

- 1.1 My full name is Keith Wallace Sanford, known as Wally. I am a husband, father and son, a community volunteer and a submitter. I am also a Licensed Cadastral Surveyor, and have been so, holding consecutive annual cadastral licenses in New Zealand and the Northern Territory of Australia since 2012. I am a full (*or voting*) member of Surveying and Spatial New Zealand, previously known as the New Zealand Institute of Surveyors.
- 1.2 I hold a Bachelor of Surveying (2006) as conferred by the University of Otago. I have 12 years post graduate experience in the land development and construction industries.
- 1.3 I am not presenting today in an 'expert' capacity, partly due to a 'process' issue, but I also feel the need to voice some issues, opinions and information outside of my 'expert' subjects. It also saves presenting with two hats on in different contexts.
- 1.4 I have lived and worked in the Cromwell basin for the past four and a half years. I currently reside with my family at Pisa Moorings.
- 1.5 It is important to note that I almost didn't submit on this plan change application as at that time I had just got my head around my supporting involvement with plan change 12 and how I could best be involved with the masterplan process. In my personal life this seemed like a bridge too far, but it turns out I couldn't afford RTDL the pleasure.
- 1.6 I hear the term 'real world' bantered about in this forum. It is important to note that the real world is a relative term and people operate in various 'real worlds'.
- For an RMA lawyer, the RMA is the centre of the universe
 - For a commissioner the order of proceedings in a hearing could be the 'real world'
 - Developers operate in a 'real world' that people might think they understand to varying degrees of accuracy.
 - For a lot of the population, eating lunch covered in grease, sawdust or cowshit is the real world

The point I am trying to make is that the only time most people have in their lives to digest 556 pages of guff from Winton Partners is in their evenings in their personal time. We will never know the amount of opposition to this application but I can assure you from 'on the ground', it's significant. I can't say I represent those not here, but they are a big part of the reason I'm here.

- 1.7 It can't be understated how daunting it is for the general public to be involved in a process like this. The first document I saw in relation to Plan Change 13 was 556 pages. Once I realised that the proponents had not thrown the kitchen sink at it, rather throwing ink at it instead I couldn't help but notice a few areas for improvement – to put it politely. A lot more concerns have since transpired.
- 1.8 I refer to my original submission and wish to reiterate some points which I will further expand on.
- 1.9 My basic submission outlined a very simple hierarchy to consider when re-zoning land. That being to remain rural, likely horticultural, failing that, the most appropriate intensification I believe would be an industrial land use. I did not go so far as to mention residential in the hierarchy.
- 1.10 While experts have been prolific in detailing the suitability of the site for horticulture use, I don't recall the industrial potential being explored, other than Mr Goldsmith dismissing it.
- 1.11 The reasons I draw attention to the need for industrial land is that Cromwell has always been more 'working class' than Queenstown and Wanaka. It has industrial roots, the others have tourism roots. Using land for residential rather than industrial is a double negative.
- 1.12 The other reason is Cromwell's standing as a strategic transport 'hub'. We know how large Queenstown is and how much it is serviced by this side of the gorge. It is important to note that a return freight trip can be completed between Cromwell and Christchurch in a day. Queenstown to Christchurch is a step too far.

- 1.13 This 'hub' status is evident by the number of freight logistics companies set up in Cromwell. While I'm not a transport, traffic or freight expert, I would challenge anyone to correct me on the aforementioned. This was the context for my comments on my original submission.
- 1.14 With regard to Mr Goldsmith's dismissive comment in relation to industrial land that 'it just won't happen', my suggestion would be that land lasts longer than theatrical comments. The issue of land use of a district is much larger than a current property owners current intentions. As you will be aware, council's steer land uses by way of zoning in district plans.
- 1.15 My opinion toward the appropriateness of using the land for residential purposes is this. It is unsuitable. The reverse sensitivity and disconnect from other residential areas in the Cromwell basin are insurmountable. In travelling the countryside searching for residential development opportunities, Mr Meehan failed here. This was not an opportunity.
- 1.16 I will now move on to the supporting three pages of my original submission
- 1.17 I questioned the proponent's proposed district plan policy 20.4.3 (Housing Affordability) or perhaps more particularly the delivery of it.
- 1.18 Mr Meehan has stated he will be selling properties at prices no one can match. How can we possibly hold him to account at this stage in the game. We can't so you must disregard his comment
- 1.19 Mr Meehan has stated the houses will be warm and dry. That will need to be achieved by artificial means, as discussed later in this submission where I highlight daylight and shading issues.
- 1.20 I haven't heard anything from the request team about what their definition of affordable is. They may be 10 or 50 thousand dollars cheaper than the rest of the market but that has nothing to do with affordability.

