

CENTRAL OTAGO DISTRICT COUNCIL

CENTRAL OTAGO DISTRICT PLAN

PROPOSED PLAN CHANGES 6A – 6C

SUMMARY OF DECISIONS REQUESTED

IN SUBMISSIONS

FURTHER SUBMISSIONS IN SUPPORT OF OR OPPOSITION TO ORIGINAL SUBMISSIONS CLOSE ON
FRIDAY 5 AUGUST 2011

IMPORTANT NOTES

- The Summary of Decisions Requested in submissions contains a Submission Point Number for each submission point. These numbers have been attached to the submissions for ease of reference.
- The Index to Submissions lists submitters alphabetically. The Summary of Decisions Requested presents submission points in the consecutive order of the proposed plan changes (e.g. 6A, 6B, 6C)
- Further submissions are to be in writing on Form 6 or to the like effect. Forms are available where the Summary and submissions are available for inspection.
- Further submissions must clearly identify the submission and Submission Point that the further submission relates to.
- Further submissions must be lodged with the Council by no later than **Friday 5 August 2011**.
- Within 5 working days after making a further submission, a copy of the further submission must be served on the person who made the original submission. A list of addresses for service follow for convenient reference.
- **Further submissions may only be in support of or opposition to submissions already made. A further submission cannot extend the scope of the original submission and can only seek that the original submission be accepted or rejected.**

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Addresses for Service

Sub No.	Submitter Name	Address for Service			
1.	WG Amies	Old Butcher Shop	2 Derwent Street	Naseby	
2.	LK & JR Anderson	113 District Road		Palmerston	
3.	PR & AM Ballard	21 Strode Avenue		Naseby	
	PR & AM Ballard	712 Portobello Road	Broad Bay	Dunedin 9014	
4.	DL Barnett	5055 Danseys Pass Road	RD 2	Ranfurly 9396	
5.	SN & JE Broadley	Rapid 5135	Danseys Pass Road	Naseby 9354	
6.	Ernslaw One Ltd	PO Box 16		Naseby	Greg Kendall/Phil Delamere
7.	AK & PR Excell	31 Broom Street		Naseby	
8.	SD Francis	788 Back Road, Naseby	RD 2	Ranfurly	
9.	JD Hazlett	40 Stuart Road		Ranfurly	
10.	GC & MA Kendall	27 Leven Street		Naseby	
11.	G McCormack & P Algie	PO Box 35		Ranfurly	
12.	Mt Ida Developments Limited	c/- C Hughes & Associates Ltd	PO Box 599	Wanaka	Matt Suddaby
13.	Naseby Vision (Inc) Executive Committee	PO Box 1258		Dunedin	J Crawford
14.	Otago Regional Council	Private Bag 1954		Dunedin	Sarah Valk
15.	RL Sheppard	5 Keswick Street		Naseby 9354	
16.	ED Swinbourn	8 Derwent Street		Naseby 9354	
17.	MJ Swinbourn	8 Derwent Street		Naseby	
18.	J Willems from TL Survey Services Limited	PO Box 901		Dunedin	John Willems
19.	RZ Wilson	28 Motu Street		Dunedin 9012	

SUMMARY OF DECISIONS REQUESTED IN SUBMISSIONS ON PLAN CHANGES 6A – 6C OF THE OPERATIVE CENTRAL OTAGO DISTRICT PLAN

Plan Change Number	Submitter Number & Name	Submission Summary	Submission Point Number	Decision Requested
PLAN CHANGE 6A : Map 22 Residential Resource Area : Naseby				
6A	6. Ernslaw One Ltd	<p><u>Support</u> The submitter has no objection to proposed zone change to Lot 2 DP 347065 (2.7ha).</p>	6/1	Consider 1 house platform on 1000m ² in the screening zone (see plan attached to the submission).
		<p>The submitter asks that consideration be given to retaining rural/residential on approximately 1000m² for screening for subdivision on Naseby/Ranfurlly Road.</p>	6/2	
		<p>At Naseby Forest the submitter is currently subdividing a block (reference RC 100069). The surveyed block in total is 3.6460 hectares. From the current survey with the following change from Rural Residential to Residential, the area will total 2.7 hectares as proposed. The submitter supports this zone change.</p>	6/3	
		<p>The balance of some 1000m² will provide for the screening of any housing development from the Ranfurlly/Naseby Road? This area was clearfelled in 2007 at the request of Council because of shading problems to the road. At the submitter's cost the area has been landscaped with 2000 native plants and will be extended with new back drop plantings of larger natives this year. We understand that the zoning will remain as Rural Residential and be set aside? To maintain this 1000m² block will be an ongoing cost to the submitter with basically an area that could not be developed. Would Council approve of a 1 only</p>	6/4	
			6/5	

building platform to be considered on the 1000m² site? Then this site at a later date could be perhaps sold off with one building site so the cost of maintaining the site would not forever fall with the submitter and in private hands would be maintained as just one property, which is in keeping with the existing property on the approach to Naseby, [where there are] some 6 sites of similar size.

