

# 19/163



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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**

John Klevstul and Rowan Klevstul, and Rubicon Hall Road Limited

Postal address:

Town Planning Group,  
PO Box 2559,  
**QUEENSTOWN**

Phone: 0800 22 44 70

Email: office@townplanning.co.nz

Contact person: Craig Barr

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

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

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

Refer to the attached submission document and supporting information.

**This submission is:**

Refer to the attached submission document and supporting information.

**We seek the following decision from the consent authority:**

Refer to the attached submission document and supporting information.

**I wish to be heard in support of this submission**

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

2 September 2022

Date

**Submissions close at 4pm on Friday 2 September 2022**

Submissions can be emailed to [districtplan@codc.govt.nz](mailto: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.*

## Overview of the submission

John Klevstul and Rowan Klevstul, and Rubicon Hall Road Limited (the “**Submitters**”) request that the land identified in **Attachment A** is rezoned from Rural Resource Area to a Large Lot Residential zoning (or similar), with a density in the order of 1000m<sup>2</sup>. **Table 1** below and **Attachment B** identify the land subject to the submission.

The Submitters land (referred to collectively as the “**Site**”) is located adjacent to the Bannockburn Township and is generally bordered by Lynn Lane, Bannockburn Road and Schoolhouse Road. The Site is approximately 22.219ha in area and currently zoned Rural Resource Area under Plan Change 19 (“**PC 19**”) to the Central Otago District Plan (“**CODP**”). The land immediately adjoining is zoned Large Lot Residential and the PC 19 provisions identify a minimum site size/density of 2000m<sup>2</sup> for the Large Lot Residential Zone.

Legal Description	Address	Owner	Area
Lot 1 DP 460583	2 Schoolhouse Road	John Christian Klevstul, Rowan James Klevstul	7.3ha
Lot 2 DP 460583	22 Schoolhouse Road	Kieran Douglas Parsons, Nita Jane Smith (Note that these persons are not submitters)	2.22ha
Lot 50 DP 511592	None identified	Doctors Flat Vineyard Limited	3.419ha <sup>1</sup>
Lot 51 DP 511592	69 Hall Road	Doctors Flat Vineyard Limited	9.28ha <sup>2</sup>

## PC 19 background

The Central Otago District Council (“**CODC**”) indicates that PC 19:

- has been driven by the direction set out in the Vincent and Cromwell Spatial Plans. The spatial plans were prepared to respond to demand for residential land and housing affordability concerns in the District, and to plan for the anticipated growth over the next 30 years.
- proposes to make a suite of changes to the way the District’s residential areas are zoned and managed.
- seeks to rezone new land for residential use, identify some areas for future growth, align existing residential zoning with the proposed new zones, and includes new provisions for managing land use and subdivisions within the residential zones. (Emphasis added)

## Relief sought

### Large Lot Residential Zone

1. The Submitters seek that:
  - a. The Site is zoned Large Lot Residential or similar under PC 19 to the CODP, with a minimum allotment size of 1000m<sup>2</sup>; and

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A portion of Lot 50 DP 511592 forms part of the Site.  
A portion of Lot 51 DP 511592 forms part of the Site.

- b. Any consequential relief and amendments to the CODP to give effect to the intent of this submission.

### **Rural Hamlet Vision - Sustainable Growth Model Concept**

2. The Submitters have commissioned the Rural Hamlet Vision - Sustainable Growth Model Concept (**Rural Hamlet Vision**), prepared by Common Ground Southern and included at **Attachment C**.
3. The Rural Hamlet Vision describes and illustrates (amongst other things):
  - a. An indicative development area plan which identifies an initial and conceptual nuanced land use pattern following the identification of resource issues and constraints on the Site.<sup>3</sup>
  - b. Areas suggested for retention in productive viticulture in the short to medium term, heritage overlays, key roading and walking/cycling connections, a small commercial area and areas for varying densities of housing.
  - c. A form of urban development that PC 19 should be enabling across Cromwell, Bannockburn, Lowburn and Pisa Moorings.
4. Without limiting the relief under para. [1] the Submitters seek amendments to the CODP and notified PC 19 objectives, policies, rules, maps, and other provisions that:
  - a. Provide for large Lot Residential Precinct 6 (or similar) with an average minimum allotment size for residential activity/residential of 1000m<sup>2</sup>;
  - b. Provide for the urban design principles described and illustrated in the Rural Hamlet Vision;
  - c. Enable lot sizes below 1000m<sup>2</sup> where the principles in the Rural Hamlet Vision are given effect; and
  - d. Amend the CODP maps to rezone the Site from Rural Resource Area to Large Lot Residential Precinct 6 (or similar) as shown in **Attachment A**.
  - e. Insert a development area plan/structure plan into the CODP which will guide future subdivision development at the Site, based on the indicative development plan in **Attachment C**.<sup>4</sup>
  - f. Adding text including any purpose statement text, objectives and other methods such as policies, rules and assessment matters to facilitate the zoning and ensure subdivision and development is undertaken in accordance with a development area plan (based on the indicative development area plan, as refined through the plan change 19 process and evidence). The location specific text may include the following matters to identify the specific resources on the Site:
    - i. Retention of historic character

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The indicative Development Plan (page 9) identifies land adjacent to Lynn Lane as 'Existing Proposed Subdivision'. It is noted that this general area is subject to a resource consented approved by the Environment Court (NZEnvC [2017] 183).

<sup>4</sup> Rural Hamlet Vision, at page 9, 'Bannockburn Discussion Document - Indicative Development Area Plan, 29/08/22, Revision D'.

- ii. Identifying and implementing key roading connections onto Lynn Lane Bannockburn Road and Schoolhouse Road
  - iii. Pedestrian/cycling connections
  - iv. Retention of an appropriate quantum of any highly productive land
  - v. Opportunities for Indigenous vegetation restoration in gullies
  - vi. Collective stormwater management and integration and enhancement with any existing but degraded drainage areas or wetlands on the Site
- g. Any consequential relief and amendments to the CODP.

## Supporting information

The submission is supported by the following information (text amendments to the CODP are included below as part of the general submission on the PC 19 notified text):

1. **Attachment A** - Proposed Rezoning Plan;
2. **Attachment B** - Plan of Properties Subject to the Submission; and
3. **Attachment C** - Rural Hamlet Vision - Sustainable Growth Model Concept, prepared by Common Ground Southern.

## Reasons for the Submission

### The Site, Design Rationale, and Indicative Development Area Plan

The Site is an appropriate area for a relatively contiguous and logical extension of the existing Bannockburn urban settlement. The Site has road frontage to the local road network at Lynn Lane, Bannockburn and Schoolhouse Roads.

