

To: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Resource Consent Number:

SUB-2016-84 & LUC-2016-430

Applicant: Janet and Andrea Warburton

Site Address:

Description of Proposal:

The proposal is to subdivide the subject site at 111A Cliffs Road, Dunedin, into two new lots.

I/We wish to lodge a submission on the above resource consent application:

Your Full Name: Peter John Foster

20 OCT 2016

Address for Service (Postal Address): 101 DRAYTON DRIVE

Business Information

Telephone: (03) 3843 744

Post Code: 9081

Email Address: foster.drayton@xtra.co.nz

I: Support/Neutral Oppose this Application I: Do/Do Not wish to be heard in support of this submission at a hearing
If others make a similar submission, I will consider presenting a joint case with them at a hearing.
(Delete the above statement if you would not consider presenting a joint case at a hearing)

The specific parts of the application that this submission relates to are:

TRANSACTION:-

My submission is [include the reasons for your views]:

SEE 6.11
WE THE LAND OWNERS AGREE WITH THE MATTERS AS SET OUT:

1. UPGRADE THE ACCESS TO A COMPLIANT STD
2. THE NEED FOR THE ACCESS GABEMENTS TO BE COMPACT WITH (SHORCUT FOR 101A CURVED)
3. THE VEHICLE ACCESS AT CLIFFS ROAD NOT MEETING BOTH INTERNATIONAL AND NZTA STANDARDS.

The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

TO PROVIDE THE ACCESS TO BE UPGRADED AND PREFERABLY BY CONSENT OF ALL USERS MAKING A CONTRIBUTION. THE ACCESS TO CLIFFS ROAD BEING MADE COMPLIANT AND PERHAPS IN ACCORD WITH OUR PREVIOUS SUGGESTIONS/ PLANS

Signature of submitter:

Notes to Submitter:

(or person authorised to sign on behalf of submitter)

Date: 16/10/2016

Closing Date: The closing date for serving submissions on the Dunedin City Council is Friday, 21 October 2016 at 5pm. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is C/- Maaik Duncan, Terramark Ltd, PO Box 235, Dunedin.

Electronic Submissions: A signature is not required if you make your submission by electronic means. Submissions can be sent by email to resconsent.submission@dcc.govt.nz

Privacy: Please note that submissions are public. Your name and submission will be included in papers that are available to the media and the public. Your submission will only be used for the purpose of the notified resource consent process.

Laura Mulder

From: Lianne Darby
Sent: Tuesday, 18 October 2016 09:54 a.m.
To: Laura Mulder
Subject: FW: O'Kanes Submission received 11/10/16
Attachments: 18102016085050.pdf

From: Maaike Duncan [mailto:maaike@terramark.co.nz]
Sent: Tuesday, 18 October 2016 9:53 a.m.
To: Lianne Darby
Subject: O'Kanes Submission received 11/10/16

Lianne,

As discussed,

Regards,
Maaike

Note:

Monday, Tuesday, Thursday and Friday - I work from the Dunedin office.

Wednesday - I am being a Mum and am unavailable. Please contact the Dunedin Office in my absence.

Maaike Duncan

Licensed Cadastral Surveyor

maaike@terramark.co.nz

P: (03) 477 4783

C: (021) 269 9803

www.terramark.co.nz

Level 1

326 Moray Place

Dunedin 9016

PO Box 235, Dunedin 9054

terramark
setting new boundaries



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To: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Resource Consent Number:

SUB-2016-84 & LUC-2016-430

Applicant: Janet and Andrea Warburton

Site Address:

Description of Proposal:

The proposal is to subdivide the subject site at 111A Cliffs Road, Dunedin, into two new lots.

I/We wish to lodge a submission on the above resource consent application:

Your Full Name: MARK ANTHONY O'KANE

Address for Service (Postal Address): 111E CLIFF'S ROAD ST CLAIR DUNEDIN.