6A	13.1	Naseby Vision (Inc) Executive Committee	<u>Support</u> The submitter supports the proposed change.	13.1/1	Adopt the proposed Plan Change.
6A	18.1	J Willems from TL Survey Services Ltd	<u>Support</u> The submitter fully supports the proposed change.	18.1/1	Adopt the proposed Plan Change.

PLAN CHANGE 6B : Maps 22 and 23 : Residential Resource Area (3) : Naseby

6B	5.1	SN & JE Broadley	<p><u>Submission dated 14 September 2010</u> The amended area should incorporate all of the original 1870s Township Plan for the east side of Hogburn as street name changes and designations are not incorporated in Plan Change 6B.</p> <p>This would incorporate the area bounded by Carrowmore Street, Danseys Pass Road (from the Hogburn Bridge to Melvin Street), Melvin Street, the unnamed legal road joining Melvin Street to Carrowmore Street and on to Channel Road and all roads within this area, i.e. Annelee Street, Belfast Street, Strangford Street.</p> <p>The submitters believe this is the area which the participants in the Naseby Vision meetings envisaged as requiring the changes in designation.</p> <p>Note: Very few Naseby residents and/or holiday home owners are aware of the name change to what was Carrowmore Street. The submitters can forward original 1870 + street plans if the Council should require them and would wish to attend any envisaged meetings re these changes.</p>	5.1/1	Plan Change 6B should incorporate all of the original 1870's Township plan.
6B	5.2	SN & JE Broadley	<p><u>Submission dated 22 September 2010</u> Further to the submission dated 14 September 2010 (5.1) and following discussions with others the submitters make the following suggestions:</p> <p>The actual total area should be bounded by the old historical boundaries, i.e. Carrowmore Street, Danseys Pass Road [old portion of Carrowmore Street] and the two unnamed streets, one beginning at Channel Road, crossing the intersection of Carrowmore St, Annalee St and</p>	5.2/1	Plan Change 6B should be bounded by the old historical boundaries.

Melvin St; the other beginning at the junction of what was Carrowmore Street (now Danseys Pass Road) and crossing the intersections with Belfast and Strangford Streets.

This will give uniformity with the planned changes to the District Plan. 5.2/2

Of interest there is only one permanent residence within the area currently contained within the original Plan Change 6B. Within the area set out in the submitters earlier submission dated 14 September there are an additional four and within the above proposed historical area, a total of nine. 5.2/3

The submitters reiterate that the locals and holiday home owners' perception of the east side of Naseby would incorporate the area set out in their submission dated 14 September. However, the reality is that it should encompass the old historical boundaries as outlined on the map attached to the submission dated 22 September 2010. 5.2/4

The submitters are happy to attend any meeting to discuss these plan changes.

6B	9.	JD Hazlett	The submitter wishes proposed Plan Change 6B to include extra blocks that boundary Carrowmore and Belfast Streets. The submitter's block (Block 4 Part 3 Sections 9-12) and the ground between Melvin and Carrowmore Streets.	9/1	Plan Change 6B to include Block 4 Part 3 Section 9-12 in Residential Resource Area.
6B	10.	GC & MA Kendall	The specific provisions of the proposal that the submission relates to are town planning, size of building sites, fire, greenfield and woodland areas.		Greater input from landowners - those affected.
			The submitters ask that consideration be given to fire access and fire protection, variation to section sizes, maintaining town backdrop, and note the following:	10/1	

The submitters are the sole owners of OT 14B/761 the area defined on Planning Map 22 and 23 shown as RU(RR) zoning. This block was resurveyed in 1993 on SO 23709 and is the adjoining property to the east divided by Annalee Street (unformed) on the top side of the proposed area [subject to] Plan Change 6B.

If the proposed change takes effect and section sites are 1000m² there could be 15 new sections on and below Annalee Street. If this is the case the submitters would like to see Annalee Street, now currently a paper and surveyed road, opened up for Fire Control Access as with the likelihood of section clearing and the amount of woodland area around the proposed site, fire could easily spread up hill into the submitters' 8 hectare property. And of course the other way Annalee Street would also be required for access to the sections? All driveways would not fit along Carrowmore Street?

10/2

The submitters wonder why this block was proposed; did the current owners request subdivision? Maps 22 and 23 (attached to submission) were laid out for town growth by the town fathers with the named roads in place linking on to Carrowmore Street. The submitters ask would it be a consideration to make the whole area from say an average 2 hectares for rural residential currently, down to 1 hectare blocks for the whole area? The submitters think this needs consideration? A 1 hectare block still allows for the greenfields open plan retaining the green belt and maintaining woodland areas between building platforms? More importantly, maintaining the forested backdrop to Naseby which the public meetings have shown to be one of the major assets to the town and making the so called "World of Difference".

