

RESOURCE MANAGEMENT ACT 1991

FORM 5

SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE  
TO CENTRAL OTAGO DISTRICT PLAN

Clause 6 of Schedule 1, Resource Management Act 1991



To: Central Otago District Council  
PO Box 122  
ALEXANDRA 9340

Name of Submitter: John May and Phillip Smith  
(Full name)

This is a submission on proposed Plan Change 13 to the Central Otago District Plan (the proposal).

I ~~could~~/could not\* gain an advantage in trade competition through this submission.  
(\* Select one)

I am/~~am not~~\* 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 entire paragraph if you could not gain an advantage in trade competition through this submission)  
(\* Select One)

The specific provisions of the proposal that my submission relates to are:

Plan Change 13 in its entirety

(Please give details and continue on additional page if necessary)

My submission is:

See attached

(Please include:

- whether you support or oppose the specific provisions or wish to have them amended; and
    - reasons for your views;
- and continue on additional page if necessary)

I seek the following decision from the local authority:

Plan Change 13 is declined in its entirety

(Please give precise details)

I wish/do not wish to be heard in support of my submission.  
(Please strike out as applicable)

If others make a similar submission, I will consider presenting a joint case with them at a hearing.  
(Please delete if you would not consider presenting a joint case)

*J. May*

Signature of Submitter

(or person authorised to sign on behalf of submitter)

(A signature is not required if you make a submission by electronic means)

20.6.18

Date

Electronic address for service of submitter:

*ian@southernventures.co.nz*

Telephone No:

*027 697 0382*

Postal Address:

*Po Box 650*

*Wanaka*

*9305*

Contact Person:

*Jon Greaves*

(name & designation, if applicable)

**SUBMISSIONS CLOSE IN RESPONSE TO PROPOSED PLAN CHANGE 13 ON**  
**WEDNESDAY 20 JUNE 2018**

**Note to person making submission**

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that a 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.

**FORM 5**  
**SUMMISSION ON PLAN CHANGE 13 OF THE CENTRAL OTAGO DISTRICT PLAN**

**Clause 6 of Schedule 1, Resource Management Act 1991**

**To:** Central Otago District Council

**Submitter Details:**

Name of submitter: John May and Phillip Smith

Address for Service: ian@southernventures.co.nz

Attention: Ian Greaves

**1. This is a submission on Plan Change 13 of the Central Otago District Plan.**

**2. Trade Competition**

The submitter could not gain an advantage in trade competition through this submission.

**3. John May and Phillip Smith oppose Plan Change 13 on the following basis:**

3.1 The submitters are members of the Highlands Motorsport Park and the owners of an apartment within this facility.

3.2 The Plan Change request and associated Section 32 analysis fails to adequately address reverse sensitivity effects. Reverse sensitivity effects describe the impacts of an established activity on a new land use. Such effects can make an existing activity vulnerable to complaints from new land uses which can often force the established activity to restrict its operations so as to not adversely affect the new land use. Plan Change 13 has the very real potential of imposing such a scenario on the Highlands Motorsport Park. The Highlands Motorsport park operates under existing consents that allows for its lawful operation including emitting noise. Lawful noise emissions will be readily apparent within the Plan Change 13 site and will significantly diminish the amenity of future residents. These noise effects will be further exacerbated by the existing Speedway and rural activities in the vicinity.

- 3.3 The proposed reverse sensitivity covenant in no way mitigates the noise effects of the Highlands Motorsport Park on future residents, it may limit but not necessarily prevent complaints. In our experience even with the registration of such covenants complaints are still often received. These complaints need to be responded too (taking time and costing money) and overtime can force restrictions on activities within the Motorsport Park. This will adversely affect the future economic viability of Highland Motorsport Park and compromise the investments that have been made in the development of Highlands to date. Since opening the Highlands Motorsport Park has contributed significantly to the Cromwell community and Central Otago District. It is important that these positives effects for the District and Community are protected and preserved.
- 3.4 Furthermore, Central Otago is currently undertaking a District Plan Review and the Council is also developing a master plan for Cromwell. Any development of the Plan Change 13 site should be cohesively assessed within these processes rather than as a standalone Plan Change. Otherwise, the effectiveness of the District Plan Review and master planning exercise is diminished. For clarity, the submitter does not oppose the redevelopment of the Plan Change 13 site to a land use more compatible with the Highlands Motorsport Park such as an Industrial Zone. Amenity expectations within an Industrial Zone would be more consistent with effects created by the Highlands Motorsport Park.

### Conclusion

- 3.5 As it stands, Plan Change 13:
- does not promote or give effect to Part 2 of the Resource Management Act (the Act),
  - does not meet section 32 of the Act,
  - is contrary to the purposes and provisions of the Act and other relevant planning documents;
  - is inappropriate and inconsistent with the purpose and principles of the Act; and
  - is not the most appropriate method for achieving the objectives of the District Plan having regard to its efficiency and effectiveness and taking into accounts the costs and benefits.

**4. The submitter seeks the following decision from the Central Otago District Council:**

4.1 Decline Plan Change 13 in its entirety.

**5. The submitter does not wish to be heard in support of their submission.**



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**Ian Greaves (on behalf John May and Phillip Smith)**

20 June 2018