

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

(Form 13)

03 440 0056

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.consent@codc.govt.nz

DETAILS OF SUBMITTER

Full name: PAUL DRAYTON NEWMAN

Contact person (if applicable):

Electronic address for service of submitter: palman@actix.co.nz

Telephone: 027 200 9488

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

PLEASE SEE THE ATTACHED DOCUMENT
APPENDIX 1

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.

PLEASE SEE THE ATTACHED DOCUMENT
APPENDIX 1

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

REJECT THE APPLICATION - SEE ATTACHED
DOCUMENT APPENDIX 1 FOR REASONS
WHY

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~~

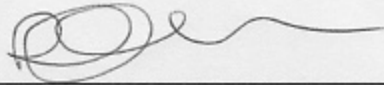
~~(b) does not relate to trade competition or the effects of trade competition.~~

~~*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

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

07/08/2024

Date

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.

Appendix 1 - Reasons For Opposing RC230398 – Paul Newman

I oppose resource consent application RC230398 in its entirety for the following reasons:

Building Line Restriction

Rule 12.7.7 (Building Line Restrictions) in the Central Otago District Council (CODC) District Plan states

“No building shall be erected within any building line restriction shown on the planning maps between the building line and the feature to which it relates.”

This application is for 13 (65%) of the 20 proposed building plots to be located within the Building Line Restriction (BLR). Of these 13 sites, 8 sites (Lots 13 to 20) are fully within the BLR and 4 sites (Lots 4 to 6 and Lot 12) lie sufficiently within the BLR that building on the sites would likely breach the BLR.

This is a major breach of the rules in the District Plan and would have a significant adverse visual impact on the current unique landforms around the Bannockburn Inlet, the rural character of the area, existing Bannockburn residents and visitors to the area.

Building structures on the proposed Lots 15 to 20, in particular, would be highly visible from Cairnmuir Road, Patterson Road, from the Cycle Trail and around the Bannockburn Inlet and would significantly impact the unique visual character of that area. As noted in the consent application paragraph 6.2.4, ***“The proposed subdivision will result in a reduction in the perceived naturalness and ruggedness of the site, a reduction in the open and unbuilt nature of the site, and a reduction in rural amenity and the working rural character”***.

I also have considerable concern that if this breach of the BLR rules is allowed then it would set a precedent for future development to breach the BLR rules and result in a significant degradation of the visual amenity and rural character of Bannockburn.

This application is therefore a significant breach of the BLR rules in the District Plan and the extent of this non-complying activity alone is why I oppose the application in its entirety and request that it is rejected.

Roading Infrastructure

Table 3.1 of the CODC’s standards for roading, based on NZS 4404 2008, states that the maximum number of dwelling units for a cul-de-sac is 20.

Terrace Street is a cul-de-sac that is already used for access to 20 existing dwellings. The proposed additional 20 lots would double the number of lots that would need to be accessed from Terrace Street and exceed by 100% the maximum number of dwellings for a cul-de sac as per the CODC standards. This would likely more than double the number of daily traffic movements along Terrace Street with adverse effects on noise, parking and potentially road safety for existing residents of Terrace Street.

The application recommends building one footpath 1.5m wide along the northern side of Terrace Street so that pedestrians do not have to share the road with vehicles. If the

subdivision is approved for 20 lots then Table 3.1 of the CODC road standards states that for a residential road with 21-150 dwelling units then there should be two footpaths each 1.5m wide along Terrace Street.

The application in its current form does therefore not comply with the council roading standards and should be rejected.

Road Safety

The junction of Terrace Street with Bannockburn Road is an already dangerous junction.

Both roads are steep at this junction. Traffic, travelling from the south along Bannockburn Road to the junction with Terrace Street, approaches the junction over the brow of a steep hill where there is no visibility of the Terrace Street junction. Drivers of these vehicles therefore have limited time and road distance to slow down or take evasive action for vehicles turning right from Terrace Street into Bannockburn Road into their path.

This application for 20 extra dwelling units, in addition to the current 20 in Terrace Street, represents a significant increased traffic safety risk at this junction for traffic turning right from Terrace Street into Bannockburn Road.

The application does not address this risk and the impact on existing Terrace Street residents and therefore should be rejected.

Night-time Lighting Effects

The application proposes to extend the existing Terrace Street lighting as far as the BLR with an additional three pole lights as well as bollard lights to the remainder of the proposed sub-division.

The current street lighting in Terrace Street is a visual eyesore that is highly visible at night from other areas of Bannockburn and even from as far away as Cromwell. It detracts from the visual amenity of the area and is not in keeping with the rural character of Bannockburn. Extending this lighting further would increase the negative impact that this street lighting has on the visual amenity of the area at night.

If the application is approved then as a minimum the street lighting along Terrace Street needs to use Dark Sky approved products and ideally all existing street lighting in Terrace Street should be upgraded to use such products.

Conclusion

The application for RC 230398 contains several significant breaches of CODC District Plan rules and council roading standards. I therefore oppose the application in its entirety and recommend it is rejected.