10/3

6B	11. G McCormack & P Algie	Amend proposed Plan Change B to incorporate the larger block – Carrowmore Street, Naseby Kyeburn Diggings Road etc, as per the map attached to their submission.	11/1	As per the submitters' submission and as discussed at the community workshop on 14 January 2009; the larger area to be zoned to 1000m ² and supplied with water and waste water services.
6B	13.2. Naseby Vision (Inc) Executive Committee	<u>Support</u> The submitter supports the proposed change.	13.2/1	Adopt the proposed Plan Change.
6B	18.2 J Willems from TL Survey Services Ltd	<u>Support</u> The submitter supports Plan Change 6B, subject to amendment to include additional land.	18.2/1	Rezone the area from Rural Residential to a zone more in keeping with the existing sections' areas, similar to what is proposed, i.e. Residential (3) or Residential (4).
		The submitter requests that the Council amend proposed Plan Change 6B by adding the land bordered in pink on the plan attached to the submission. This additional area takes into account land bordered by Carrowmore, Belfast and Melvin Streets, as well as Danseys Pass Road.	18.2/2	
		This land has been previously defined on the original survey plans (SO's 14617, 14613 and 19665, attached to the submission) for the township of Naseby, as being part of the 'town sections'. The areas of these sections vary from 1915m ² to 6374m ² . Some titles consist of a single title [sic - section] while other titles consist of two or more sections.	18.2/3	
		The submitter suggests Residential (4) because he is wary of Naseby's infrastructure and having properties of at least 2000m ² would mean there are slightly fewer requiring individual servicing as opposed to 1000m ² properties.	18.2/4	
		Should Council be of a mind to entertain such a Resource Area, then subdivision of some of these properties could just be a case of allowing the titles to be subdivided under section 226 of the RMA.	18.2/5	

Should Council wish to discuss any of the above or require any additional information the submitter is available : contact details are in the submission.

6B 19.1 RZ Wilson

Oppose

The submitter opposes Plan Change 6B.

The submitter opposes Plan Change 6B as land owner of part of RRA (3). The submitter wishes to remain Rural. The submitter also opposes the proposal on the basis that subdivision will reduce the value of existing residential properties in Naseby.

19.1/1 Keep Naseby's rural areas Rural.

PLAN CHANGE 6C : Maps 22 and 23 : Residential Resource Area (3) & Heritage Precinct Notation : Naseby

6C	1.	WG Amies	<u>Oppose</u> The submitter opposes Plan Change 6C. The submitter wants to see the township remain peaceful and believes that growth should occur in the other areas. Keep the town historic as is.	1/1	Leave the land in Plan Change 6C Rural.
6C	2.	LK & JR Anderson	<u>Oppose</u> The submission relates to is Plan Change 6C Map 22, Upper Broom Street. The submitters note that this area is used by an extreme amount of pedestrian and recreational traffic and has no footpaths. Lomond Street would need to be formed to accommodate extra traffic. The submitters state that this area has natural visual appeal which is unique to Naseby and should not be tampered with. Broom Street is too narrow to accommodate extra vehicle parking. The submitters strongly object to the area marked red (on the plan attached to their submission) being rezoned. The submitters note that the Hogburn waterway meanders through this entire area and has done for years. This should be respected and not tampered with. At present this area has a lovely natural semi-rural feel and appearance which would be totally ruined should re-zoning and development occur. This area bordering Broom Street does not have footpaths for pedestrian traffic which at present use the road. Broom Street is extremely narrow with no allowance for vehicle parking should re-zoning go ahead. Lomond Street should be	2/1 2/2 2/3 2/4	The area bordering Broom Street north of Council Street should remain as it is and not be re-zoned, leaving it open to future residential development. Naseby already has a substantial number of building sections available at present.

formed into an adequate thoroughfare to cope with extra traffic and servicing. Lomond Street appears to contain a substantial width which could be utilised.

At present Naseby already has quite a number of building sites that are buildable and which have not yet been built upon.

2/5

The submitters strongly oppose the area being re-zoned.

6C 3. PR & AM Ballard

Oppose

The submitters oppose any re-zoning from Rural to Residential in Plan Change 6C. This piece of land is currently covered in trees and scrub is immediately adjacent to the historic heart of Naseby. Any residential development will form a visual blot on the landscape.

3/1

To not make this change [6C] at all and to preserve the character of the historic area of Naseby by retaining the status quo.

Naseby Vision was established to serve as a focus for the views of the Naseby community. Naseby Vision has, along with CODC, held meetings of the community to consider the development of the town. There was significant debate and the overwhelming opinion was that the special character of the town must be retained. That special character is largely centred on the historic precinct and owes much to the quirky small old character buildings that have connected to each other and the landscape over a long period.