- 1.21 Something else that has nothing to do with housing affordability is plan change requests. Please don't lose sight of the basic principle here that this is a request to change rurally zoned land into medium to high density residential and commercial zoning.
- 1.22 Any talk of housing affordability in this request is speculating on an outcome that may or may not eventuate as a result of a decision that is favourable to the developer.
- 1.23 But as we did on Monday and every day since, I'll bang on about it for a little longer.
- 1.24 The intensive nature of this development and all the negative impacts and poor living quality associated with it would need to have the single benefit of housing affordability, i.e, above all else and in spite of all the negatives, this development would need to put a roof over peoples heads at an affordable price.
- 1.25 This proposal does not do that. At best it adds options to the market. Not affordability
- 1.26 I commend James Dicey's submission late on the 12th of June that put figures to this notion.
- 1.27 For the benefit of not leaving statements hanging, the negative impacts and poor living quality I refer to are as follows:
- likely nuisance to legally established neighbours
 - disjointed nature from our existing town
 - spatial expansion of Council services
 - frustratingly tight living conditions
 - parking
 - manoeuvring
 - lack of open space
 - proximity to neighbours
 - lack of sunlight

The intensive development does not result in affordable property prices so in my opinion this residential land use proposal falls at this first hurdle. It's quite coincidental that this is the first hurdle Mr Goldsmith put up on Monday. So where to from there then? Do we halve the density to something more traditional where

permafrost is less likely and sun shines in peoples windows? The construction cost will still be something like 90% of that for the proposal, so I can't see that happening. What a conundrum. More on halving the density later...

Daylight / Height to Boundary

1.28 I also raised concerns with policy 20.7.1. An excerpt is below.

The Resource Area provisions promote the development of a quality compact neighbourhood that:

- (a) Fosters a community by providing shared amenities and boundary conditions that encourage neighbourhood interaction, a variety of high quality open space opportunities, and diversity of housing choice;
- (b) Improves physical and mental well-being by providing safe walking and cycling connectivity, slow-speed safe roads, reduction of crime through passive road surveillance, and a variety of recreation opportunities;
- (c) **Improves sustainability by encouraging walking and cycling for local trips, minimising impervious surfacing, maximising green spaces, and promoting effective solar orientation;**
- (d) Enables affordability by promoting compact infrastructure, and a range of lot sizes to create a choice of housing types.

Without poking fun at points a, b, and d, I'm really concerned that the rules provided under 20.7.1(ii) do not deliver on the policy. Having said that the policy is one thing, but reasonable access to sun light is one of the fundamental principals of urban design. The only reason sunlight is not the 8th 'C' of the seven C's of essential design qualities that create quality urban design is because it starts with 'S'. Passive solar gain, the ongoing care and maintenance of buildings and considering the impact of design on people's health is fair and squarely mentioned under 'Custodianship'.

FYI (Context, Character, Choice, Connections, Creativity, Custodianship and Collaboration)

<https://www.mfe.govt.nz/publications/towns-and-cities/new-zealand-urban-design-protocol/3-key-urban-design-qualities-seven>

1.29 I now refer you to the plan I have prepared which demonstrates the proposed maximum building height and height in relation to boundaries. As the drawing started taking shape I quickly understood why I couldn't find such a diagram provided with the PC Request document. It does not paint a good picture.

1.30 The first row of diagrams at the top of the page depicts the sun angle at noon in in the midst of spring and autumn. This can be considered as the average angle of the year – steeper in summer, shallow in winter. It is important to note

that this diagram does not show sunlight getting into lower level windows for likely over 9 months of the year.

