



SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

(Form 13)

03 440 0056

Section 95A Resource Management Act 1991

Info@codc.govt.nz
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To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consents@codc.govt.nz

DETAILS OF SUBMITTER

Full name: Philip Walter Cheney

Contact person (if applicable): As Above

Electronic address for service of submitter: cheneypb@gmail.com

Telephone: +64 21 340 594

Postal address (or alternative method of service under [section 352](#) of the Act):

16 SUGARLOAF DRIVE
LOWBURN RD2, 9384

This is a submission on the following resource consent application: RC No: **230016**

Applicant: **Mervyn N Shaw & Louise M Shaw** Valuation No: **2842114663**

Location of Site: **34A Sugarloaf Drive, Cromwell**

Brief Description of Application: **Subdivision consent for new 2 lot subdivision in a rural resource area and a cancellation of consent notice**

Submissions close 09 May 2023

The specific parts of the application that my submission relates to are:
(give details, attach on separate page if necessary)

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

see attached

I/We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

See attached.

I ~~support~~/oppose the application OR ~~neither support or oppose~~ (select one)

I ~~wish~~ / do not wish to be heard in support of this submission (select one)

I am/am not* a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (select one)

*I/We am/~~am not~~ (select one) 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 this paragraph if you are not a trade competitor.*

*I/We will consider presenting a joint case if others make a similar submission

**Delete this paragraph if not applicable.*

I request/do not request (select one), pursuant to [section 100A](#) of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See note 4 below as you may incur costs relating to this request."



Signature

(to be signed by submitter or person authorised to sign on behalf of submitter)

Date

26/04/2023

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.

Notes to submitter

1. If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.
4. If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from \$3,000 - \$10,000.
5. 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.

I oppose the subdivision of Lot 1 DP474100 and Lot 2 DP508107 (otherwise referred to as Lot 1 LT 582528) on the grounds of unsuitable access and the combined adverse effects created by yet another lot being created turning a right of way that that originally provided access to two properties (beyond Birchalls Lane) to what is now 11.

The applicant states that there are no adverse effects from this subdivision but provides no justification of such a statement. The affect of this number of rural lots will be far more than minor. Given each lot is rural of nature and comes with water for irrigation purposes, the cumulative effect of the heavy traffic servicing these lots alone is far more than minor, let alone when you add the potential of pickers /workers on the lots could easily generate more than 200 vehicle movement equivalents a day (ref CODC District Plan Sec 18).

Given these movements are all over a right of way that hasn't been designed or built to service this many movements, yet another lot would be inappropriate. NO further subdivision should occur with access being via a right of way, multiple wrongs doesn't make it right, enough is enough. As the owner of the land that the sealed section of Sugarloaf drive is constructed on, I find it hard to believe that council has allowed access to get to this point without talking to us. We purchased this property, knowing that the right of way was at the maximum number of lots that the environment court allowed and that we had protection for any further traffic travelling over our property past our house.

I seek that this and any subsequent subdivisions of the subject land be declined on the basis that access doesn't meet the minimum requirements of the district plan. If access ownership and legality can be resolved, then I would take a different view.