3/2

The iconic views of Naseby are right along Earne Street to the Royal Hotel on one side and the old stables on the other and up Leven Street beyond the Ancient Briton. There is separation between this area and the newer areas of Naseby. Some of the back drop is the land that is in Proposed Plan Change 6C. It is an untended area of trees and scrub that presents a green timeless context to the older buildings.

3/3

If this area is allowed to change from Rural Resource to any form of Residential even if within the historic heritage zone, it will seriously negatively affect the appearance and character of those special areas. The minimum size for sections is 250m². There is the possibility of a large number of modern dwellings with forms, materials and features that would clash with the existing context of old character buildings.

3/4

Mr Guest, the applicant, may present a plausible plan of sensitively developing these properties himself. However, even the best intentions are not immune from the economic realities of the fickle market. Should he find the viability of his plans unachievable which is not at all uncommon in the current market, he may need or indeed be forced to sell properties to anyone with money who would have no obligation to be sensitive to the context or the wishes of the other residents of Naseby. The protections of the requirements of the Historic Heritage Zone are more intended than real. One can point to any number of examples of buildings and additions to buildings that do not even pay lip service to the intentions of the zone requirements.

3/5

Few of the residents of Naseby have realised that this change has been proposed and may miss the opportunity to express their views within the timeframe in the prescribed way. The limited circulation of this information, through public notices and well buried on the CODC website has caught many by surprise. With a potentially huge effect on the town, it is disappointing that many will not get to contribute their views because they are unaware of the proposal and the change could be made before they even know of it. Once made it will never revert to its current status and condition.

3/6

So, in summary, the area included in change 6C is the most critical for the preservation of the unique

3/7

character of this special small historic town. By changing the zoning, unknown modern designed developments will be erected in the heart of the iconic collection of special historic buildings. There are plenty of other areas for additional properties to be made available on the fringes of the town clear of the heart. The demand for properties is currently very low. The property market is very flat. By granting the zone change the rural reserve land that was bought very cheaply as almost waste land will suddenly be worth a significant amount. The price for the individual's "windfall" may well be the demise of one of Central Otago's special historic places by going against the strongly held wishes of the community.

6C	4. DL Barnett	<p><u>Oppose</u> The submitter opposes Plan Change 6C because she does not want to see this part of the town developed. It should stay Rural.</p>	4/1	The land described in Plan Change 6C to be left Rural.
6C	7. AK & PR Excell	<p><u>Oppose</u> The submitters oppose the zone change of Plan Change 6C in the township of Naseby.</p> <p>This area [subject to Plan Change 6C] should remain zoned as it is. If rezoned the submitters believe the visual impact will be devastating to Naseby Township.</p>	7/1	Leave the zoning as status quo. Remain the same.
6C	8. SD Francis	<p><u>Oppose</u> The specific provision of Plan Change 6C that the submission relates to is under "Evaluation of Alternatives, Benefits and Costs...", "...having regard to the suitability of the land...".</p> <p>The submitter has maintained for many years that the Hog Burn Valley floor area is unsuitable for</p>	8/1	Identify areas that are sound, unmined, e.g. terrace at the back of sections on eastern side of Channel Road; and of course area 6C - the lower end of it "looks" particularly soft. The public consultation for the Naseby Plan gave a very firm directive that that area (6C) not be built on.
			8/2	

building due to the valley floor being generally mine tailings and mined areas (either sluicings or deeper “Elevator” [Venture] minings).

The submitter opposes building on those areas; but areas within that that are sound (unmined and/or no deep tailings) be identified for building. Generally tailings are spongier as you go do the gully; liquification happens when heavy machinery works these areas.

8/3

6C 12. Mt Ida Developments Limited (MIDL)

Support

The submission relates to proposed Plan Change 6C in its entirety.

12/1

Approve Plan Change 6C.

The submitter (MIDL) supports proposed Plan Change 6C in its entirety.

12/2

The submitter owns land subject to the plan change within the Naseby township. This land is legally described as Lot 2 DP 419081 and Section 7 SO23708.

12/3

MIDL supports Plan Change 6C in its current form on the basis that the plan change makes efficient and effective use of land that is highly suited for residential development. The plan change utilises otherwise non-productive land, and is particularly appropriate due to its proximity to the commercial centre of Naseby, and the availability of gravity drained urban infrastructure.

12/4

The specific details of support are:

1. Background

12/5

1.1 MIDL submitted an application to Council (RC 090299) in December 2009 for subdivision consent to create seven new residential lots at Broom Street in Naseby. This is a non-complying subdivision as the land is currently zoned Rural Resource Area.

The application was notified and submissions received. The application was placed on hold while dealing with submitters concerns.