Telephone: 4828248 0275387671

Facsimile:

Post Code:

Email Address: ok.gladus@slingshot.co.nz

I: Support Neutral Oppose this Application

I: Do/Do Not wish to be heard in support of this submission at a hearing

If others make a similar submission, I will consider presenting a joint case with them at a hearing. ☒
(Delete the above statement if you would not consider presenting a joint case at a hearing)

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

RULE 20.5.7 (v)(c) - BREACHED - ROAD NOT HARD SURFACED.

RULE 20.5.7 (iv)(a) - BREACHED - NUMBER OF ROAD USERS.

RULE 20.5.7 (v)(b) - BREACHED - ROAD NOT FORMED TO 5m width.

NO MAINTENANCE AGREEMENT IN PLACE.

My submission is [include the reasons for your views]:

THE VEHICLE ENTRY FROM CLIFF'S ROAD IS NOT MEETING TRANSPORT STANDARDS.
WE WOULD LIKE TO SEE THE ROAD SIGNIFICANTLY UPGRADED
INCLUDING COUNCIL HARD SURFACING THE SECTION OF ISADORE ROAD.
WE PAY HIGH RATES TO LIVE HERE AND COUNCIL NEEDS TO BE RESPONSIBLE
FOR THE SECTION OF ROAD THEY CURRENTLY DO NOT MAINTAIN.

THERE WILL UNDOUBTABLY BE FUTURE SUBDIVISIONS AND I THINK IT IS TIME
THE LEGAL ROAD KNOWN AS 'ISADORE ROAD' SHOULD BE FULLY
DEVELOPED TO ACCOMMODATE THIS USAGE.

The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

TO GRANT SUBDIVISION PROVIDING:

THE ENTRY FROM CLIFF'S ROAD MODIFIED TO SUIT EXTRA ROAD USERS.

THE ROAD SIGNIFICANTLY UPGRADED INCLUDING PASSING BAYS.

THE SECTION OF LEGAL ROAD ('ISADORE ROAD') SEALED.

Signature of submitter:

MAAIKE

Date: 3/10/16

Notes to Submitter:

(or person authorised to sign on behalf of submitter)

Closing Date: The closing date for serving submissions on the Dunedin City Council is Friday, **21 October 2016 at 5pm**. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is C/- Maaike Duncan, Terramark Ltd, PO Box 235, Dunedin.

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19/10/16

Attention:
Kirstyn Lindsay- Senior Planner
City Planning
Dunedin City Council.



Re: Resource Consent Number: SUB – 2016-84 & LUC-2016-430

I wish to expand my submission to include the following,

Further to my submission dated 03/10/16, I Mark Anthony O'Kane will not be attending the hearing personally, but would like to be heard and therefore give my permission for Allan Heathman to speak on my behalf regarding my concerns in relation to the proposed subdivision and the effects of dust and noise the unsealed section of road generates on both my property and the Heathmans' property next to mine.

Yours sincerely,

M.A. O'Kane

16/10/2016

Allan & Karen Heathman

9 Highgrove

St Clair

Dunedin



Co- submission via M & T O'Kane in relation to : Terramark Dunedin- Reference :11645

Resource consent application No: SUB -2016-84 & LUC-2016-430

Warburton residence subdivision. (111A Cliffs road)

We are not opposed to the Warburtons proposal to subdivide providing there are sufficient upgrades to mitigate the negative effects on our amenity.

We have been excluded once again by the DCC planning department from primary consultation in relation to increased use and further development of our neighbouring amenity that is the unformed section of Isadore road (paper road) this we believe breaches the Resource Management Act 1991

Our property 9 Highgrove boundaries onto the undeveloped gravel section that is Isadore road (paper road). This approximately 30 metre section is gravel and clay and during dry weather conditions becomes very dusty when traversed by vehicle movements. The dust and noise associated with such a road surface finds its way directly onto and into our property. Vehicle speed is also greater on this section of the access way than any other section of it.

We find it rather ironic that steps are being considered to mitigate the effects on 101A Cliffs road who are also not a road user and the dwelling is a much greater distance away (approx 100m) across a gully than our dwelling that is a mere 14 metres from Isadore road.

We have concerns that there has been very little done to mitigate the effects of increased traffic movements on this section of road such as would be the case with many other developments both in the area and greater Dunedin.