The Site is located on the edge of the existing Bannockburn Township. The Site does not contain any identified overlays or features on the CODP Maps, with the exception of the Site being subject to Scheduled Activity #40 (Gravel Pit).

The proposed approach to development by the Submitters is to retain existing productive land uses (viticulture), preserve the area of mining heritage and develop clusters of housing set in a restored indigenous landscape including stream and wetland restoration and Kowhai Forest.

Clustering development within a productive and native forest landscape will provide the ability for Bannockburn to absorb urban growth whilst retaining and enhancing part of the land for horticulture and ecological restoration.

### National Policy Statement Urban Development 2020 (NPSUD)

PC 19 and the accompanying Section 32 evaluation should be more contemplative of rezoning additional land for housing.

The CODC's Section 32 evaluation suggests that the NPSUD does not apply to the Central Otago District and the CODP because the District does not qualify as an urban environment.<sup>5</sup> Notwithstanding, the Section 32 report acknowledges that PC 19 is consistent with the direction in the NPSUD insofar as it future proofs the District to enable urban environment.

It is uncertain that the Alexandra and Cromwell areas have been distinguished spatially in terms of whether they are individual areas which constitute separate urban environments. While the CODC Section 32 report acknowledges that Cromwell alone is likely to reach this threshold over the horizon covered by the spatial plans (i.e., to 2050), it is considered that greater emphasis should be placed on the NPSUD than that suggested in the CODC's Section 32 report.

While the Section 32 report has not erred in its application of the NPSUD at the current time, it is considered that the District is a valid candidate to be treated as though it were a Tier 3 local authority under the NPSUD, particular where the NPSUD definition of urban environment is relatively open in terms of an area qualifying as an urban environment:

*urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*

- (a) is, or is intended to be, predominantly urban in character; and*
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people*

Collectively, the urban settlements within the Cromwell Ward encompassing the PC 19 residential zoned areas of Cromwell, Bannockburn, Lowburn and Pisa Moorings are more likely to become urban environments within the planning period of PC 19 and before the CODP is next reviewed.

The CODC's published population information identifies that the 2018 Census recorded 21,558 residents in Central Otago with the population increasing by 20.5% between 2013 and 2018. The Cromwell Spatial Plan has been promulgated to address a 30-year timeframe in which the population of Cromwell is expected to double. The Cromwell Spatial Plan<sup>6</sup> identifies that the population of the Cromwell Ward under a high growth projection scenario will be 9,450 by 2028.

The projected population growth in the Cromwell area, the length of time between plan reviews initiated by the CODC, and the Cromwell and Vincent Spatial Plans, support greater emphasis being placed on the NPSUD than that provided under the Section 32 evaluation report.

The NPSUD is relevant in terms of the positive obligations placed on local authorities to provide for housing and a diversity of housing options.

Provision 1.5(1) of the NPSUD strongly encourages Tier 3 local authorities to do the things that tier 1 and tier 2 local authorities are obliged to do under Parts 2 and 3 of the National Policy Statement, adopting whatever modifications to the National Policy Statement are necessary or helpful to enable them to do so.

The following objectives and policies of the NPSUD are relevant to PC 19 and the rezoning proposal:

**Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

**Objective 2:** *Planning decisions improve housing affordability by supporting competitive land and development markets.*

**Policy 1:** *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

<sup>5</sup> CODC Section 32 report at [78].

<sup>6</sup> Cromwell Spatial Framework Plan, May 29 2019, at [28].

- (a) *have or enable a variety of homes that:*
  - (i) *meet the needs, in terms of type, price, and location, of different households; and*
  - (ii) *enable Māori to express their cultural traditions and norms; and*
- (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) *support reductions in greenhouse gas emissions; and*
- (f) *are resilient to the likely current and future effects of climate change.*

This rezoning proposal will help the local authority and the CODP achieve Objectives 1 and 2 of the NPSUD by contributing to a well-functioning urban environment.

### **Partially Operative Otago Regional Policy Statement 2019 (RPS)**

The proposed rezoning is consistent with and would give effect to the RPS.

Section 75(3)(c) of the Act requires that a District Plan must give effect to any Operative Regional Policy Statement. Section 74(2)(a) of the RMA requires that a territorial authority have regard to any Proposed Regional Policy Statement when preparing or changing a District Plan.

The key provisions of the PORPS19 relevant to this evaluation are:

- Objective 1.1 - Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities;
- Policy 1.1.1 – Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources.
- Objective 1.2 – Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago, and allied policies relating to integrated management;
- Objective 3.1 – The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded, and allied policies;
- Objective 3.2 – Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded; and allied policies;
- Policy 3.2.6 – Maintain or enhance highly valued natural features, landscapes and seascapes by ...avoiding significant adverse effects on those values which that contribute to the high value of the natural feature, landscape or seascape; avoiding, remedying or mitigating other adverse effects; encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.

In this case the Site is not identified in the CODP as a high valued natural feature or landscape and the proposal does not engage with Section 7(c) and Policy 3.2.6.

- Objective 4.5 - Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments, and related Policy 4.5.1 (repeated in full):

*Providing for urban growth and development*

*Provide for urban growth and development in a strategic and co-ordinated way, including by:*

- a) *Ensuring future urban growth areas are in accordance with any future development strategy for that district.*
- b) *Monitoring supply and demand of residential, commercial and industrial zoned land;*
- c) *Ensuring that there is sufficient housing and business land development capacity available in Otago;*
- d) *Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6*
- e) *Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way.*
- f) *Having particular regard to:*
  - i. *Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production;*
  - ii. *Minimising competing demands for natural resources;*
  - iii. *Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
  - iv. *Maintaining important cultural or historic heritage values;*
  - v. *Avoiding land with significant risk from natural hazards;*
- g) *Ensuring efficient use of land;*
- h) *Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed;*

Policy 4.5.1 is an important policy in terms of directing urban development within the Otago Region. It is noted that the Cromwell Spatial Plan is not a future development strategy prepared under the NPSUD. Rezoning proposals therefore do not need to be in accordance with the Cromwell Spatial Plan in order to be consistent with and implement Policy 4.5.1.

Limb (e) requires that the extension of urban areas with infrastructure development is coordinated with programmes, to provide infrastructure in an efficient and effective way. The Site is located adjacent to an existing urban settlement and offers efficiencies in terms of servicing, including any necessary infrastructure upgrades.

- Objective 5.3 – Sufficient land is managed and protected for economic production:

The rezoning will retain the productive viticulture land and utilise land that is not as suitable for viticulture or horticulture for clusters of housing

- Policy 5.3.1 – Rural Activities – Manage activities in rural areas, to support the region’s economy and communities, by ... restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects; providing for other activities that have a functional need to locate in rural areas.

