



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: Landpro Ltd

1. Introduction

1. This is a submission on proposed Plan Change 19 (Plan Change 19) to the Operative Central Otago District Plan (Operative CODP).
2. Landpro Limited (Landpro) could not gain an advantage in trade competition through this submission.
3. This submission relates to Plan Change 19 in its entirety.
4. Landpro wish to be heard in support of this submission and will consider presenting a joint case with other parties that make a similar submission.
5. Landpro welcomes the opportunity to submit on a new chapter of the District Plan. As noted in Section 1.1.2 of the existing District Plan, Council is obliged to commence a full review of the District Plan ten years after it became operate. The existing District Plan became fully operative in 2008, and a review of the plan is long overdue as growth within the District risks outpacing the rules that govern development. Landpro looks forward to additional chapters as they are released for consultation.
6. Landpro generally supports the development of proposed Plan Change 19. However, we consider there are specific provisions of the Plan Change that require additional consideration or revision. We also have concerns over how the information has been presented to the public leading to uncertainty over the proposed changes to Residential Chapter of the District Plan and

what underpins some of the changes. Our submission addresses the proposed Residential Chapter Provisions and the Appendix 5 documents, followed by general comments specific to wider issues related to the Plan Change.

7. Landpro question why the Plan Change has been split up into four separate documents that all need to be read in conjunction with each other to get a full picture of the changes proposed. This is very confusing for most lay people. Furthermore, the Medium Density Residential Design Guide is not even listed with the other Plan Change 19 information, instead it is tucked down the bottom of the webpage under supporting documents where it is extremely easy to miss.
8. Landpro would like clarification why the National Policy Statement (NPS) on Urban Development 2020 has not been addressed. The Amendments to this NPS as updated in May 2022 redefined the definition of 'urban environment' (b) part of a housing and labour market of at least 10,000 people. Because of this definition change, we would now contend that Alexandra, Clyde and Cromwell form part of an interconnected urban environment that is excess of 10,000 people, and as such should be considered a tier 3 urban environment under this definition. This triggers some additional monitoring requirements to publish data underlying supply and demand of dwelling/land in the District. We think under these provisions there needs to be a clear link to expected demand and Council's expectations of the zoned land yields to meet this supply contained within the residential chapter. We note that the Expert Panel as part of the Wooing Tree fast track consent regarded Cromwell as an 'urban environment' in terms of the NPS.
9. Landpro consider the zoned areas shown on the planning maps as being misleading. The primary cause of this confusion stems from the fact that most of the reserves, greenways and areas that are subject to no building restrictions are identified as residential land that could be developed. In our opinion this inflates the area of available land for residential development to a degree that fundamentally changes the possible development growth within our communities. This is particularly true in the Cromwell area with its large areas of greenway. It would be helpful to have the areas of each zone available to be developed, along with the expected yield, giving everyone a clearer understanding of how open space interacts with the expected development.
10. The chapter by chapter review approach has created irregularities where newly proposed chapters reference or are reliant on the existing outdated information contained within other chapters of the District Plan. For example, rules around activities on hazardous lands are being

changed, however the identified hazards are those on the existing outdated planning maps, despite new information that has been provided over the life of the current plan to show that the risks previously identified in some areas, do not exist or are overstated.

2. Chapter Provisions and Appendix 5

Primary changes

11. Landpro notes that some definitions require further clarification to reduce uncertainty. For example, the definition of 'Noxious Activity' is not clear whether the keeping of animals currently permitted under the residential chapter, being less than 12 domestic fowl (excluding roosters) and horse, sheep, or goats to graze vacant residential sites, would be captured as a noxious activity for the intensive confinement of animals or are excluded as domestic animals associated with residential activities. Other definitions that we would appreciate additional clarification on include 'Convenience Retail Activities' and 'Large Format Retailing'.

Large Lot Residential Zone – General comments

12. Landpro notes that there are areas off Lynn Lane, Bannockburn that are currently zoned as Residential Resource Area (4) but are not captured within the Large Lot Residential Zone proposed for the area within this Plan Change. There are completed subdivisions (RC 160312) and approved resource consents ([2017] NZEnvC193) within this area not captured by the proposed Large Lot Residential Zone in this area. This primarily affects Lot 51 DP 511592 (69 Hall Road), Lot 12 DP 511592 (48 Lynn Lane), Lot 11 DP 511592 (50 Lynn Lane) and Lot 50 DP 511592. It is not clear as to whether this was Council's intention or was an error.

