

# SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street  
PO Box 122, Alexandra 9340  
New Zealand

03 440 0056



(Form 13)

Section 95A (public) Resource Management Act 1991 @codc.govt.nz  
w.codc.govt.nz

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340  
[resource.consents@codc.govt.nz](mailto:resource.consents@codc.govt.nz)



## DETAILS OF SUBMITTER

Full name: ARNA PETREA VERBOEKET

Contact person (if applicable):  
\_\_\_\_\_

Electronic address for service of submitter: arna.vrbkt@gmail.com

Telephone: 0210 799 399

Postal address (or alternative method of service under [section 352](#) of the Act):

154D CAIRNMOIR RD BANNOCKBURN RD2 CROMWELL  
9384

This is a submission on the following resource consent application: RC No: **230398**

Applicant: **D J Jones & N R Searell Family Trust** Valuation No: **2844104500**

Location of Site: **88 Terrace Street, Bannockburn**

**Submissions Close 08 August 2024**

Brief Description of Application: **Subdivision Consent for 20 Lot Residential Development including construction of an internal access road and rights of way, recreation reserve and balance lots.**

The specific parts of the application that my submission relates to are:  
(give details, attach on separate page if necessary)

\_\_\_\_\_

See attached summary & appendices

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.

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I/We seek the following decision from the consent authority:  
(give precise details, including the general nature of any conditions sought)

that the consent authority support the  
DISTRICT PLAN  
AND decline this application

I support  oppose the application OR neither support or oppose (select one)

I wish /  do not wish to be heard in support of this submission (select one)

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

\*I/We am/am-not (select one) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

~~(b) does not relate to trade competition or the effects of trade competition.~~

~~\*Delete this paragraph if you are not a trade competitor.~~

~~\*I/We will consider presenting a joint case if others make a similar submission~~

~~\*Delete this paragraph if not applicable.~~

I ~~request~~/do not request (select one), pursuant to [section 100A](#) of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See *note 4 below as you may incur costs relating to this request.*"

  
\_\_\_\_\_  
Signature

31<sup>st</sup> JULY 2024  
\_\_\_\_\_  
Date

(to be signed by submitter or person authorised to sign on behalf of submitter)

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.

### **Notes to submitter**

1. If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.
4. If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from \$3,000 - \$10,000.
5. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
  - it is frivolous or vexatious;
  - it discloses no reasonable or relevant case;
  - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
  - it contains offensive language:

it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## SUBMISSION OPPOSING APPLICATION    **RC 230398**

### D J JONES & SEARELL FAMILY TRUST

Living above the Bannockburn Inlet we are able to enjoy the low density development & open rural amenities which are currently protected by the District Plan (DP).

Having previously been city dwellers, this was the main reason for purchasing in this location rather than in the Bannockburn village, Cromwell township or its Northern environs.

Contravening the current DP sets a precedent for future developments of similar density, thus eroding the nature of the environs for those who live here & the increasingly large number of visitors & Cromwell residents who choose to recreate in & around the Inlet. The success of the recently developed Cycling & Walking Track puts the numbers of users of the Inlet well into six figures.

Large as Lake Dunstan might be, there are few lakeside areas that provide the variety of opportunities as the Bannockburn Inlet.

As the population of the Cromwell Basin continues to grow & become more urbanized, it is vital that the Council endeavor to preserve & protect the naturalness of this outstanding landscape. We may have Sports Parks but there is no Botanical Garden or park-like reserve or land set aside for tranquil recreation.

Cromwell “Eye to the Future” Market Plan by the Cromwell Community Board 2019 has been adopted as a reflection of community sentiment for future development. Densification is to occur in Cromwell & the character of nodal settlements such as Bannockburn is to be retained.

The sentiments of the broader community have not been considered or assessed, nor any Affected Party approvals been sought from parties East of the site.

The cost of developing a District Plan is considerable & is borne by the Ratepayers.

The rationale of any DP is to withhold its conditions particularly those which protect & preserve the unique character of an area & the Bannockburn Inlet is certainly a unique feature of Lake Dunstan.

In conclusion, with respect to the issues raised in the attached appendices, I recommend that this application be rejected.

Arna Verboeket

& on behalf of John Verboeket

# SUBMISSION OPPOSING APPLICATION RC 230398

D J JONES & SEARELL FAMILY TRUST

## APPENDICES

### 1. ALLOTMENT SIZE

Subdivision is a discretionary activity provided minimum allotment sizes are upheld. Being zoned RRA(4) in the current DP provides for residential activity with a minimum lot size of 1500sqm & an average lot size of 2000sqm.

The proposed residential lots have an average size of only 1696.4sqm.

There are no conditions limiting future development/subdivision of Lots 40,50 & 51 which are Balance lots. At this stage, still in the Applicants' ownership, so they cannot be used in calculating average lot size. Further development of these would change these averages.

This invalidates RRA(4) policy & lot size requirements.

As such, I oppose the application.

### 2. BUILDING LINE RESTRICTION (BLR)

The BLR was established in 1987 with the aim of "containing Bannockburn within a "hollow" so that it would not be visible from the Cromwell Basin & to protect the views around the Bannockburn Inlet"

Only 5 of the sites are not affected by the BLR.