- 1.31 The next row down demonstrates midday in summer (grey) and midday in winter (brown). Note that even in summer the sun doesn't get to the ground with buildings 1m offset to the boundary and in winter the sun gets nowhere near an upper level window.
- 1.32 The third row down where you see the previous image, but 'halved' (but not twice as good) still does not paint a good picture in the middle of winter, but an exercise in sliding the shapes in and out from each other needs to be undertaken to determine appropriate building spacing, roof height, pitch etc.
- 1.33 The wider outlines, the fourth row down demonstrates an interpretation of the standard CODC height to boundary rules. This shows a maximum height of 7.5m with 25° angle leading to horizontal and vertical offset to the boundary.
- 1.34 In the bottom right corner of the plan is a fully dimensioned dwelling outline that has been used in the images. Also indicated are common window positions, 800mm off the floor and 300mm from the ceiling. It just so happens that this is a realistic shape of a two storey building, with 2.4m 'studs' and 300mm between floors and for the ceiling. What I am saying is that the proposed bulk of the buildings is neatly achievable with construction practicalities.
- 1.35 Having heard Mr Meehan describe how hard he has worked with his house designers to create efficiently built homes (which is great because construction waste is horrendous), it seems disturbingly obvious that these height to boundary rules have nothing to do with local conditions or reasonable access to sunlight, but have been tailored to his preferred building shape which demonstrates a departure from basic accepted urban design principles.
- 1.36 While there are many and varied alternatives for achieving the shape and coverage of a 160m² lot, I have indicated a couple of options on the plan at the bottom left. It is safe to say that the lots will be about 10m wide and give or take

a couple of metres in lot width little improvement will be achieved with the shading indicated.

- 1.37 Note that party walls have been proposed, but not shown. In this case, one dwellings loss of sunlight may be another's' gain.
- 1.38 Note that I haven't addressed the likely shading from 12m high buildings in the commercial area or 15m in the education.
- 1.39 If there is an allegation that the diagrams produced are hysterical or exaggerate the proposal, then why have these parameters been proposed? If the height to boundary and maximum building height proposal are approved as proposed the negative effect on the end user cannot be understated or realistically anticipated.
- 1.40 I concede that the location may be in fog for a month of the year taking sun light out of the equation, but hopefully Mr Edgar can share some local knowledge in that regard with his submission.
- 1.41 Alistair Ray very quickly muttered during his evidence that he didn't see any issues with daylight and sunlight getting into dwelling, citing the 4m open space requirement for living areas for dwellings and how that should be sufficient.
- 1.42 I found it interesting that Mr Ray used the terms 'day light' and 'sun light' (in the same sentence) which are two very different things when considering personal wellbeing. I suggest you as commissioners of this PC request investigate and be critical of any expert evidence that suggests the bulk, height and location of buildings as proposed in the request document will result in good outcomes for people and communities.
- 1.43 The availability of sunlight for warming houses in this part of the world is an absolute necessity and cannot be understated. Throwing building controls (along the lines of the discussion around acoustic insulation) just does not compare. Skylights, heatpumps and heat recovery ventilation does not compare to direct sunlight in its benefits to the building structure and the people within it. Obviously every house has a south side, but no one deserves two.

1.44 On Monday, Mr Goldsmith discussed the 'risk of acting'. The risk of acting in favour of the requestors, knowing and now understanding the consequences of the proposed building limits would have significant implications for the end users of the development – significant implications that currently sit within your jurisdiction.

1.45 One last thing I need to mention about the lack of sunlight proposed. This situation is like the noise issue. If people sign up to purchase a RTDL property on a quiet summers day, they will be in for a very rude awakening in the coming months with noise and shade effects, the gravity of which could not reasonably be anticipated.

Internal Subdivisions

1.46 I'll run this scenario past you. Two 240m² sections are subdivided into a 160m² section and a 320m² section. That 320m² section is then available to be subdivided into two 160m² sections resulting in a net infill of lots. While this request is capped at 900 lots, like Highlands motorsport park, things develop.

1.47 It is common knowledge that Winton Partners like to develop within their developments. Apparently, the Northlake residents should have seen the hotel proposal coming, according to Mr Goldsmith. Well guess what – I see what I just described coming. Winton are training us to expect this behaviour.

Other matters arising

1.48 In lieu of shouting across the floor throughout the duration of the hearing, I offer the following discussion points.

