CENTRAL OTAGO DISTRICT COUNCIL
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SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A (public) Resource Management Act 1991

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

DETAILS OF SUBMITTER

Full name: Gillian Agnes Salt

Contact person (if applicable):

Electronic address for service of submitter: gillsalt@hotmail.com

Telephone: 021 143 9133

Postal address (or alternative method of service under *section 352* of the Act):
26 Terrace Street 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

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

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: Julian A. Dart

Date: 5/8/24

(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 11Aof 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 in opposition to RC 230398

I am in full agreement with the following submission. I am a long-term resident of Cromwell and Bannockburn, having chosen Bannockburn as our place of residence in retirement over Cromwell because of its historic charm, quiet neighbourhoods and amazing natural beauty. I walk on the track from the bridge through the inlet several times a week and in the summer, we bring friends and family to the inlet for water sports and picnics. It is an oasis of beauty and tranquility (most of the year) and an irreplaceable asset to the wider Central Otago Community.

Our representatives who ruled in 1987 that this environment be protected from the encroaching effects of building development did so to protect these assets for future generations and I am very grateful.

As a grandmother with children and grandchildren who have strong links to this area, I want to express my strong desire to see this continue, and firmly oppose RC no. 230398 in its entirety.

I oppose the application submitted in its **entirety** and recommend the entire application be rejected by the CODC. In my view there are too many fundamental flaws with the application which cannot be remedied by alteration of the application during the consent process.

Specifically, the critical flaws are as follows:

1) The average of the lot sizes of the application, excluding the balance land, is below the 2000m2 average lot size allowed in the operative district plan (see note 1 below). The average of the application is 2696.40m2. The balance lot (Lot 50) should be excluded from any averaging exercise as there is no restriction on further subdivision. The same applies to lot 40 as there are no restrictions on either further subdivision or no land use covenants offered up for continued public access to the lot.

2) The area is subject to a Building Line Restriction (BLR), the intent of which was to restrict the edge of the Bannockburn Township from creeping outside the bowl it is currently located within. 8 lots (13-20) are fully within the BLR, 4 lots (4-6, 12) are largely within the BLR and 3 lots (2, 10, 11) are partly within the BLT. The loop road lot (100) and part of the main service road (lot 101) are also within the BLR. Houses and infrastructure to support them will be highly visible from multiple locations both during the daytime and at night. The breach will be a skyline breach and in my view none of the proffered "concession" can mitigate this. It cannot be remedied, and on this point alone, the entirety of the application should be rejected, and in my view should never have been accepted by the CODC in its current form. The CODC commissioners recently confirmed the validity on need for the BLR in PC19.

3) The visual impact on the landscape of the proposed development has been improperly assessed in my opinion and the experts engaged have grossly understated the visual impact from a large number of vantage points. The photos presented are misleading (with inappropriate focal lengths), there is no block form presented of the residential dwellings (either during the day or at night), none of the skyline breaches have modelled or demonstrated (likely because the impact will inevitably lead to the conclusion that the breach is high using the scale presented), none of the modelling shows the extent of the development, there are no guarantees that the building pads will be locked in (they can be subject to subsequent resource consent applications which can only consider the individual application effects and not the cumulative effects), no profile poles have been erected of the maximum heights on each of the nominated pads. The steepness of many of the lots within the BLR will necessitate significant earthworks and will increase the visual impact both of the building and the associated earthworks. This has not been modelled or demonstrated and is not within the earthworks analysis. The CODC should have insisted on a truly independent landscape assessment as the current "experts" have obviously had their opinions purchased to arrive at such a gross misinterpretation of effects and what the proffered mitigations can in reality achieve.

4) The spillover of the site outside of the current township will negatively impact the character, amenity and settlement pattern of Bannockburn. The sites within the BLR will require significant land modification and will inevitably result in a concentrated cluster of houses out of keeping with the semi-rural character of Bannockburn. The applicant admits as much in their application (6.2.4).

5) The application breaches the CODC standards relating to roading as the maximum number of lots a cul-de-sac can service is 20, there are already 19 lots on Terrace Street and this will be taken to 39 lots. There will be meaningful increases in the number of traffic movements for the current residents as well as increased noise, including down into the Bannockburn Inlet. This cannot be mitigated and as such the application should be rejected in its entirety.

6) The proposed mitigations are insufficient to enable any breaches to be properly mitigated as the breach, particularly of the skyline cannot be mitigated (hence the reason for the BLR in the first place). Any perceived lessening of the breach and the reduction of this to low-moderate is a fallacy as it cannot be remedied and these mitigations should hold no value. As such the application should be rejected.

7) The house and bollard lighting, plus car movements of the subdivision will be visible from the wider area. Particularly, lights from lots 4-6 and 13-20 will clearly be visible in the near foreground from sites east of the development including Paterson Road and Cairnmuir Road. No lighting plan has been presented which makes exact analysis of difficult. Not only the bollards should be considered but also the impact of the residential dwellings.

8) No ecological assessment of the site has been performed, so it is not possible to determine if any rare or threatened species exist on the site which would be affected by the residential development.

Note (1). The new lot sizes promoted by AP19 are not yet operative as an appeal against that provision has been lodged. Until that appeal has been resolved, the operative plan remains in effect.