Housing will be able to be managed so that it is not incompatible with existing or future productive activities. The area has a presence of housing and viticulture.

The proposal is consistent with the PORPS19.



The following table provides an evaluation of the following relevant operative district wide provisions.

District Plan Objective or Policy	Evaluation
<b>Section 4: Rural Resource Area</b>	
<p><i>4.3.1 Objective - Needs of the District's People and Communities</i>  <i>To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.</i></p>	<p>The proposal will achieve this objective by way of provision of additional housing opportunities and a logical and sensitive expansion of an existing urban settlement.</p>
<p><i>4.3.7 Objective - Soil Resource</i>  <i>To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.</i></p>	<p>The rezoning will not result in the loss of existing productive orchard and viticulture activities.</p>
<p><i>4.3.3 Objective - Landscape and Amenity Values</i>  <i>To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.</i></p>	<p>The proposal will not result in the loss of valued rural amenity, nor will it affect the open natural character of the hills and ranges.            Related Policy 4.4.2 is also relevant and discussed below.</p>
<p><i>4.4.2 Policy – Landscape and Amenity Values</i>  <i>To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:</i></p> <ul style="list-style-type: none"> <li><i>(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,</i></li> <li><i>(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</i></li> <li><i>(c) The ability to adequately dispose of effluent on site,</i></li> <li><i>(d) Controlling the generation of noise in back country areas,</i></li> <li><i>(e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</i></li> <li><i>(f) Controlling the spread of wilding trees.</i></li> </ul>	<p>The proposal will avoid development on hills and ranges and would not result in inappropriate urban development in an area with valued rural landscape.</p> <p>The Site is not located a significant amenity landscape or ONF/L.</p>

<p>(g) <i>Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.</i></p>	
<p><b>Section 6: Urban Areas</b></p>	
<p><b>6.3.1 Objective - Needs of People and Communities</b> <i>To promote the sustainable management of the urban areas in order to:</i></p> <p>(a) <i>Enable the people and communities of the district to provide for their social, economic and cultural wellbeing and their health and safety; and</i></p> <p>(b) <i>Meet the present and reasonably foreseeable needs of these people and communities</i></p>	<p>The proposal can assist PC 19 and the CODP further achieve this objective by providing for additional urban land in a sustainable manner.</p>
<p><b>6.3.2 Objective - Amenity Values</b></p> <p><i>To manage urban growth and development so as to promote the maintenance and enhancement of the environmental quality and amenity values of the particular environments found within the District's urban areas.</i></p>	<p>The extension is logical and will maintain the existing amenity of Bannockburn.</p>
<p><b>6.3.3 Objective - Adverse Effects on Natural and Physical Resources</b></p> <p><i>To avoid, remedy or mitigate the adverse effects of urban areas on the natural and physical resources of the District.</i></p>	<p>The extension will result in the relatively small loss of potential rural productive land. The effects on rural character will be avoided and mitigated so that the benefits of the proposal outweigh the costs.</p>
<p><b>6.3.4 Objective - Urban Infrastructure</b></p> <p><i>To promote the sustainable management of the District's urban infrastructure to meet the present and reasonably foreseeable needs of the District's communities.</i></p>	<p>The rezoning area can be serviced and does not require any significant extension of infrastructure due to the Site's location adjacent to an existing urban settlement with reticulated water and wastewater.</p>
<p><b>6.4.1 Policy - Maintenance of Quality of Life within Urban Areas</b></p> <p><i>To maintain and, where practicable, enhance the quality of life for people and communities within the District's urban areas through:</i></p> <p>(a) <i>Identifying and providing for a level of amenity which is acceptable to the community; and</i></p> <p>(b) <i>Avoiding, remedying or mitigating the adverse effects on the community's social, economic and cultural wellbeing and health and safety which may result from the use, development and protection of natural and physical resources, and</i></p>	<p>The proposed rezoning will enable provide good amenity for future inhabitants while maintaining amenity values within the wider Bannockburn area.</p>

<p>(c) <i>Recognising that change is inevitable in the use of land to enable the community to provide for its wellbeing.</i></p>	
<p><b>6.4.2 Policy – Expansion of Urban Areas</b></p> <p><i>To enable the expansion of urban areas or urban infrastructure in a manner that avoids, remedies or mitigates adverse effects on:</i></p> <p>(a) <i>Adjoining rural areas.</i>  (b) <i>Outstanding landscape values.</i>  (c) <i>The natural character of water bodies and their margins.</i>  (d) <i>Heritage values.</i>  (e) <i>Sites of cultural importance to Kai Tahu ki Otago.</i>  (f) <i>The integrity of existing network utilities and infrastructure, including their safe and efficient operation.</i>  (g) <i>The life supporting capacity of land resources.</i>  (h) <i>The intrinsic values of areas of significant indigenous vegetation and habitats of significant indigenous fauna.</i></p>	<p>The urban expansion will avoid adverse effects on adjoining rural areas and outstanding landscape values and indigenous biodiversity, and other elements.</p>

## Sections 74 and 75 of the RMA and the Cromwell Spatial Plan

Despite not being identified in the Cromwell Spatial Plan, the rezoning from Rural Resource Area to residential is appropriate.

Section 75(3) of the RMA requires a District Plan to give effect to:

- (a) *any national policy statement; and*
- (b) *any New Zealand coastal policy statement; and*
- (ba) *a national planning standard; and* (c) *any regional policy statement*

Section 74(2)(b)(i) of the RMA requires that when preparing or changing a District Plan, a territorial authority shall have regard to management plans and strategies prepared under other Acts.

Regard is able to be had to the Cromwell Spatial Plan, however the PC 19 and the CODP is not required to 'give effect to' the Cromwell Spatial Plan or any other plan endorsed by the CODC in terms of the Local Government Act derived consultation documents.

The objectives and policies of the NPSUD (to the extent relevant to the District), the PORPS19 and the CODP are required to be given effect to by PC 19 and this proposal. The Cromwell Spatial Plan is relevant. It is to be regarded, rather than 'given effect'.

The Cromwell Spatial Plan was completed in 2019, and the growth projections and population information appeared to be for the period 2013-2017 and the 2018 Census data. The Cromwell Spatial Plan identifies some additional growth for Bannockburn at the Domain Road vineyard.

The Spatial Plan identifies consolidation within Cromwell itself, and PC 19 has identified several sites on the edge of Cromwell as appropriate for urban zoning, including a relatively large area of existing Rural Resource Area zoned land adjacent to SH8 as proposed to be rezoned from Rural Resource Area with

established horticulture activities to Medium Density Residential (Freeway Orchard Site), and land at Bannockburn (Domain Road Vineyard) from Rural Resource Area to Large Lot Residential.