1.49 Mr Goldsmith was proudly proclaiming in his opening evidence that RTDL was going to take this project from concept to completion (likely 200 houses + 200 sections) in four years. Mr Meehan reiterated that very clearly.

- 1.50 Mr Meehan also offered to forfeit his consent, or plan change if this was not achieved. Details were scarce.
- 1.51 Mr Goldsmith was very prolific in his observation, not criticism of how understaffed the CODC planning team is and the consequent delays
- 1.52 Mr Goldsmith obviously hasn't met the CODC engineering team yet. Likewise, not a criticism from me but a reality of trying to develop land in this district.
- 1.53 Let me paint you a picture. We're coming up to the due date, a couple of years from now. Having done his best impression of Phil Twyford, he's got five showhomes built (and copy and pasted pictures of them over the development for marketing purposes). These houses are connected to roading, sewer and water services all vested in the Central Otago District Council by that stage, so there is no going back to greenfields.
- 1.54 Mr Goldsmith has already started backpedalling the tandem bike these two are on in that regard, so I wonder if before Mr Meehan turns the bike around you could get them to agree to sign the remainder of the development block over to our already established affordable housing trust (or nominee) upon failure to meet their obligations.
- 1.55 As the surrender of the Plan Change or subsequent consent could be problematic, I would suggest a caveat on the record of Title be registered, which could be achieved within the week to cement the guarantee.
- 1.56 The provisions of the caveat would be as such
- If the PC13 Process is abandoned prior to a decision being issued or if 400 sections and 200 dwellings are constructed and completed within two (2) years following the granting of PC13, the caveat shall cease to exist.
 - If at the date two (2) years following the granting of PC13 400 sections and 200 dwellings are not constructed to the point of

having code of compliance certificates in hand, the balance parcel and 200 vacant titled sections shall be transferred forthwith to the Central Otago Affordable Housing Trust (or nominee) for the sum of one dollar.

- The caveat is in place for the sole benefit of the Housing Trust (or nominee) and the housing trust (or nominee) must approve any and all title transactions while the caveat exists.

1.57 Please note that this result is very favourable to Winton Partners. It does not revert their consent and allows them to finish works in progress with relation to the 200 dwelling which would be available for their sale to the public. They would be burdened to finish the balance 200 vacant residential sections for transfer to the affordable housing trust (or nominee) if they failed to deliver on the houses.

1.58 I therefore see no reason why Winton Partners would not be amicable to this proposition, provided their claims are achievable.

1.59 The establishment of this or a similar provision is important for two reasons

- It sends a message to Mr Goldsmith and Mr Meehan that talking his way through glossy opening statements with vague promises has consequences
- Housing Affordability is apparently the backbone of this request and needs to be upheld in a tangible manner.

1.60 If Mr Goldsmith and Mr Meehan now retract these outlandish guarantees, where to the retractions stop?

1.61 I would like a written confirmation from Mr Goldsmith as to whether we as residents of Cromwell and or any unlikely residents at River Terrace should be expecting a hotel to be built on the school reserve.

1.62 We have heard time and time again how the river terrace land was not Winton Partners preferred site, but the only site available, due predominantly to it's size and partially it's location simply because Winton Partners operate at the 1000 lots level. I urge you as commissioners to consider – is the future of the urban environment in the Cromwell basin really at the mercy of a company's business model?

Top 10/Campground/Prospectors Park and Freeway

1.63 In my current employment I am primarily project managing the construction of Prospectors Park here in Cromwell, a 172 Lot subdivision having completed the Lot design, participated in the consenting and carried out all subsequent engineering design and legal survey and title plan preparation on behalf of my employer Landpro. This development is referred to in this hearing as the Top 10 or campground development, adjacent to the also often-mentioned Freeway Orchard.