- 1.2 MIDL then became aware of Council's intentions for Plan Changes 6A and 6B for Naseby. Further correspondence with Council stated that MIDL land (part of which is subject to application RC090299) between Broom Street and Lomond Street (5.1413ha being Section 7 SO Plan 23708) was ideally suited to inclusion in the Proposed Plan Change 6 process. MIDL promoted a change from Rural Resource Area to Residential Resource Area (3) with a minimum lot size of 1000m². 12/6
- 1.3 Additionally, it was considered logical to also include those small parcels within the same geographical area/zone as indicated on the plan attached to the submission (Lot 12 DP 385904 and Secs 114, 164, 165, 166 Blk I Town of Naseby and Lot 1 DP 23928). 12/7
- 1.4 MIDL's land had been specifically referred to in the Plan Change 6 documents as an alternative favoured option but was not initially promoted by Council to be included in the Plan Change. The sole concern was a perceived potential for flooding by the Hog Burn. The MIDL submission and attached reports confirm that the land will not be affected by a 100 year flood of the Hog Burn. 12/8
- 1.5 A substantial amount of information has been submitted regarding MIDL's land in the subdivision application RC 090299. That level of detail will not be repeated in this submission, but the supporting submission will cover the majority of relevant points. 12/9

2. Services
- 2.1 The inclusion of MIDL's land in the Plan Change would make efficient use of existing Council services. The submitter notes that connection to Council's existing services for water and wastewater is readily achievable via gravity feed, which is superior to the other earmarked land on Carrowmore Street which will require pump stations. This provides a short term saving in development costs, but more importantly, a long term saving for Council in energy and maintenance costs. 12/10
- 2.2 As part of RC 090299 a new lot is to be created which will be vested in Council as road. This will correct an historical anomaly. A frequently used track crosses the subject land from Broom Street and services rural activities and some dwellings. Council seems to have treated this de facto road as legal, and has even signposted it as Killarney Street. Further, the existing 'road' already contains a street light and overhead power lines run across it to service rural land to the east. The alternative to the de facto road is the unformed but legal Lomond Street, which even if formed would only provide a long and impractical route for the existing users. 12/11
- 2.3 Any subdivision proposal involving this part of MIDL land will formalise the legality of the present road formation. This track has been maintained by Council and will remain in its present state. 12/12
- 2.4 There is a second unofficial crossing of the Hog Burn, also on the applicant's land, located just north of Earne Street, and the topographical plans attached to the submission show the Lomond Street vehicle track runs within MIDL land for over 200m. 12/13

- | | |
|---|--------------|
| <p>There is also a well frequented pedestrian path to a footbridge over the Hog Burn from the bottom of Leven Street contained within MIDL land. There is no other legal road crossing of the Hog Burn until the bridge at Oughter Street.</p> | <p>12/14</p> |
| <p>2.5 MIDL anticipates that these important community access links will be retained and enhanced as part of any future subdivision design that may occur. The rezoning and subsequent future development proposed will be an opportunity to formalise public access across this private land.</p> | <p>12/15</p> |
| <p>3. <u>Heritage Values</u></p> | |
| <p>3.1 It is anticipated that rezoning of the land offers opportunities to enhance the heritage values of the township.</p> | <p>12/16</p> |
| <p>3.2 MIDL wants to ensure any development proceed tastefully in keeping with the historic nature of Naseby. As part of the subdivision consent application currently on hold with Council (RC 090299), it was stated that the applicant was investigating options for a restrictive building style covenant in this regard. This would still hold for subdivision of the land under new zoning.</p> | <p>12/17</p> |
| <p>3.3 Further, MIDL passionately supports the extension of the Heritage Precinct notation to the east of the current Heritage Precinct as proposed in Plan Change 6C. The extension stretches from Council St to Rannoch St and covers the entire width of the subject land.</p> | <p>12/18</p> |
| <p>3.4 The untidy wasteland to the east of the existing Heritage Precinct currently detracts from the splendid 19th Century heritage buildings and trees. The extension of the</p> | <p>12/19</p> |

Heritage Precinct will be a positive opportunity for the town, and the aesthetic value will be improved with low density housing in keeping with the surrounding heritage character.

- 3.5 As part of any future subdivision, and in addition to the Historic Precinct's discretionary (restricted) activity status, MIDL intends to provide additional design direction for future owners. This will be achieved by placing appropriate design controls by way of consent notice on new titles. MIDL anticipates that this will ensure all construction occurs in a consistent manner, and that a unified scale, style and character of buildings in harmony with the existing structures will result. 12/20
- 3.6 It is not considered that rezoning or development of the subject land for residential development will have adverse effects on any heritage features that may exist on the property. MIDL is an extremely conscientious developer that takes their obligations under the Historic Places Act 1993 very seriously. MIDL is currently working with the NZ Historic Places Trust (NZHPT) to address their concerns raised in the subdivision application RC 090299. 12/21
- 3.7 MIDL has engaged Guy Williams, Archaeologist to make an archaeological assessment of the property. This involved an archival search of historic maps and photographs, as well as a site walk over. In his report, Mr Williams states that he considers it extremely unlikely that further archaeological excavation of the site would reveal anything of value. His historical research suggests that this zone of the Hog Burn was somewhat of a wasteland; a silted-

up creek flanked by piles and piles of tailings which were periodically disturbed by flooding. The archaeological assessment is attached to the submission. Continued archaeological supervision is anticipated, and should anything of value be found then work would immediately be halted. NZHPT would then be consulted on the best practical means to mitigate against adverse impacts on the historical heritage.