Low Density Residential Zone – Rules

13. 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 Area – General comments

14. The Medium Density Residential Zone (MDRZ) is for more intensive density of development compared to other residential zones, for the purpose of being within walking distance of commercial and community facilities. Within Alexandra, there are MDRZ at the northwestern

edge of town (Part Section 88 Block VII Leaning Rock SD, Sec 1 and Sec 4-6 SO 524226). There are no associated commercial/mixed use areas near this area at present. We question whether this is an accurate reflection of what appropriate density at this location should be given, considering there are no current commercial facilities near this location. Unless progressing alongside existing commercial facilities, it would seem more appropriate that this area is zoned as Low Density Residential Zone.

Medium Density Residential Zone – Rules

15. 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.
16. Rule MRZ-R2 (Comprehensive Residential Development Master Plan) specifies that Council's matters of discretion include '*whether the urban form is compatible with the nearby land use mix, including providing convenient access to commercial centres and community facilities*'. It is not clear as to what expectation there is for new development located within MDRZ located adjacent to a different zone. For example, for a development in the MDRZ directly adjacent to the Low Density Residential Zone or Rural Zone, it is not clear how much consideration would be required for the adjacent lower density zone for compatibility purposes.

Medium Density Residential Zone – Standards

17. 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 discourages higher density development. 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. For lower density zones, 40% building coverage is appropriate. The building coverage area should be increased to at least 50% to allow for a more intensive level of development, as anticipated in the MDRZ.
18. There are several standards that are confusing, particularly when considering infill development in the MDRZ. In comparison to other District Plans, some aspects of the standards appear to be overly prescriptive in our opinion. For example, Standard MRZ-S12 (Habitable Rooms) requires a ground floor level habitable room, which would exclude some types of dwellings anticipated in this zone, such as buildings that contain an upstairs flats or residential units located above a commercial activity.

Residential Zones Subdivision – Standards

19. Standard SUB-S1 and LRZ-S1 (Density) specify a minimum allotment size of 500m² where a reticulated sewerage system is available in the Low Density Residential Zone. The existing minimum allotment size in Residential Resource Area (where reticulated sewage is available) is 250m² (unless otherwise specified). This proposed change represents an erosion in property owner's ability to develop in the residential area. Furthermore, the Low Density Residential area as specified in the Vincent Spatial Plan (the most recent spatial plan for the District) identifies a minimum lot size of 400m², rather than 500m². Was it Council's intention to prevent all further subdivision of historical 800m² sections, such as those found in the Old Cromwell area or the established parts of Alexandra?

Schedule 1 – Height in Relation to Boundary

20. The Schedule 1 – Height in relation to boundary in Plan Change 19 provides little to no guidance as to how recession planes are calculated using this schedule. We suggest this needs to be updated with a description of how to calculate recession planes using this diagram.

3. General comments

21. Between the current zones and the proposed zones, there is little actual increase in density within the zones. Across all the zones, intensification is limited to Residential Resource Area 6 and 7, which currently have a maximum area of 4000m² and 1 ha, respectively, proposed to decrease to 2000m² and 6000m². Across all other zones, there is either no change in intensification or an increase in the permitted minimum lot size compared to their current zones. Given that property affordability is a significant issue in the District and over time there is a general understanding that more development will be permitted in time. However, the proposed changes seem to do the opposite for large areas within our District. Should Council not amend the changes towards allowing denser development within all areas of the residential zone in our district to provide for natural infill development over time?
22. The Future Growth Overlay identifies any area for Large Lot, Low Density, and Medium Density Residential Zoning in the future and that *"a Plan Change will be required to rezone this area in the future"*. If this land is being zoned with residential zoning as part of this Plan Change, it is not clear as to why a Plan Change would then be required to rezone land with the Future Growth Overlay in the future. The proposed underlying zoning should be applied regardless, with the

Future Growth Overlay only used to identify land that is intended for development but which may potentially not be completed within the next ten years. Otherwise if the land is suitable to be developed and a developer is willing to connect the appropriate services to the land, then should we not be allowing these areas to be developed now.

23. The proposed 'Introductions' to each residential zone chapter in Plan Change 19 state with respect to Future Growth overlays, that *'the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development'*.
24. Each residential zone chapter includes a policy that requires the Central Otago District Council (CODC) to 'recognise and provide' for rezoning of land subject to a 'Future Growth' overlay, where it is demonstrated as necessary to meet anticipated demand and can be serviced by reticulated water and wastewater networks.
25. The National Planning Standards defines overlays as "An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions". Landpro seeks clarification as whether the proposed use of future growth overlays aligns with this definition. While it may be appropriate to include "Future Urban Zones" in the CODP, reviewing the CODP chapter by chapter does not allow for these types of changes to be made.

4. Summary

26. Landpro thanks the Council for providing the opportunity to submit on the proposed Plan Change 19. Landpro is supportive of the proposed Plan Change but notes that there are clarifications or revisions required in some areas. Landpro looks forward to the release of future Plan Changes for the remaining chapters of the District Plan.

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