

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

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To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consent@codc.govt.nz



DETAILS OF SUBMITTER

Full name: James Wakeham Walton

Contact person (if applicable):

Electronic address for service of submitter: jwwdhw@gmail.com

Telephone: 03 445 1539

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

39 Domain Rd
Bannockburn
RD 2 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

attached

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 ✓

I/We seek the following decision from the consent authority:

(give precise details, including the general nature of any conditions sought)

✓ Reject the application - *refer to submission*

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)

9/8/24

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.

Submission: JW &DH Walton and others: Submission on RC 230398

Our submission opposes the whole of the application given:

- the significant extent of the proposed encroachment into the area protected by the Building Line Restriction; and,
- the incremental nature of subdivision in the applicant's residential landholding in the immediate area. In this regard we note the lack of an overall plan for that area.

Considering this subdivision application in isolation from likely future subdivision within the whole area of residential land held by the applicant, is likely to minimise the consideration of the requirement to mitigate adverse effects on Bannockburn's natural character and residential amenity, and to provide properly for public walking access, roading alignment, and greenspace.

The specific parts of the application that our submission relate to are:

Lot Size

The average lot size in the application is below the 2000m² average lot size allowed in the operative district plan if the balance lot is excluded.

The balance lot (Lot 50) is likely to be subject to a further subdivision application at some stage in the future and so obscures the significance of the adverse effects of this current subdivision application. The balance lot should be excluded from any averaging exercise as there is no restriction on further subdivision. The same issue applies to lot 40.

Building Line Restriction

The area is subject to a Building Line Restriction which has been in place for many years and its purpose is as relevant today as it was when it was first established.

The protection of Bannockburn township's semi-rural character through restrictions on development which affect landscape, historic, tourism and amenity values should be a high priority.

The Building Line Restriction should be treated as a hard boundary between land developed for residential housing and land protected for reasons of landscape, open space and amenity.

Most of the residential lots proposed encroach significantly over the Building Line Restriction and granting consent would undermine the Building Line Restriction in this location and set an undesirable precedent for such Building Line Restrictions in other locations in Central Otago District.

In writing this, we want to reinforce the idea that Bannockburn should not be thought of primarily as a suburb of Cromwell. The township's high amenity landscape has a national and international reputation which must be protected in support of Central Otago's aspiration to be an important national and international tourism destination. Domestic visitors and international tourists do not come to Bannockburn to look at, and wander among, houses.

We do not believe the proposed mitigation measures in the consent application will be in any way adequate to address the adverse effects.

Roading

There is some provision for future vehicle access within this application, but in our view there needs to be a complete plan for vehicle access and roading within the whole area of residential land owned by the applicants. It is not sufficient to consider one part of this landholding in isolation. We note that the proposal, if allowed, would cause a significant breach in the Central Otago District Council's standards for the maximum number of lots on a cul-de-sac.

Plan Change 19 and the Cromwell Master Plan

The Cromwell Master Plan recognised Bannockburn's defining attributes at a high level but did not incorporate a spatial planning exercise for the township. The council's Plan Change 19 decision (currently under appeal) correctly recognised the need for a spatial planning exercise for Bannockburn and deferred consideration of expansion of the residential zone. Encroachment over the Building Line Restriction can be seen as a de facto expansion of the residential zone at a time when there is no need to do so because there is plenty of land already zoned as residential land that is undeveloped and available for the immediate future.

Declining this consent would allow an opportunity for the Bannockburn community's views on the future direction of the township's development, including residential expansion, to be considered in a spatial planning exercise. This plan, once completed, will guide future planning decisions for the township in ways that will protect its unique character, including those elements associated with housing, primary production (viticulture, horticulture etc), historic and cultural heritage, landscape amenity, recreation, hospitality and tourism.

Attachment: Names of Submitters to Submission on RC 230398

J W Walton 39 Domain Road Bannockburn

D H Walton above


A McLean 41 Domain Road Bannockburn

J Hay 76 Hall Road Bannockburn

A Robinson 76 Hall Road Bannockburn

B McFadgen Hall Road Bannockburn

S R Mcfadgen Hall Road Bannockburn

S.K. Freibig Hall Road Bannockburn. 


J.R. Freibig Hall Road Bannockburn. 

M.G. MacAvey Hall Road Bannockburn n/g/m 

E.S. MacAvey Hall Road Bannockburn ESM 

J Hay Hall Road Bannockburn

 76 Hall rd Bannockburn.

A.J. McLean 41 Domain Road Bannockburn. 



Diane & Jim Walton <jwwdhw@gmail.com>

Submission notified application concerning resource consent

1 message

Diane & Jim Walton <jwwdhw@gmail.com>

Thu, Aug 8, 2024 at 6:03 PM

To: resource.consent@codc.govt.nz

To the Chief Executive Officer

Submitter: J. W. Walton and others

We are not able to submit our application within the time frame required but will have a completed form to you by the end of the week.

J W Walton
39 Domain Road
Bannockburn



Diane Walton <jwwdhw@gmail.com>

pictures

1 message

Diane Walton <jwwdhw@gmail.com>

Fri, Oct 19, 2018 at 11:11 AM

To: daphne.lee@otago.ac.nz

Hi Daphne

The museum is embarking on a range of new displays that will be presented somewhat differently to the traditional displays currently in the museum. One process Joan Lawrence and I am doing is creating full size photographs of the extinct birds that lived around central Otago - about the classical period of Maori occupation - one example is the Haasts Eagle. We want to extend this process to local landforms such as the Sugarloafs, Lowburn Terraces and others within the Cromwell District.

I should imagine this is a busy time for you but would it be possible for you to identify whatever landmark formations you think merit display and provide the details for each so we can access them and start the process of getting them to presentation standard.

Kind regards

Jim Walton