12 lots are totally or largely within the BLR (lots 13,14 15,16,17,18,19,20 & 4,5,6 & 12).

3 lots are partially within the BLR (lots 2,10 & 11) as well as most of the loop road (lot 100) & some of the service road (lot 101).

As such, the major part of the subdivision falls within the BLR & therefore ignores the BLR & requires the Council to **invalidate** its own requirement in the DP.

To do so would set a significant precedent & enable future breaches.

The original intent of the BLR should not be set aside negating its purpose to protect the current landscape.

The BLR is there to keep the future growth of the township of Bannockburn from fungating into the rural setting of the Bannockburn Inlet.

The distinction between the township & inlet must be maintained.

As this shows complete disregard of the BLR I oppose the application.

### 3. VISUAL IMPACT ON AMMENITY VALUES

The applicants infer that the visual impact of this development can be mitigated by landscaping.

The site is visible from a multiplicity of locations & will be noticed by many.

The numbers of people who regularly use or have used the cycle & walkway path numbered 100,000+ in the first two years.

Almost every person who goes up the "Cairnmuir Loop" (the zigzag path below Carrick Winery) stops at the top & takes photos across the Inlet of what is undoubtedly an outstanding natural landscape.

The site is clearly visible from the East, in particular from Cairnmuir & Paterson Roads, Mt Edward Winery property (currently partly home to the Cairnmuir Camping Ground), the cycle/walkway trail & the Bannockburn Inlet.

As the majority of viewpoints are elevated & look at or down on the site, the planting of trees will not mitigate the destruction of the pristine view from these sites.

No overlays, which would give better explanation of the scope of the development have been provided with the photographs to show boundaries or the location of individual lots or building platforms.

No profile poles have been erected to assess the mentioned skyline breaches.

Due to the steepness of the slope for lots 15-20 the building platforms will probably be quite high on their sites. The building platforms of lots 4,5,& 6 will therefore juxtapose with those of lots 15-20 creating a relatively dense profile of buildings & present an almost continuous profile breaching the skyline.

This “clustering” of dwellings within a relatively small area will **not** “maintain the specific rural character & amenity of Bannockburn & the wider receiving environment” as claimed. It will introduce new build forms into the area expressly protected from such activity by the BLR.

The steepness of the sites for lots 6 & 15-20 will result in deep scarification to create the building platforms.

The landscape assessment report 6.2.7 concludes “...the adverse effects on visual amenity overall are low-moderate & consider this degree of effects to be appropriate. The adverse effects on landscape values will be minor”.

The cumulative effect of existing housing as well as the proposed dwellings can only increase the impact on the visual landscape. The currently existing houses as seen from the East break the skyline in an obvious manner & so it is even more important to prevent further breaches.

In combination with these structures already in existence, the development will therefore present a **major** visual effect in this exquisite & often admired landscape.

The proposed mitigations of planting, maximum platform & footprint sizes, & height restrictions will not be able to mitigate the visual effects, mainly due to the new build forms being within the BLR.

Council has a duty to withhold its DP to ensure this environment is protected from such development.

As such, I oppose the application.

#### 4. ROADING & INFRASTRUCTURE

The application breaches the roading standards & number of houses permitted to come off a cul de sac.

NZS 4404 2008 revision allows for 20 houses in a cul de sac.

At present there are 19 lots in existence on Terrace St.



Increased traffic movements (conservatively 8 movements /day/household) will result in congestion at the intersection of Terrace St & Bannockburn Rd.

The Café & Hotel induce the slow movement of traffic & the flow on effect will impact on the difficulty of ingress/egress from Felton & Cairnmuir Rds in particular at peak times.

Slow moving agricultural machinery is a constant complication & the increase in heavy traffic & tradesmen vehicle numbers will add to this congestion which will compromise the safety of drivers, cyclists & pedestrians particularly those accessing the Café & Hotel.

#### 4. HISTORICAL & ARCHEOLOGICAL FEATURES

Little has been mentioned of the protection/preservation of these features.

#### 5. LIGHT POLLUTION

At present, light pollution of the night sky from the Bannockburn village is largely contained within the bowl as intended by the BLR.

Should development go ahead, this will no longer be the case as light from residences on lots 4,5,6,13,14,15,16,17,18,19,& 20 will be clearly visible. The softer glow from bollard lighting will be more visible after dwellings turn off their lights.

As these effects will be visible from the East & cannot be mitigated the application should be declined.

As such I oppose the application.

#### 6. NOISE

Bannockburn is situated at the edge of the rocky amphitheatre surrounding the Cromwell Basin & as such is subject to the amplification of sounds at the periphery.

There will be increased noise from people, animals & vehicles.

This is not a small subdivision relative to the size & population of Bannockburn (approx. 600 pop). The 20 lots would conservatively add 100 people which is of significance, not including considerably more during the holiday season.

**If** the development were to be in the area of the Applicants' land to the West **& behind the BLR**, this could be mitigated to some degree.

I would not be in opposition.