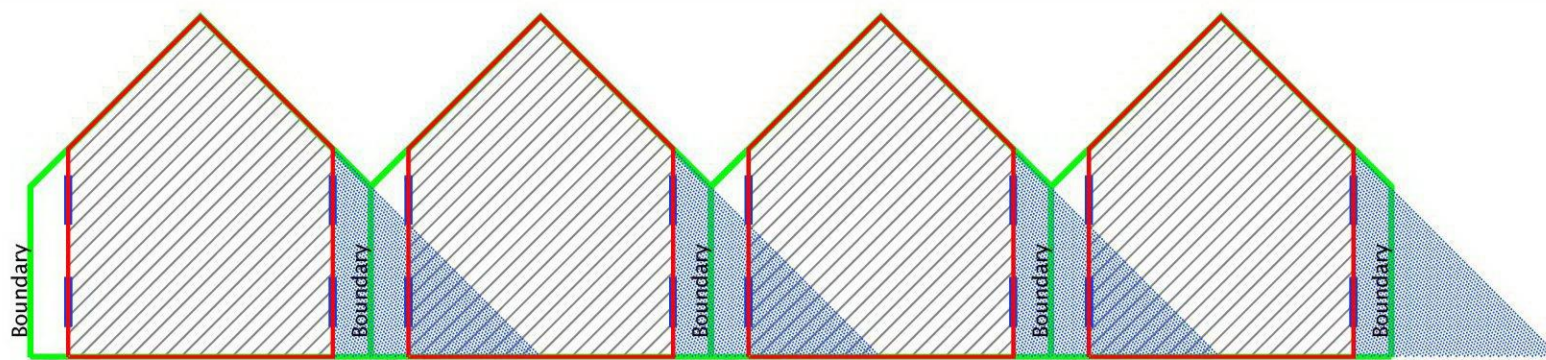
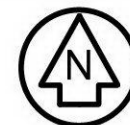
1.64 As stated above, my role at Prospectors Park is in the capacity of a consultant so this does not make me a trade competitor, for Mr Goldsmiths reference.

1.65 For your information, development is full steam ahead. I'm expecting an email any hour now confirming the issue of 27 new residential Titles, taking the development to 35 to date. We plan to bring another 40 Lots to fruition by the end of this year. The development will continue to progress to keep up with sales.

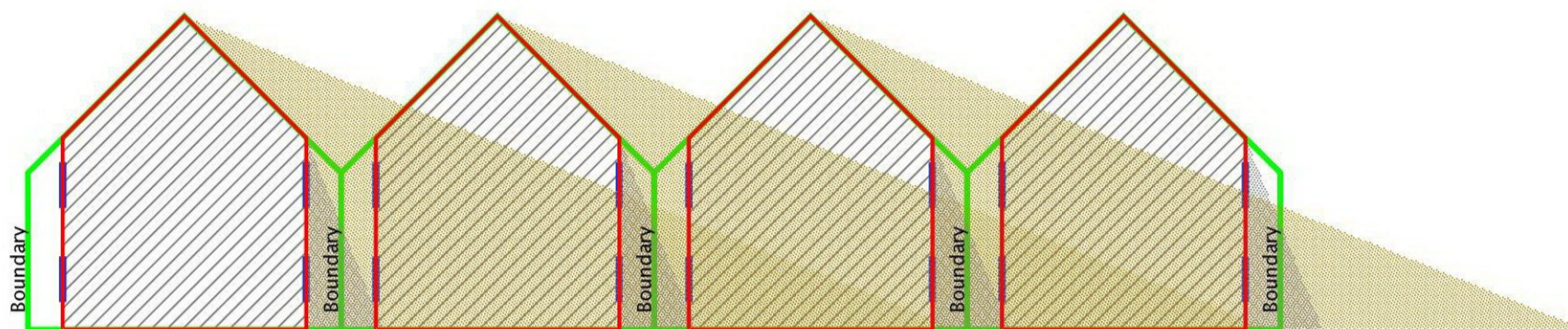
1.66 Also for you information, Prospectors Park is accommodating the future development of Freeway Orchard, by way of water and sewer service leads and capacity to their boundary and two roading connections to their boundary for the likely situation that they won't be granted access to the adjacent state highway – limited access at best.

