

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: Michelle Jacqueline Feyen



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:

20.3.10

20.4.11

20.7.3 (vi)

20.7.7 (viii)

My submission is:

I oppose the provisions listed above.

To begin with, the high growth scenario for Cromwell is incorrect. Your proposal states it will grow by 5000 and 8600 by 2030. However the high projection for the population (not growth) for 2028 is 6100, and for 2033 is 6800, as stated in Stats NZ data found here:

[http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7545&\\_ga=2.207397015.544717695.1529264043-172040648.1527129817#](http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7545&_ga=2.207397015.544717695.1529264043-172040648.1527129817#)

20.3.10 – *Ensuring compatibility with surrounding activities* New urban development should recognise existing environmental values and the existing effects of – and potential effects on – nearby activities. Methods should be adopted to ensure that activities are compatible. There is already an existing motorsport park and speedway facilities in the nearby vicinity. These activities are not compatible with residential areas, and never will be.

20.4.11 - *Policy 20.4.11C: Ensure that potential reverse sensitivity effects on nearby activities, including State Highway 6, motorsport activities and orcharding are adequately managed.* No proposal is stated of how this would be implemented.

20.7.3 (vi) - *Matters over which discretion is restricted* For buildings within the Retirement Living Overlay, the Neighbourhood Centre Overlay and the Education Overlay, the Council's discretion is restricted to the following matters: 6. Noise; It is not sufficient to state that any noise matter that is raised will be dealt with using council discretion. It is known that this is a high noise area so specific provisions would need to be stated. Council discretion is not acceptable in this situation.

20.7.7 (viii) - *Reverse sensitivity – Motorsports Activities* (a) Activities enabled under Rules 20.7.1, 20.7.3 and 20.7.4 must be subject to a restrictive no-complaint covenant in favour of: 38 Central Otago District Plan River Terrace Resource Area March 2018 Page 20:22 (i) Cromwell Motorsport Park Trust Limited in respect of Lot 400 DP466637 as the benefiting land; (ii) Central Otago District Council in respect of Lot 1 DP 403966 as the benefiting land. (b) For the purposes of this rule a "restrictive no-complaint covenant" is a restrictive covenant which: (i) is registered against the title(s) to the servient land on which the activities will take place in favour of the benefiting land; (ii) in the case of Lot 400 DP466637, prevents any owner or occupier of the servient land from complaining about or taking any steps to prevent motorsports and related activities lawfully carried out as authorised by the terms and conditions of resource consent numbers RC150225 and RC150281. (iii) in the case of Lot 1 DP 403966, prevents any owner or occupier of the servient land from complaining about or taking any steps to prevent speedway and stock car track and related activities lawfully carried out as authorised by the terms and conditions of the planning consent for those activities issued by the (former) Vincent County Council dated 29 September 1980 including any variations effective prior to

*[insert date RTRA notified]; (iv) is binding on successors in title. (c) This rule does not apply if the owner of the benefitting land does not allow registration of the restrictive covenant.*

I do not believe that this is enough information for the development to proceed. It is not stated how long this covenant would apply, and no guarantee that this would remain in place in future and prevent future complaints from residents due to noise created by activities from either the motorsport park or the speedway.

**I seek the following decision from the local authority:**

I seek that the Central Otago District Council denies the proposal for this development to proceed. There is an existing motorsport park in the immediate vicinity that has invested millions of dollars in the local economy, attracts visitors to Cromwell and therefore also contributes back to the local economy.

To approve this plan is to put the motorsport park in jeopardy. As seen with the Western Springs speedway facility in Auckland, it is inevitable once residents move in nearby that there will be issues. It is not stated in the proposal how long any "restrictive no-complaint covenant" would be in place, nor the provisions under this covenant. If this covenant were to lapse after say, 5 years, I envision that the motorsport park would begin to receive complaints immediately, and inevitably be stopped from functioning. This would be a huge loss to the Cromwell area.

The proposal also states that there will be education and retirement facilities in the development, and people of younger and elderly ages will be more sensitive to loud noises in the area.

Another point to make is the economic viability of this subdivision. I find it unlikely that people would buy in this residential area knowing there is a motorsport park next door, and that they are unable to complain about the noise, assuming some form of covenant is in place.

**I wish/do not wish to be heard in support of my submission.**

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**Signature of Submitter**

M Feyen

Date 18/06/2018

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**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 at 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.