



DUNEDIN CITY
COUNCIL
Kaunihera-a-rohe o Otepoti

SUBMISSION FORM 13

43

Submission concerning resource consent on limited notified application under section 95B, Resource Management Act 1991

To: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Resource Consent Number: LUC-2006-370735/A

Applicant: Edwin Chapple and Michele Chapple

Site Address: 15 Darnell Street, Dunedin

Description of Proposal: Resource consent is sought to vary resource consent LUC-2006-370735 to change conditions 1, 4 and 5 of the original approved consent.

1/ We wish to lodge a submission on the above resource consent application (Please read privacy statement):

Your Full Name: Julie + Brent Patterson

Address for Service (Postal Address):

Post Code:

Telephone:

Email Address:

☒ I would like my contact details to be withheld.

I: Support / Neutral / Oppose this Application I: Do / Do Not wish to be heard in support of this submission at a hearing

☒ If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

Please see attached.

My submission is [include the reasons for your views]:

Please see attached



The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

Please see attached.

Signature of submitter:

J Patterson (or person authorised to sign on behalf of submitter)

Date: 20/8/17

Notes to Submitter:

Closing Date: The closing date for serving submissions on the Dunedin City Council is Wednesday, **23 August 2017 at 5pm**. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is **Edwin Chapple and Michele Chapple 15 Darnell Street, Dunedin, 9013**.

Electronic Submissions: A signature is not required if you make your submission by electronic means. Submissions can be sent by email to resconsent.submission@dcc.govt.nz

Privacy: Please note that submissions are public. Your name, contact details and submission will be included in papers that are available to the media and the public, **including publication on the Council website**. You may request your contact details be withheld. Your submission will only be used for the purpose of the notified resource consent process.

20 August 2017

Dunedin City Council
Po Box 5045
Dunedin

Dear Sir

**Re: LUC-2006-370735/A – Proposed Amendment to Resource Consent – 15 Darnell St,
Dunedin**

Thank you for the opportunity to make a submission regarding this resource consent. This is important to us because:-

- We own the neighbouring property at [REDACTED] which is a 30 acre block with several hundred metres of shared boundary.
- We have an unobstructed view of the proposed residential activity at 15 Darnell Street which is to be undertaken in a Designated Landscape Zone.
- We share the common driveway, road access at Darnell Street.
- We were consulted and consented to the original resource consent application.

Our submission:

Condition 1:

The house originally proposed for this property should be constructed as per the original application. No variation for this condition should be allowed.

The original consent was supported by us and other neighbours despite the fact that the block is undersized and in a Landscape Area where the construction of dwellings generally is prohibited. The original applicant's intent was to build a substantial family dwelling as outlined in the original application which would enhance the area. Allowing Mr Chapple to live permanently in his garage ruins this property for future usage in an area where family homes are sought after.

It is completely different from the original proposal which was agreed to. We think that this sets an extremely dangerous precedent for similar applications in the future as none of the original conditions of consent have been complied with. Furthermore Mr Chapple has sought to alter this and other conditions of his resource consent in a less than transparent manner.

Long term having people living in garages in Darnell Street does not enhance this area as per the intent of the original application and this is a sub standard type of housing which should be discouraged especially in a Designated Landscape Area. The form of the dwelling which was approved in consultation with a landscape architect is extremely specific. Mr Chapple's garage which he intends to live in does not comply with the District Plan in another respect being that it is within several metres of the boundary which is not acceptable in a rural zone. Should Mr Chapple get permission to build a second garage on site we believe there is a high likelihood that he will utilize this as a second dwelling on site for his adult children.

We find it alarming that Mr Chapple has claimed he had no knowledge of the original resource consent when he knew that a permanent dwelling was still to be constructed on this property. This follows a conversation I had with him when he first purchased this property. Mr Chapple has made no effort to contact us or any other neighbours apart from No 7 to inform us of his change of plans for this site. He has also proceeded to get a building consent for his garage knowing full well that this was not the site for the permanent dwelling. There was supposed to have been plantings to conceal this garage which were never done. The garage is within full view of our property and is an eyesore.

We have found Mr Chapple's approach to this entire process extremely disappointing and think that it is unlikely he will comply with the conditions of consent should an amended resource consent be granted.

Condition 4:

Landscape development should be completed by Mr Chapple before any other conditions of this consent are reviewed.

It is 11 years since the original consent was granted and to date there has been little planting undertaken. Mr Chapple recently used a helicopter to spray his property killing the gorse which covers his farm and most likely will have killed off any of the native plants originally planted. We have film of this spraying being undertaken.

As per STOP's submission in the original application we believe that a detailed planting plan should be proposed by Mr Chapple and approved by council. A bond to the value of this planting work should then be paid by Mr Chapple to be held by council until such landscaping work has actually been undertaken.

Condition 5:

The proposed dwelling should be constructed using the approved cladding as per our submission for Condition 1. The conditions of the original consent were very specific with regards to the design and cladding details for the proposed dwelling.

Conditions 2 and 3 – Driveway Access:

Condition 2:

The vehicle access shall be designed to minimize longitudinal gradient.

Condition 3:

The maximum change in gradient without transition shall be no greater than 8 degrees.

As part of the original consent both of these conditions have not been complied with. The driveway which has been constructed is non compliant and not fit for purpose. It is constructed excessively steeply with a gradient between 13 and 16 degrees with an average gradient of 14.63 degrees over the asphalt area. This has made the driveway extremely steep and dangerous and is a hazard to young children who live in the houses at 2, 5 and 7 Darnell Street and who walk up and down Darnell Street.

Mr Chapple has been spoken to by the Police on two occasions in 2017 for excessive speed up this driveway in his 4 wheel drive vehicle which creates significant danger to young children walking up and down the narrow carriageway in Darnell Street which is barely 3 metres wide with banks on either side leaving little room for escape from the speeding vehicle. On both occasions Mr Chapple has claimed that his driveway is so steep that he needs to speed in order to have enough momentum to get up. Mr Chapple has also been assisted to get his vehicle out of the ditch next to his driveway as he has skidded off due to the driveway's excessive gradient and slippery surface. It is also unsuitable for access for emergency vehicles which is also a condition of the original consent.

We think that this situation is untenable and our submission is that the driveway should be re-shaped and constructed with the proper gradient as per the original resource consent application conditions 2 and 3.

Council often holds a bond for this type of work to the value of the proposed work to ensure that driveways are formed in accordance with proper specification. In this case we would submit that the only way to get Mr Chapple to construct his driveway in accordance with Conditions 2 and 3 of the original resource consent is to levy a bond from him to be held by Council until the driveway can be upgraded to a safe condition.

Should a variation of conditions 2 and 3 be sought by Mr Chapple we would submit that this should be done in accordance with DCC roading requirements. The area in question is on DCC land namely Darnell Street road reserve.

Summary

This proposed variation of consent is materially different from the original resource consent which we had agreed to. We believe that a full notification process should be undertaken to allow parties such as STOP to have input into how this project will move forward given that in the 11 years since the original consent was granted not one of the five conditions of the consent have been complied with.

Brent and Julie Patterson