1.67 My closing statement to you is this. Having grown up in Pisa Moorings, one of the first few words to come out of my two young sons mouths, now 15 months

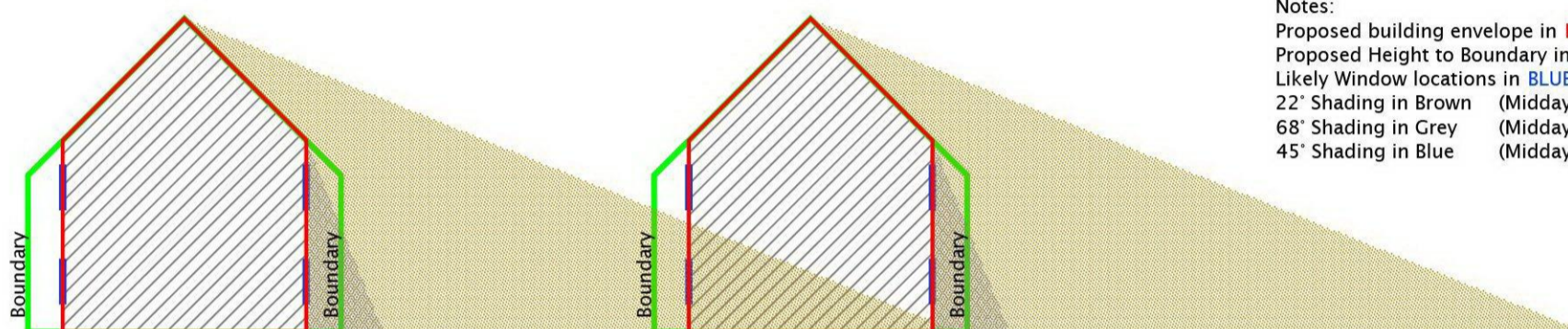
and 4 years old respectively was 'duck'. What word would you expect from a toddler growing up at River Terrace?



Maximum proposed density (interpretation)

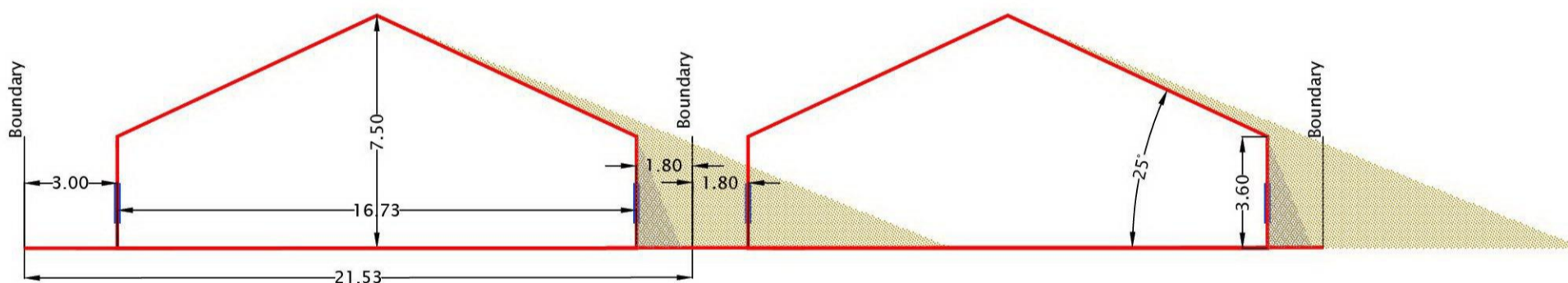


Maximum proposed density (interpretation)