4. Suitability of Land for Residential Development
- 4.1 The subject site is separated from the adjacent Recreation Reserve land to the east by the unformed Lomond Street. This provides more than 30m buffer between the proposed residential development and the Recreation Reserve land. 12/23
- 4.2 The site has a unique location, squeezed between forestry / recreation reserve and existing residential development. Development would be clustered and restricted to a low elevation within the valley floor, with more sensitive rural land at higher elevations preserved for its landscape values. 12/24
- 4.3 MIDL suggests that the potential to tidy up the scruffy nature of the land in its current state, with removal of weed growth and enhancement of the Hog Burn, will be a positive effect from the view point of the existing dwellings on Broom Street. The backdrop of mature trees in the Recreation Reserve will remain in the background landscape. 12/25
- 4.4 One can assume that this land was zoned Rural rather than residential, confined within a narrow strip, bounded west by the 12/26

residential zone and bounded on the east side by Lomond St (unformed) and Carrowmore St, simply due to the existence of the Hog Burn. The Engineering report provided confirms that residential development can be accommodated on this land without detrimental effects from the Hog Burn, a fact that would not likely have been expected or investigated at the time of the zoning. There has been no rural activity on the land in the last 20 years prior to the current District Plan zoning.

4.5 A report prepared by Malcolm Moore, Registered Valuer and Primary Industry Management Consultant, confirms the lack of quality of the MIDL land in terms of productive potential (the Moore report is attached to the submission). 12/27

4.6 Mr Moore specifically stated that *“While the land is zoned Rural Resource Area it is currently not productively utilised nor does it have any inherent characteristics which could make it productive for pastoral or arable land use or alternatively any horticultural, viticultural, or floricultural use. Residential land uses are located on the opposite side of Broom Street to the subject land and it would appear that this type of utilisation would be the highest and best use for the subject land.”* 12/28

5. Potential Flood Risk

5.1 MIDL has engaged David Hamilton and Associates Ltd to examine the Hog Burn flood risk to the land subject to Plan Change 6C. David Hamilton is a highly regarded consulting engineer with expertise in river flow and flood control. He was formerly the Director of Operations and Technical services with ORC, and has an outstanding 12/29

technical knowledge of Otago waterways.

- 5.2 The first detailed report was commissioned as part of RC 090299. This report confirmed that subject to appropriate works including channel clearance and consent notice conditions, the northern part of the land was not at risk of flooding in a 100 year event (see Hamilton report attached to the submission). 12/30
- 5.3 In response to a submission on RC 090299 received from Otago Regional Council, MIDL and David Hamilton have held a further consultation meeting with ORC. The submission related to ongoing maintenance costs associated with any work done in the Hog Burn. ORC were very positive at this meeting and Mr Hamilton is confident that he can address their concerns; however, the final revised report is yet to be completed and approved by ORC. 12/31
- 5.4 Mr Hamilton's first report makes the following statement: *"While this report concentrates on the current subdivision proposal it is considered that much of the technical data will also be relevant for consideration of future development for the balance of the land."* This is because the initial report contained details relating to the catchment, and calculation of potential flood volumes. 12/32
- 5.5 Further investigations have been undertaken by David Hamilton & Associates Ltd on the southern part of the MIDL land. A detailed topographical survey of the entire property including the Hog Burn channel and its surrounds was carried out. Mr Hamilton used this data combined with the volume details computed in the first report to model extreme flood events. It is Mr Hamilton's 12/33

conclusion that the Hog Burn has sufficient waterway capacity to convey a 100 year flood through the property without overtopping its banks.

6. The Hog Burn
- 6.1 The location of the Hog Burn shown on District Plan Map 22 is not accurate and is somewhat misleading by not showing the full extent of land on the western side (refer plan W604 attached to the submission for the surveyed channel route). The Hog Burn cuts through the angle in Lomond Street, and runs south hard along the boundary of MIDL land and Lomond Street. 12/34
- 6.2 Currently the town stormwater flows into MIDL's land from the bottom of Leven St. This gives the appearance of this area as swamp land, but given the significant fall across the property, this stormwater could be simply and effectively managed by open channels or a piped stormwater solution depending on the density of development. 12/35
- 6.3 The Hog Burn runs through the subject site, but is dry for most of the year. As part of RC 090299 it is proposed to straighten the upper section of the channel and place rock rip-rap along the western bank to stabilise and define the stream. Weeds and trees within the stream bed will be cleared to prevent blockage. 12/36
- 6.4 Adjacent to the Hog Burn, north of Killarney Street, RC 090299 proposes to place fill, to an approximate depth of 1.5m, to the east of the terrace to provide a greater level area on the lots. It is expected that a consent condition would be included to require an as-built plan of the fill showing the completed earthworks with contours and fill depth. The 12/37

fill will be recorded on the as built plan as “uncertified fill”. These similar provisions would be carried over to any other subdivisions, where necessary, regardless of the zoning of the land.