Notwithstanding that the Spatial Plan does not identify the Site for residential development/zoning, the Site is an appropriate candidate for rezoning for the following reasons:

- It is adjacent to an established urban settlement.
- Given its proximity, it is influenced by urban development within the urban settlement and displays similar characteristics to the settlement.
- It is adjacent to existing reticulated water and wastewater and can be serviced.
- There is sufficient roading connections to the local road network.
- The land has capacity for urban development and will not affect any significant amenity landscapes or ONF/L.
- The urban extension is a logical and contiguous extension of an established urban area, the proposed zoning is not a spot zone and is not isolated from existing urban areas.

## **Achieving Part 2 of the RMA 1991**

The Site does not contain any resources of national importance (i.e., it is not within an Outstanding Natural Landscape), nor any identified heritage or cultural resources and does not affect the natural character of waterbodies.

The proposed rezoning will promote the sustainable management of natural and physical resources and will achieve Part 2 of the RMA.

## **Indicative residential density**

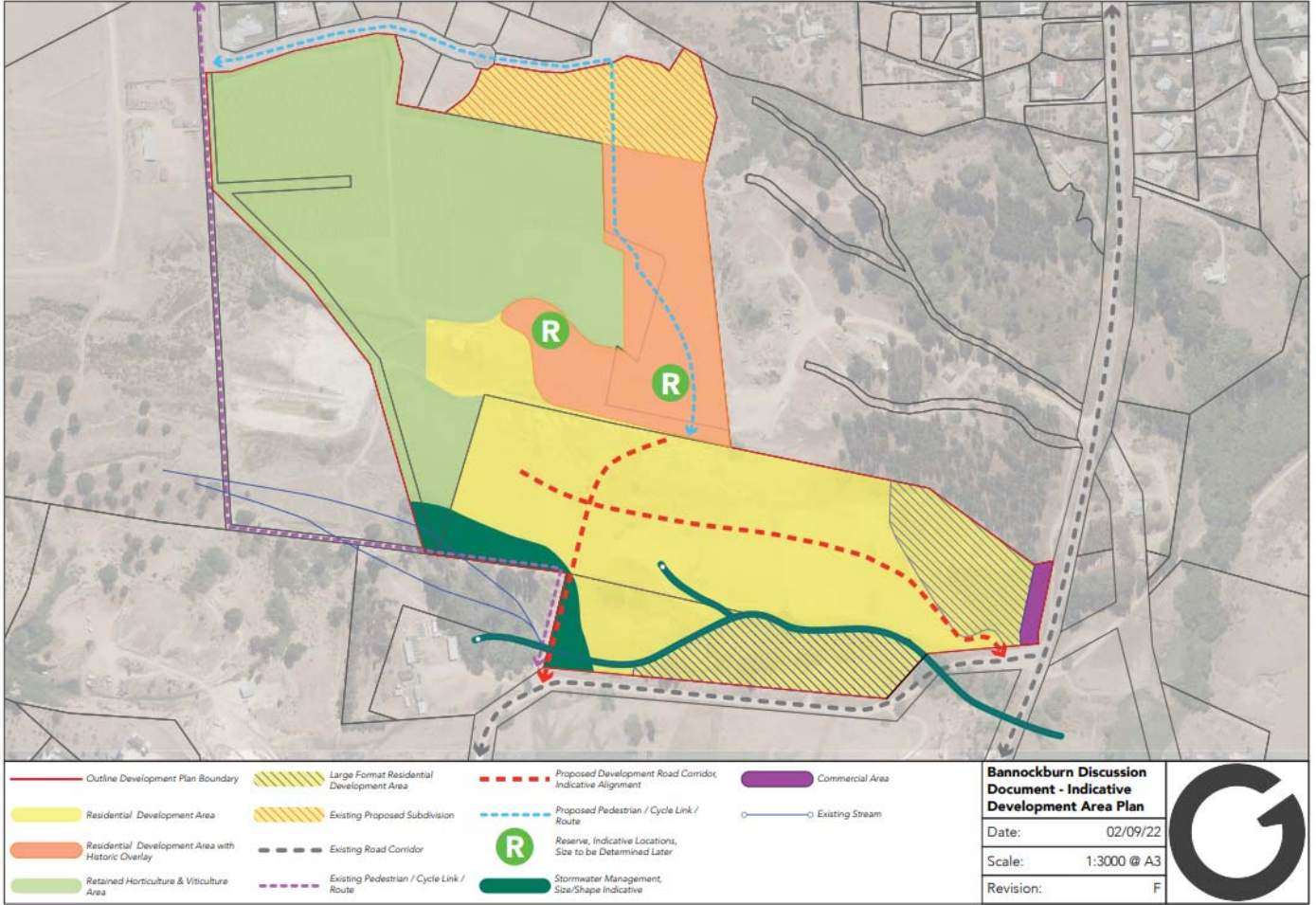
Applying an average allotment size of 1000m<sup>2</sup> is more appropriate than the 2000m<sup>2</sup> minimum allotment size identified for Bannockburn by the CODC through PC 19. Reasons for this include the smaller lot size of 1000m<sup>2</sup>: (a) is a more efficient use of land for housing, while still retaining a large lot suburban character and high amenity values consistent with the established pattern of development at Bannockburn; (b) would enable consolidation of housing to locations within the Site where there is the greatest capacity to absorb development without being bound to a generic style subdivision; and (c) promotes efficiencies in terms of the provision of infrastructure.

Applying an average density enables a subdivision and development pattern which is consistent with the Rural Hamlet Vision (**Attachment C**).

Agglomerating residential subdivision and development through a 1000m<sup>2</sup> average allotment size will provide efficiencies for water and wastewater servicing, and, has the potential to reduce the area of land required for roading, while still providing opportunities for walking and cycling connections through the Site

