022

Signature

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.

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: CHP Developments Limited

1. This is a submission on proposed Plan Change 19 (Plan Change 19) to the Operative Central Otago District Plan (Operative CODP).
2. CHP Developments Limited could not gain an advantage in trade competition through this submission.
3. This submission relates to Plan Change 19 in its entirety.
4. CHP Developments Limited does wish to be heard in support of this submission and will consider presenting a joint case with other parties that make a similar submission.

General submission



Figure 1: Land of interest to CHP Developments Limited

5. The parcels of land are located within the Cromwell township, being currently used for horticultural and commercial purposes. The parcel can be accessed from State Highway 8B and Alpha Road.

6. The parcel is currently zoned as Rural Resource Area.
7. It is proposed to be zoned in the 'Medium Density Residential Zone' in Plan Change 19. Figure 2 shows the existing zoning for the site.



Figure 2: Existing zoning for property

8. Figure 3 identifies the 'Medium Density Residential Zone' proposed to replace the Rural Resource Area under Plan Change 19.



Figure 3: Proposed zoning for property

9. CHP Developments Limited supports the intent of the Plan Change 19 to resolve ongoing issues with the Residential Resource Chapter and associated zoning, and supports the proposed zoning for Lot 1 DP 18843.
10. However, CHP Developments Limited seeks revisions to minor aspects of the proposed rules and standards for the 'Medium Density Residential Zone'.

Medium Density Residential Zone – Objectives and Policies

11. Policy MRZ-P1 (Built Form) refers to ensuring that development in the Medium Density Residential Zone provides '*visual interest*'. It is not clear what '*visual interest*' means.

Medium Density Residential Zone – Rules

12. 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.

Medium Density Residential Zone – Standards

13. 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 discouraging higher density development, such as unit title developments or independent elderly houses. 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.
14. Standard MRZ-S7 (Outdoor Living Space) states that '*each residential unit must have an exclusive outdoor living space*', respectively being 30m² for units with common living space at ground floor level, and a balcony of at least 12m² for units located above ground floor level. For units above ground level, 12m² is an overly large balcony area, and it will be difficult for many to not be in breach of this standard or MRZ-S10, by being north, west or east facing while also not extending over an outlook space or outdoor living space of another unit.
15. Standard MRZ-S8 (Landscaping) states that '*at least 30% of the site shall be planted in grass, trees, shrubs or other vegetation*'. This standard is overly prescriptive in terms of how properties are to be designed and used and does not give consideration to situations where less than 30% landscaping would be preferable. Furthermore, this standard would be difficult to enforce, for example, if plants were surrounded by stone landscaping.
16. Standard MRZ-S10 (Outlook Space) states that each residential unit must provide outlook spaces, of varying sizes dependent on the room. This somewhat aligns with the outlook space requirements

proposed for Tier 1 and 2 urban environments (the largest urban environments) under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The standards proposed by Plan Change 19 go beyond these standards by setting an outlook space of 3m by 3m for principal bedrooms. By requiring large outlook spaces for both living rooms and principal bedrooms, residential unit designs will be restricted by the available property space, with many potentially being restricted to designing units with shared outlook spaces for living rooms and principal bedrooms. As such, it would be preferable that MRZ-S10(2) was removed. It may also be difficult for any units located on properties with a higher elevation to not be in breach of MRZ-S10, by extending over an outlook space or outdoor living space of another unit.

17. Standard MRZ-S12 (Habitable Rooms) states that '*each residential unit must have a habitable room located at ground floor level*'. This standard cannot be met by some types of buildings, for example buildings with separate downstairs and upstairs residential units, or residential units located above a commercial activity (convenience store).
18. We request amendments or removal of some of the Medium Density Standards to allow flexibility in the design of future developments on Medium Residential Zoned land.



Signed:

Brodie Costello
Planner for Submitter

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