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| 6.5 | It is expected that consent notice conditions or a covenant will be required on future subdivisions (on some of MIDL land) to allow for ongoing maintenance responsibilities of the Hog Burn channel for future lot owners. | 12/38 |
| 6.6 | Further, David Hamilton recommends that any buildings should be set back at least 5m from the top of the channel bank in order to facilitate maintenance and provide a buffer should localised erosion occur. This can be covered by consent notice. | 12/39 |
| 6.7 | To the south of the property, adjacent to Lomond Street, the Hog Burn lies in a much more defined channel. | 12/40 |
| 6.8 | The Hog Burn in the vicinity of MIDL land has very limited value in any existing riparian vegetation. Being dry for most of the year, the in-stream habitat is non-existent and the stream is not considered to have any landscape values. It is an unattractive channel left as a remnant of the gold-mining era. | 12/41 |
| 7. | <u>Policies and Objectives</u> | |
| 7.1 | MIDL considers that proposed Plan Change 6C achieves the relevant objectives and policies of Sections 6 and 7 of the Operative District Plan. | 12/42 |
| 7.2 | These include:
<u>Objective 6.3.1:</u>
Needs of People and Communities
<u>Objective 6.3.2:</u> | 12/43 |

Amenity Values
Objective 6.3.3:
 Adverse Effects on Natural and Physical Resources
Objective 6.3.4:
 Urban Infrastructure
Objective 6.3.5 & Policy 6.4.3:
 Heritage Values
Policy 6.4.2:
 Expansion of Urban Areas
Objective 7.1.1 & Policy 7.2.1:
 Maintenance of Residential Character
Objective 7.1.2:
 Protection of Living Environment
Objective 7.1.3:
 Management of Change
Policy 7.2.3:
 Environmental Quality
Policy 7.2.5:
 Open Space

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| 7.3 | It is considered that Plan Change 6C will help to manage residential growth and development of the Residential Resource Area in expanding residential development with a logical and consistent approach from the existing residential area to the west. | 12/44 |
| 7.4 | The change of land use will occur at the interface between different resource areas but can be readily managed due to the unique characteristics of the MIDL land. | 12/45 |
| 7.5 | This plan change will meet some of the need for further residential zoned land which was identified by Naseby Vision. | 12/46 |
| 7.6 | The inclusion of MIDL's land in the Plan Change would make efficient use of existing Council services. | 12/47 |
| 7.7 | A pleasant living environment will be | 12/48 |

maintained with standards set for the Residential Resource Area limiting site building coverage and setbacks. This maintains a degree of open space to protect amenity values and provide for outdoor living and landscaping.

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| 7.8 | The protection and enhancement of the town's heritage values has been discussed in detail above. | 12/49 |
| 7.9 | The residential area can be expanded in a manner that avoids adverse effects on natural and physical resources. Development within MIDL land allows for more sensitive rural land at higher elevations to be preserved for its landscape values. | 12/50 |
| 8. <u>Summary</u> | | |
| 8.1 | MIDL considers that the land proposed for Plan Change 6C is ideal and appropriately suited to further the residential development opportunities in Naseby. The land can be fully serviced via easily accessible reticulation without any pumping. This results in both short term and long term efficiencies. | 12/51 |
| 8.2 | The land location is immediately adjacent to the existing residential area of Naseby and is central to the business area and recreation reserve. This is an ideal location for residential development as all amenities are within walking/cycling distance. Infrastructure requirements are lessened and the centralised population reduces transport demands. | 12/52 |
| 8.3 | Rezoning offers the opportunity to consider public access across the privately owned property at the time of future subdivision consent applications. MIDL is sincere in its | 12/53 |

desire to formalise public access, and the offer to provide land for road for Killarney Street is testament to this. MIDL would still pursue subdivision consent via new zoning with the positive aspect of provision of a new road to vest in Council providing a link between Council Street, Killarney Street and the Recreation Reserve.

- 8.4 The rezoning of this land for residential purposes is efficient use of otherwise non-productive land. The subject land does not lend itself to rural uses, and as such is virtually “waste land” if trapped within the rural constraints. The subject site is currently an un-utilised strip of land appearing to the passer by as an extension of the rural land to the east. MIDL considers that the land provides an obvious location for the natural extension of the urban zone. 12.54
- 8.5 The aesthetic value of the existing Heritage Precinct would be improved with low density housing in keeping with the surrounding heritage character. This would be a vast improvement over the current situation. The archaeological report attached to this submission states that it is considered extremely unlikely that archaeological excavation of the site would reveal anything of value, however the landowner is prepared to continue to liaise with New Zealand Historic Places Trust as development progresses. 12/55
- 8.6 A detailed topographical survey has been undertaken, and a respected river flow consulting engineer has prepared a detailed investigation into the flood risk to this land. Mr Hamilton has confirmed that subject to his recommendations, the Hog Burn has sufficient capacity to convey a 100 year flood 12/56

flow within its banks.