# Attachment A

## Rezoning Plan

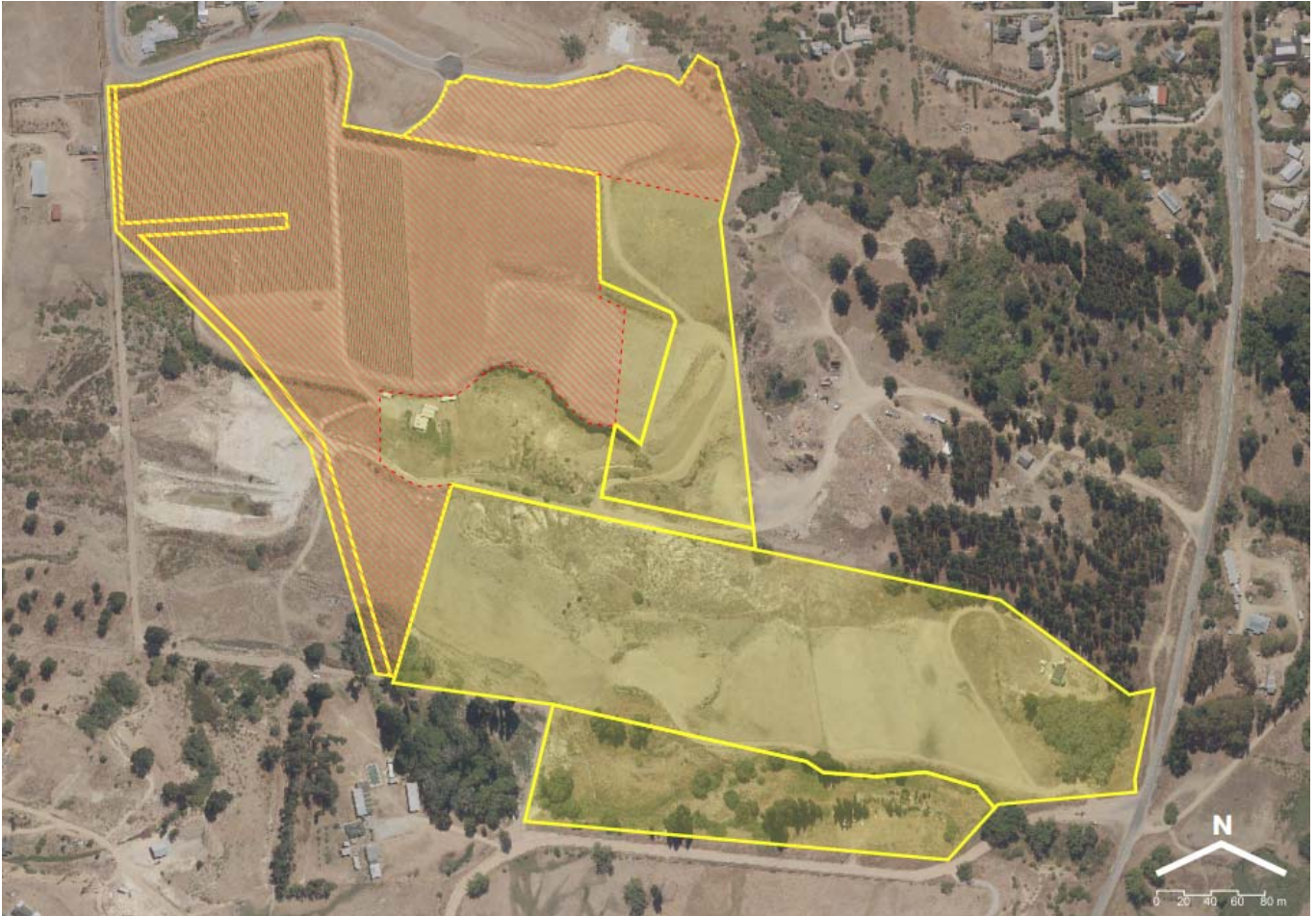


**Bannockburn Discussion Document - Indicative Development Area Plan**  
 Date: 02/09/22  
 Scale: 1:3000 @ A3  
 Revision: F



## Attachment B

Site location illustrated by yellow boundaries, with indicative areas shaded red that may be excluded from urban development.



## **Attachment C**

Rural Hamlet Sustainable Growth Model Concept prepared by Common Ground Southern

# Dr ROBERT MAKGILL

BARRISTER — PHD, LLM HONS, LLB

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2 September 2022

Ms Sanchia Jacobs  
The Chief Executive  
Central Otago District Council  
PO Box 122  
**ALEXANDRA 9340**

Dear Ms Jacobs,

## **SUBMISSION ON PROPOSED PLAN CHANGE 19**

1. I act for John Klevstul and Rowan Klevstul, and Rubicon Hall Road Limited (**clients**).
2. Please find **enclosed** for filing on behalf of my clients:
  - (a) a submission on Plan Change 19 prepared by Town Planning Group; and
  - (b) supporting urban design information prepared by Common Ground Southern.
3. I look forward to acknowledgment of receipt.

Yours faithfully



Dr Robert Makgill  
**Barrister**



# BANNOCKBURN // RURAL HAMLET - VISION



**Project no //** 2217  
**Document Title //** Bannockburn - Rural Hamlet  
**Revision //** B  
**Date //** 02\_09\_2022  
**Client Name //** Collective of Landowners

**Author //** Common Ground Southern

**File Name //** 220902 Bannockburn - Rural Hamlet

#### DOCUMENT HISTORY AND STATUS

REVISION	DATE	DESCRIPTION	ISSUED	REVIEWED
A	01/09/2022	Presentation Issue	CC	JL
B	02/09/2022	Ammendments	CC	JL

3	CONTEXT
5	RURAL HAMLET - SUSTAINABLE GROWTH MODEL
7	CLUSTERS
8	INDICATIVE AREA DEVELOPMENT PLAN
9	MOODBOARD

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All drawings are preliminary subject to development of design. Please note, some pictures may have been enhanced/alterd using artificial intelligence, these pictures are used as design precedents to indicate look and feel of the design. Photographs included are design precedents only as indicative look and feel for the design.

**contents** 



The plans for the settlement of Bannockburn began in 1862, as a result of miners being forced upstream from rising water levels in the Clutha and Kawarau Rivers. Though the area was settled around this period, the population was not stationary. As miners followed gold up the creeks, the settlements tended to follow, and by 1868 the original settlement had been strung out along what is now the Bannockburn-Nevis road. As miners swept over the area, from 1862 to 1871 the face of the landscape underwent drastic changes as the alluvial flat was washed away by sluicing operations to the foreboding landscape that exists today. Water during this period was a pivotal resource, not just for mining but to supply the town as well. Evidence of the complex water system that once existed is spread throughout the landscape. Multiple dams, (technically reservoirs) feed a water system that extends from high on the nearby Carrick range down to the abandoned sluicing sites. Tippet's Dam was one of, if not the largest of these reservoirs. The water has since been redirected for horticultural and viticultural use and the sluicings rest dormant on land belonging to the Department of Conservation.

Bannockburn had a population of 477 at the 2018 New Zealand census, an increase of 99 people (26.2%) since the 2013 census, and an increase of 162 people (51.4%) since the 2006 census. Bannockburn has a population with 57 people (11.9%) aged under 15 years, 63 (13.2%) aged 15 to 29, 240 (50.3%) aged 30 to 64, and 117 (24.5%) aged 65 or older. This low percentage of young people most likely an effect of no education providers in the town (closest is in Cromwell). Ethnicities were 94.3% European/Pākehā, 5.0% Māori, 0.6% Pacific peoples, 3.1% Asian, and 1.9% other ethnicities (totals add to more than 100% since people could identify with multiple ethnicities).

