

Country Planning so as to allow Lots 1 and 2 to face on to the public road”...

[78] Under cross-examination he stated:

“Referring to the Suttle plan both lots face South. Under the SSL Plan, they could still face South if you cut the southern boundary of Lot 1 in two. If that were done the access to both lots would be from the public road and the proposed road would exist as now in the SSL Plan for the rest of the lots. Because you have to make allowance for the radius curve in lot 2 and I think Town and Country Planning would still have approved it. I don’t know this would affect the boundary line on lot 2.

In the Suttle plan frontage of Lot 1 is 15.24m and the frontage of Lot 2 is 13.75m making a total of 29.1m. That does not take into account the road reserve. Looking at Lot 1 on the SSL Plan 2b the total frontage is 27.53m not including road reserve. Given those dimensions I consider the subdivision could have been done and approved by the Chief Town Planner especially taking into account the existing house on Lot 2. I do agree that if a wall structure was going to be put on Lot 2 it would have to be sited 19ft from the eastern side and 11ft from verge. ... I don’t know for sure what Town and Country Planning practice is about multiple access onto the highway but in my opinion I think they would want to discourage multiple accesses onto the highway. It would be left to the Chief Town Planner to decide the matter.”

[79] What this evidence reveals is a difference in opinion as to whether it was at all necessary to shift the orientation of the lots. It is unfortunate that no officer was called from the Chief Town Planner’s office to give evidence which might have resolved this difference.