Attached to the submission by MIDL are the following:

- Archaeological Assessment dated April 2010 by Guy Williams and Associates.
- Valuation Report prepared by Moore & Percy Ltd dated 21 December 2009.
- Flood Hazard report prepared by David Hamilton & Associates Ltd dated December 2009.
- Correspondence from David Hamilton & Associates Ltd dated 11 June 2010 (with topographic survey attached).

6C	13.3	Naseby Vision (Inc.) Executive Committee	<u>Oppose</u> The submitter opposes Plan Change 6C.	13.3/1	Decline Plan Change 6C.
			The submitter specified its concerns about proposed residential classification change for Broom Street, Naseby, in its submission to the Mt Ida Developments application for a non complying subdivision earlier in 2010 (copy of the submission on RC 090299 is attached to the submission).	13.3/2	
			The submitter notes that the area for Plan Change 6C has been enlarged and so the submitter's collective opinion has changed accordingly.	13.3/3	
			The Committee's areas of concern are as follows:		
			1. The risk of negative impacts on the values of the Heritage Precinct and its natural backdrop.	13.3/4	
			2. The absence of control over housing styles along the perimeter of the Heritage Precinct which may be in conflict with the ambience and the visual effect of the Heritage Precinct.	13.3/5	
			3. The risk of flooding and negative impacts from	13.3/6	

re-configuration of the unstable Hog Burn area, and the possibility of affecting wider areas particularly the Heritage Precinct.

4. The loss of NZ Historic Places Trust protection for the Hog Burn area being a consequence of gold mining in Naseby. 13.3/7

5. Available current areas for development, plus those released by approval of Plan Changes 6A and 6B, are more than sufficient for current and foreseeable needs in the opinion of the Committee. 13.3/8

6C	14. Otago Regional Council	<u>Oppose</u> The specific provision of Plan Change 6C that the submission relates to are natural hazards. The submitter opposes the plan change.	14/1	That implementation and maintenance of mitigation measures be addressed in order to ensure that the subject site is, and remains, fit for residential use.
		The submitter has previously noted the natural hazards affecting the subject site, and has been advised by the Central Otago District Council that the subject site is suitable for residential use subject to appropriate subdivisional works to mitigate flood hazard.	14/2	
		The submitter notes the mitigation proposed to improve the development opportunity of the subject site, including realignment of the Hog Burn, placement of rip-rap, upgrading of culverts and the placing of fill.	14/3	
		The proposed mitigation raises implementation and maintenance responsibilities which have not been detailed.	14/4	
		The submitter notes the proposed stream realignment, placement of rip-rap and culverts all require ORC consents.	14/5	

6C	15. RL Sheppard	<p><u>Oppose</u> The submitter objects to Plan Change 6C being the change of Lot 1 DP 23928 and Lot 12 DP 385904 from Rural to Residential.</p> <p>The submitter objects to the land being changed to Residential Resource without clear indication of the nature and scale of future development.</p>	15/1	Do not approve the change.
6C	16. ED Swinbourn	<p><u>Oppose</u> The submitter opposes Plan Change 6C being the proposal to change 5.5 hectares of land from Rural to Residential Resource.</p> <p>That development of this scale and nature in this part of town will have a significant effect on the town and needs community input.</p> <p>The submitter does not believe that this move is in the best interests of the community. A public forum in January 2009 clearly indicated that there were two favoured areas for future residential expansion in addition to the already considerable available areas and that further development of the land on the north side of Broom street was definitely not desirable.</p> <p>Naseby Vision does not represent the community, only its own membership and the 275 or so members have not been polled on this matter. As a committee member of Naseby Vision to my knowledge no motion has ever been tabled to recommend that this area should be re-zoned as Residential. When the developer applied for resource consent for subdivision and for variations to the existing District Plan previously there was objection showing a level of dissatisfaction and this still applies.</p>	16/1	The status quo with regard to this land remain.
			16/2	
			16/3	
			16/4	

6C	17. MJ Swinbourn	<u>Oppose</u> The submitter opposes Plan Change 6C being the proposal to change from Rural to Residential Resource.	Remove Plan Change 6C from the land considered for rezoning.
		The is not an appropriate location for residential subdivision and the submitter therefore opposes the submission [sic – proposal].	17/1
6C	19.2 RZ Wilson	<u>Oppose</u> The submitter opposes Plan Change 6C from Rural to Residential because he believes Naseby should have a continuous green belt down the Hog Burn. The submitter considers that the plan change will reduce the value of existing residential properties in Naseby.	19.2/1 Keep Naseby's rural areas Rural.