Wine in this region, like the majority of Central Otago, focuses primarily on Pinot noir, suited to the dry climate and soils. The climate of Bannockburn epitomizes that of the Central Otago wine region and claims some of the highest temperatures and lowest rainfall in the area. The area is limited by geographical constraints to relatively small outputs, and most of the vineyards boast a boutique high quality wine with typically small volumes of grapes.



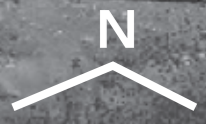
Within 1 km the nominal centre of Town (The Community Hall) you have access to all the amenity of the area surrounding the fragmented village of Bannockburn. Most of the original commercial buildings of the Town are scattered along the Bannockburn Road.

Across the Kawarau River from Cromwell on the road to Nevis Valley, the small historic mining town of Bannockburn offers a fascinating journey into the past.

Bannockburn was a successful mining settlement that managed to avoid becoming a ghost town once the gold was gone. Buildings from the early times remain today, including a beautiful hotel, a post office, Stewart's store and a number of family homes.

Adjacent to the town is the Bannockburn Sluicing Historic Reserve, which is managed by the Department of Conservation. The reserve offers a chance to explore an intriguing landscape created from 1865 to 1910 by fortune seekers in search of gold. Discover evidence of water races, dams, tunnels and shafts, as well as crumbling mud-brick and stone buildings in the old orchards at Stewart Town. From the reserve, a four-hour return walkway heads uphill behind Stewart Town to a farm access track in the gully, up a steep spur and eventually to the conservation area boundary. You can enjoy dramatic rock bluff landscapes and views of the Clutha Valley, Lake Dunstan and Pisa Range.

The walkway passes over Kawarau and Mount Difficulty farming stations, so is closed for lambing from 1 October to 30 November. To the north of the town, the Bannockburn Creek area was once an extensive coal mining area which supplied coal for use on gold dredges working the Kawarau and Clutha Rivers



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# Rural Hamlet: Sustainable Growth Model

Throughout Central Otago rural areas and small towns are experiencing Growth pressures. The development that has occurred in many areas has been ad-hoc large lot (lifestyle) subdivision often on good productive land around these Towns. It is a type of creeping suburbia that compromises the townscape and quality horticultural/ viticultural lands capacity for production is affected.

If large lot subdivision continues it may lead too:

- Loss of horticultural / viticultural activities
- Loss of economic value through the supply chain that supports horticulture;
- Loss of associated value through associated industries that rely on horticulture/ viticulture character;
- Disaggregation of economic horticultural units;
- Reverse sensitivity issues;
- Land Price escalation leading to retirement of land from agricultural uses;
- Loss of Identity as large lot large house becomes the dominant character;
- Large lots generally price local workers and potential working residents out of the market.

We have been commissioned to look at a way of expanding the Town of Bannockburn in a manner that:

- Supports sustainable growth for the Town;
- Leaves productive horticultural land for horticultural uses;
- Provides a variety of houses and price points; and
- Restores the indigenous landscape.

The proposed approach to development by the collective landowners is to set aside horticultural land for horticulture; preserve the area of mining heritage and develop clusters of housing set in a restored indigenous landscape including stream and wetland restoration and Kowhai Forest.

Clustering development within a productive and native forest landscape will provide the ability for Bannockburn to absorb urban growth whilst retaining and enhancing the land for horticulture and enhanced areas of high ecological value.