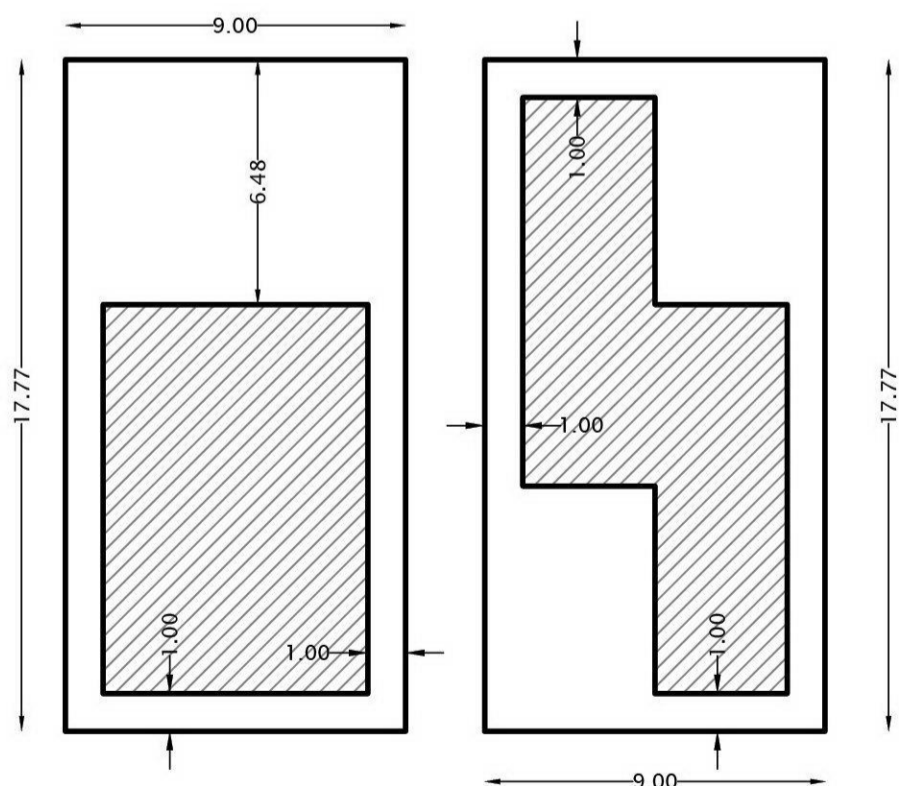


Half Maximum proposed density (interpretation)

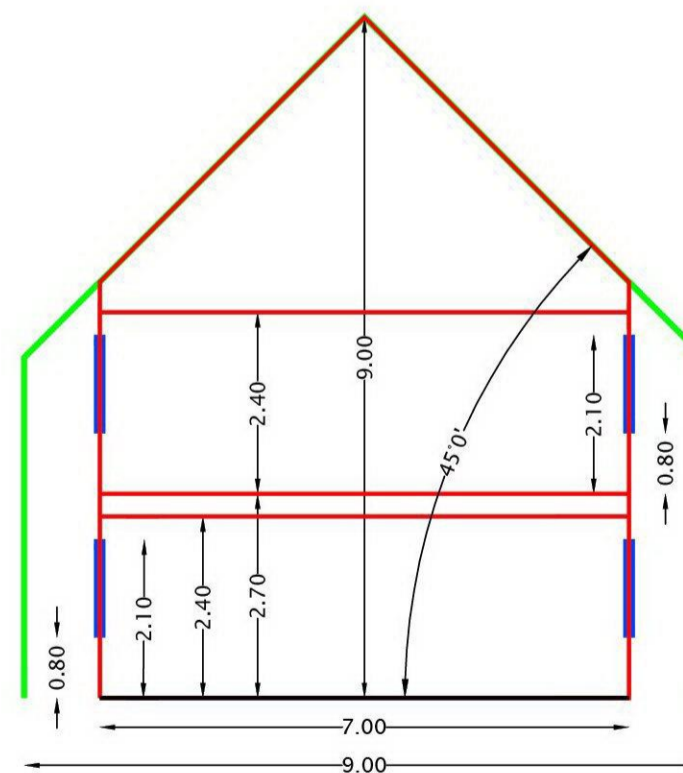
Notes:
 Proposed building envelope in **RED**
 Proposed Height to Boundary in **GREEN**
 Likely Window locations in **BLUE**
 22° Shading in Brown (Midday in Winter)
 68° Shading in Grey (Midday in Summer)
 45° Shading in Blue (Midday in Spring / Autumn)



Standard CODC Height to Boundary Rules



Typical 45% Coverage on 160m² Lot



Dimensions of building used in interpretations above

Rev.	Date	Revision Details	By	Surveyed	Signed	Date	Job No.	Drawing No.
-	-	-	-	-	-	-	----	01
				Drawn	Signed	Date	Scale	
				KWS		16.05.19	1:200@A3	
				Designed	Signed	Date	Datum & Level	Rev.

Client: ----

NOTES
 - while this plan shows an interpretation of the maximum permitted density, it falls short of addressing party-wall developments
 - Copyright on this drawing is reserved
 - This plan has been prepared for use by the submitter to aid in presentation at the hearing for Plan Change 13 and must not be used for any other purpose

Plan Change 13 Proposed Residential Housing Shading Diagrams