

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV- 2020-CHC-006

IN THE MATTER

Of an appeal pursuant to clause 14
of the First Schedule of the
Resource Management Act 1991

BETWEEN

**RIVER TERRACES
DEVELOPMENT LIMITED**

Appellant

AND

**CENTRAL OTAGO DISTRICT
COUNCIL**

Respondent

SECTION 274 NOTICE – HIGHLANDS MOTORSPORT PARK LIMITED

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

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To: The Registrar

Environment Court

Christchurch Registry

1. Highlands Motorsport Park Limited ("Highlands"), wish to be a party to the following proceeding:

(a) *River Terraces Developments Limited v Central Otago District Council* - ENV-2020-CHC-06.

2. Highlands made a submission on the Central Otago District Councils proposed Plan Change 13 (OS 144).
3. Highlands is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Highlands oppose PC13 in its entirety.
5. Highlands is interested in the entire appeal, with a particular interest in the following issues:

Noise Effects and Reverse Sensitivity

- (a) PC13 introduces high density residential activity into an existing noisy environment that contains various consented or permitted activities such as motorsport and horticultural activities. PC13 is entirely incompatible with these activities and adverse effects cannot be avoided or mitigated. Mitigation measures proposed do not address the effects of the existing environment on the proposed development or reverse sensitivity effects.
- (b) PC13 does not provide for the growth or development of existing activities.

Health & nuisance effects

- (c) Exposure to noise will have significant adverse effects with respect to future resident's well-being because of nuisance, annoyance and reduced amenity values.

Air quality

- (d) PC13 will result potential adverse effects such as dust, spray drift, odour or smoke associated with adjoining activities. The mitigation measures proposed are inconsistent with a standard of residential amenity.

Connection to existing township

- (e) The PC13 site is poorly integrated into existing township in terms of urban form and connectivity. The site is disconnected from existing residential areas and the Cromwell Town Centre. PC13 is inappropriate due to its location, lack of available public transport and poor cycling and walking connections.
- (f) The proposal's poor physical connection with Cromwell Township does not amount to efficient integration of urban land development and infrastructure.

Loss of Productive Land

- (g) PC13 will result in a loss of productive potential. The site contains soils suitable for horticulture/viticulture and development will lead to a permanent loss in productive potential.

Positive Effects

- (h) The Appellant has not demonstrated a housing shortfall over the short, medium or long term. Residential capacity can be provided by alternate sites within the urban boundaries of Cromwell. Large scale developments should be co-ordinated with Council Planning documents such as the Cromwell Masterplan Spatial Framework.
- (i) PC13 is not necessary to give effect to NPS-UDC.
- (j) PC13 will not result in affordable housing, particularly given the acoustic insulation requirements.
- (k) Even if PC13 can provide affordable housing the site is inappropriate for residential activity.

6. I oppose the relief sought because:
- (a) PC13 is incompatible with the receiving environment. PC13 does not provide for the social, economic, cultural and environmental wellbeing of people and communities;
 - (b) PC13 is contrary to the proposed and operative Otago Regional Policy Statement;
 - (c) PC13 is contrary to the Objectives and Policies of the operative Central Otago District Plan.
7. Highlands agree to participate in mediation or other alternative dispute resolution of the proceeding if directed by the Court, although given the fundamental concerns Highlands has with PC13 mediation is not considered appropriate, we see little benefit in pursuing mediation in this case.



B Irving/D A McLachlan

Solicitor for Highlands Motorsport Park Limited

Dated this 16 day of March 2020

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for Highlands Motorsport Park Limited:

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