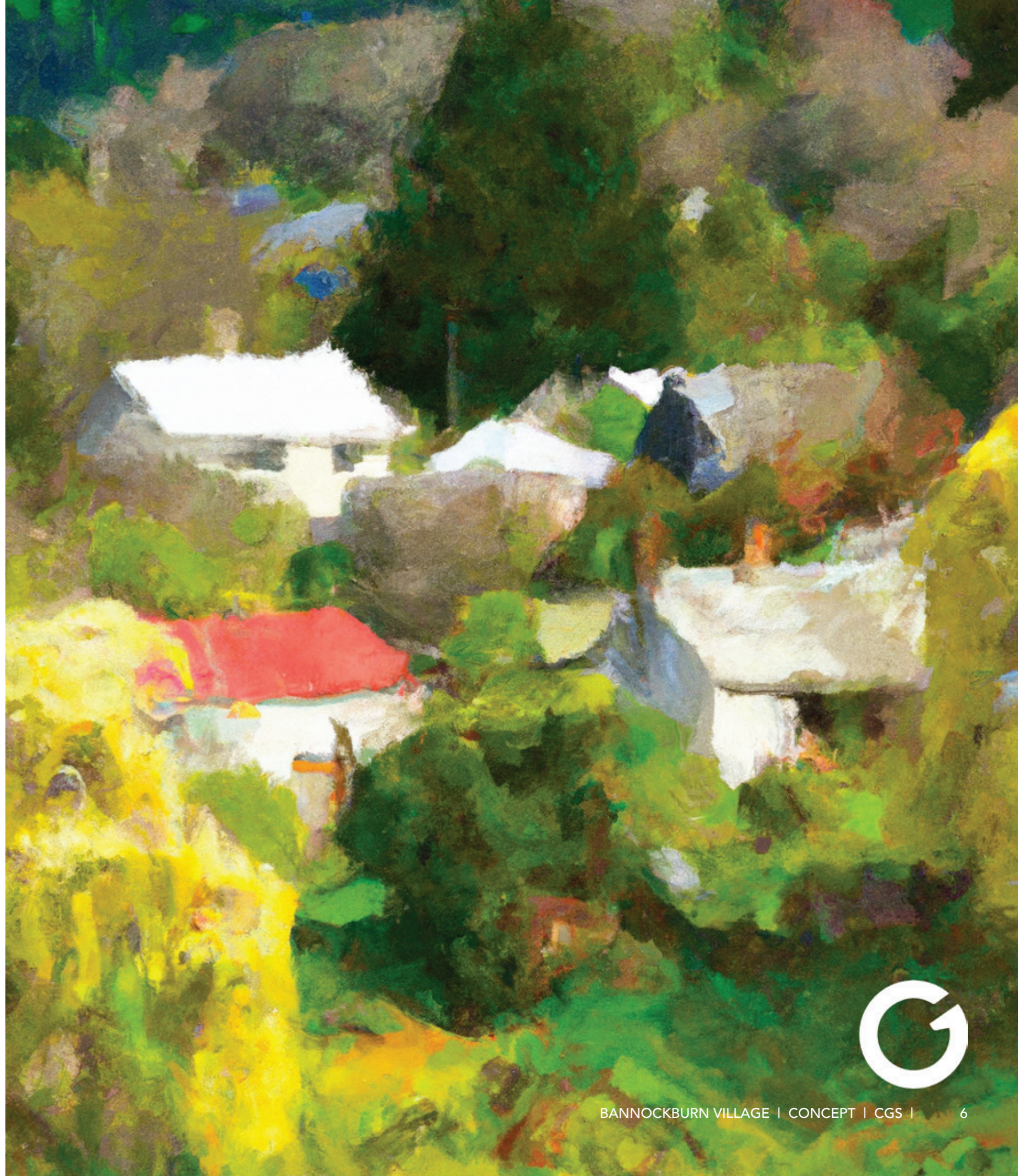


We consider the environmental, built form and heritage of the Village and curtilage of Bannockburn should drive the residential and commercial expansion. It would be a mistake to allow creeping suburbanisation to occur on non-defendable edges of the Village. We suggest following principles laid down by the likes of Ian McHarg, *Design with Nature*. McHarg promoted successfully blended community design with natural boundary conditions (watershed management, geology, forestry, slope properties, productive soils, protection of streams, heritage and ecological etc) values to drive growth studies.

Key elements which the Bannockburn Development Area Plan could be based on:

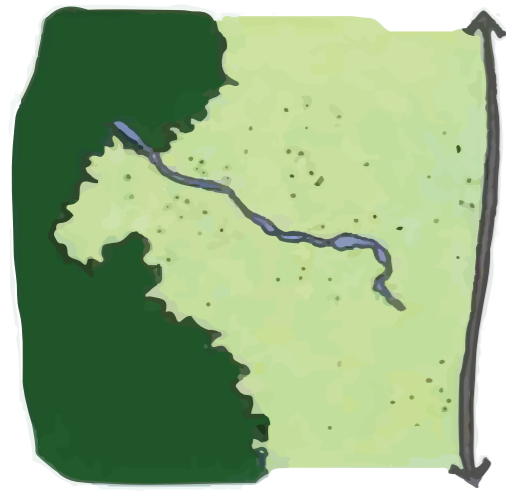
- Compact, walkable and well-designed settlement defined by landscape features, protection of horticulturally productive land, protection of cultural heritage and ecological restoration .
- Creation of a real, localised and authentic sense of place.
- A place that is attractive to the full range of occupants, visitors and businesses.
- Development that responds to landscape and resources within it, local vernacular and cultural associations.
- Creation of a carefully planned and executed pedestrian and cycle network.
- An attractive environment, green streets, good walkways and pavements connecting facilities, parks, open spaces, quality public realm, quality design and architecture.
- Respect for the environment with low impact design, green technology, green architecture and green streets and infrastructure.
- A settlement for everyone, adopting universal design strategies, local facilities and diversity of housing including affordability
- Protection of the streams, gullies, horticultural land, gold mining heritage, water races and steep slopes with the aim to restore native vegetation or forest.
- More sustainable and intensive, mixed, agricultural practices to be promoted.
- Infrastructure that supports small business, work from home and best practice telecommunication provision.
- A single land management system.
- Development areas that can absorb a variety of densities and house types

We consider that a comprehensive structure planned approach will result in development of the southern extension of Bannockburn being a positive contribution to Bannockburns future character.



**COMPARATIVE MODELS OF RURAL GROWTH**

If we take an indicative site that has some constraints (say protected forest and a stream) and apply the conventional large lot peri-urban large lot model of development (1500-2000m<sup>2</sup>) we diminish the ability of the land for other uses and compromise the ecological values.



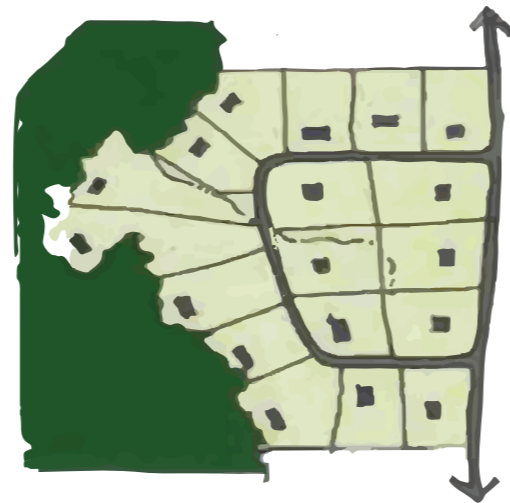
**Figure 1.** Indicative Site

A better use of land is to enhance and increase ecological areas, preserve land for production and cluster more modest homes together preserving the numbers of houses and creating community. If the cluster is compressed to a smaller area of land and several other higher density typologies introduced then we start to create a hamlet or village set within a natural and productive landscape.

LESS SUSTAINABLE



MORE SUSTAINABLE



**Figure 2.** Conventional suburban response



**Figure 3.** Bush cluster approach

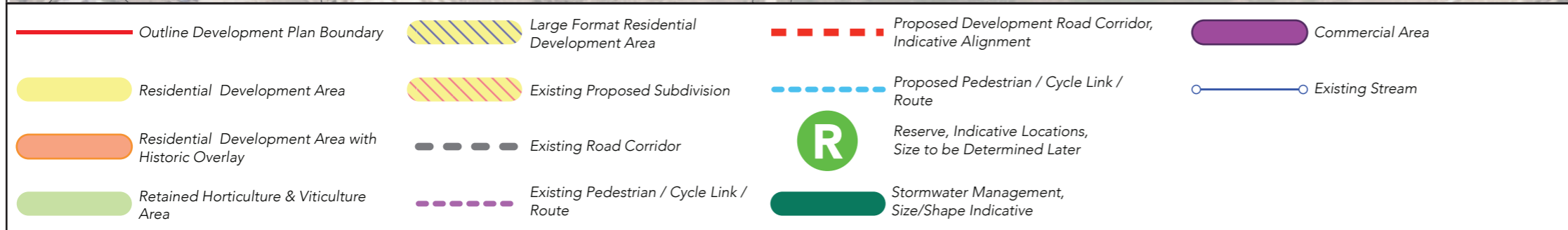
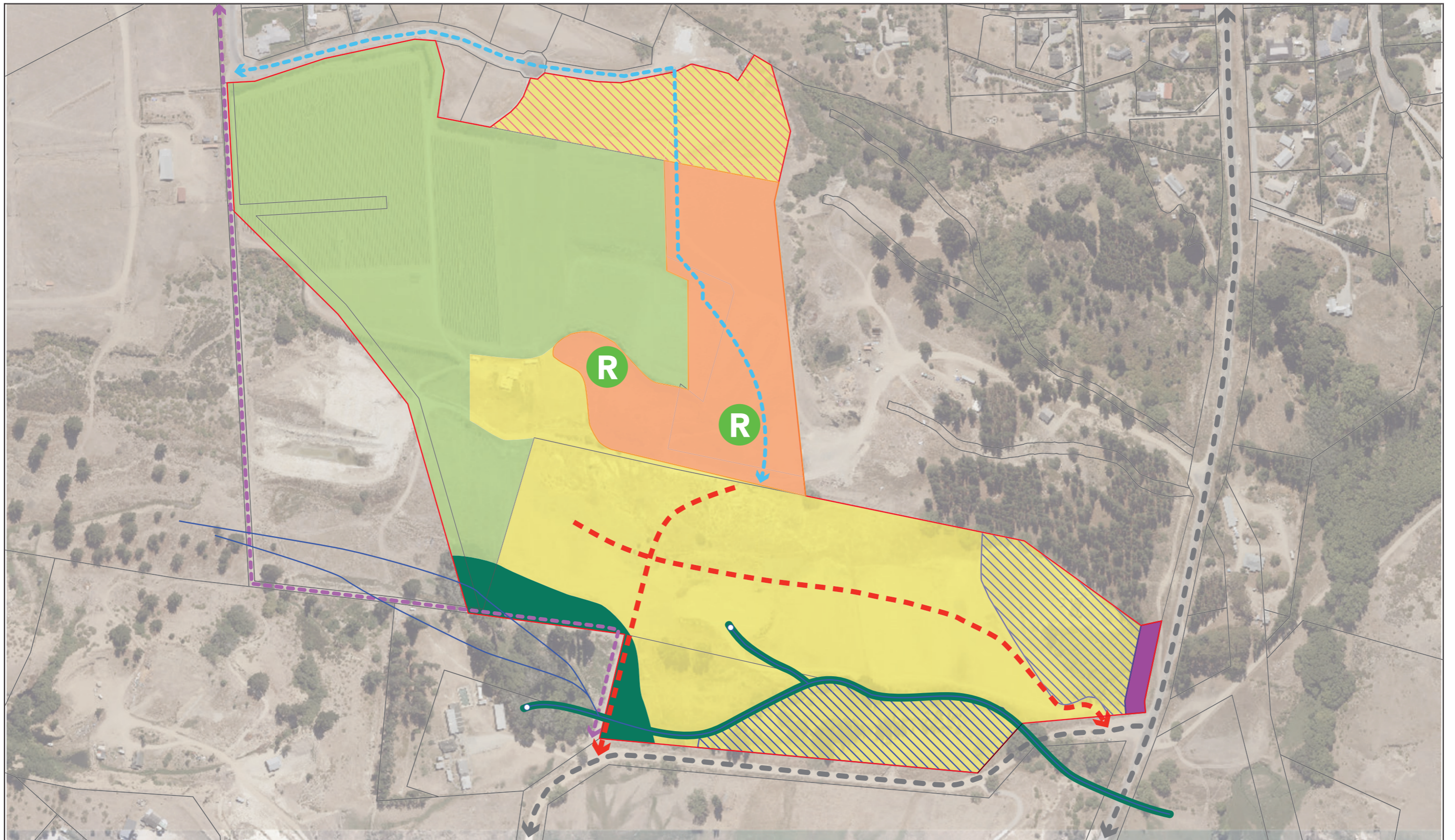


**Figure 4.** Rural/Village approach



To achieve the 'rural hamlet' feel and embrace the land, both historically and environmentally, we are proposing in the development to design with the nature of the site by leaving productive land in production, avoiding steep slopes and heritage areas; enhancing wetlands and watercourses. We then are proposing designed clusters of housing that have their own curtilage but shared open space. These clusters would then be set within a landscape framework. The illustration shows a 2000m<sup>2</sup> site that 6 small footprint cottages focused on a shared garden. This is now commonly known as co-housing.





<b>Bannockburn Discussion Document - Indicative Development Area Plan</b>	
Date:	02/09/22
Scale:	1:3000 @ A3
Revision:	F







Bannockburn has a rich landscape and architectural history which we would intend to build upon in the development of the site.

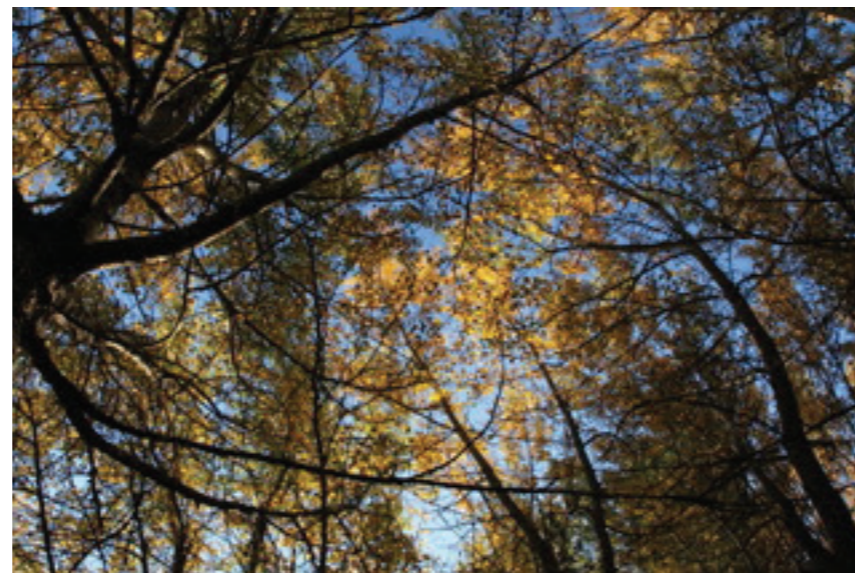
Bannockburn is a small historic gold mining town located outside of Cromwell in Central Otago, New Zealand. The area was first made known as a rich alluvial gold field and was mined extensively in the 1860s.

Its uniquely warm, dry climate earned it the name 'The heart of the desert', as climatic conditions and human activity have combined to strip the area of most of the original native vegetation leaving rocks, sands and soils exposed. Today, these climate conditions make Bannockburn the home of many vineyards and stone-fruit orchards.



A Place to see the gold mining heritage sites, wander or mountain bike through the network of trails through sliced hillsides and stark, semi-desert landscape of Bannockburn Sluicings and nearby Stewart Town – recognised as a site of national significance through the Tohu Whenua programme. The Village and its surrounds offers café, restaurants, local pub, art and pottery galleries, community hall, gold mining heritage walks or bike rides and vineyards – the cellar doors and tasting rooms are popular with Otago residents and visitors alike. The Bannockburn inlet is a great spot for chilling out, swimming and boating. All this is within walking distance of the Town itself.

This moodboard captures the 'vibe' of Bannockburn and outlines the intent of the future development.



**moodboard** 