DCC planners believe that only the parties with right of way over the Lyders road section are the affected parties. However any one is from a legal stand point a user of a paper road and we feel that as we have legal access to this section of road and our property boundaries same we struggle to understand why we are not an affected party when some twelve users will be travelling this path.

DCC planners have told us that as this road has historical use it can be left in its present form and can serve many more properties than what is currently proposed. What must be remembered is that this road was formed many years ago to serve as an access to some three dwellings at a time when most properties did not have cars and if they did it would be only one per household. What we are talking about now is several cars per household and associated service vehicles that we have in today's world. Rubbish trucks, couriers, building and construction etc.

DCC planners have stated that the effects will be no more than minor, a statement that we would disagree with as the road as it stands does not meet the criteria for compliance with the DCC code of

subdivision and development 2010. The current application states that they will have to breach three rules (Pages 8 & 9 of the application) in relation to type of suitable surface, width of formation and the number of users. Let alone marginal compliance with Fire service vehicular access regulations Acceptable solution C/AS1 6.1

How can breaching three key rules be interpreted as a no more than minor effect?

How can putting more users on an under formed road make it safer given both increased vehicular traffic and pedestrian activity?

Provisions have been made to mitigate noise , dust nuisance and surface quality at the entrance from Cliffs road to some four properties as a condition of previous consents. A large part of the Lyders road section has no bounding properties and is a good distance away.

It is our opinion that similar consideration be given to mitigate the negative effects and loss of amenity at the upper end of the access. Starting from the corner preceding Isadore paper road for some 60 -70 metres or through to the proposed subdivision site. A speed bump would also be a method of mitigating some effects. See attached diagram.

We would like the opportunity to view our position at the hearing.





Lot 6 DP 462608
P.J. & C. T. Foster
101 Drayton Drive, Mount Pleasant,
Christchurch 8081

ROW HH
DP 462608

101A Cliffs Road
P1 DP 923
CT OT180/126
W. T. & C. C. Small

PROPOSED
SUCCESSION
TO SEAL

Pt Sec 1 Bk XIII
Dunedin & East Taieri SD
CT OT14D/85, OT15A/785,
OT14D/86, OT400/5, OT19B/648,
OT19B/650, 245769 & 236646
(109, 111, 111A, 111B, 111C, 111D,
111E & 111F Cliffs Road)

111B Cliffs Road
Lot 5 DP 9130
CT OT15A/784
R. W. & R. P. Spitzer

Lot 1
1017m²

111A Cliffs Road
Lot 1 DP 25450
CT OT17C/223
J. E. Warburton

Lot 2
1015m²

111G Cliffs Road
Lot 7 DP 412503
CT 446366
C.J. Richards & E. J. Wheldon

Easement required for
Telecom, Power,
Water & Sewage
over 109 Cliffs Rd

Existing Easement
A DP 25450
(ROW, Sewage, Water,
Electricity & Telecom)
for 111B and 111E Cliffs Rd

111E Cliffs Road
Lot 2 DP 25450
CT OT17C/224
D. J. Gerold & J. M. Winant

109 Cliffs Road
Lot 3 DP 9130
CT OT400/4
R. D. & R. B. Roe

111F Cliffs Road
Lot 1 DP 421353
CT 481791
M. A. & T. M. O'Kane

111 Cliffs Road
Lot 1 DP 357557
CT 236646
M. C. & K. M. Home

Saddle Road

Existing 150mm²
foul sewer

Existing 150mm² stormwater
Existing 150mm² foul sewer

9 Highgrove
Lot 44 DP 26191
CT 188/59
A. R. & K. J. Heathman

Existing 100mm² water

Proposed road connection

Easement required for
Water & Sewage
over 111 Cliffs Rd

Existing ROW DP 9130



DUNEDIN CITY COUNCIL
Kaitiaki-Māori o Ōtago

SUBMISSION FORM 13

Submission concerning resource consent on limited notified application under sections 95B.

Sections 95B, Resource Management Act 1991

To: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Resource Consent Number:

SUB-2016-84 & LUC-2016-430

Applicant: Janet and Andrea Warburton

Site Address:

Description of Proposal:

The proposal is to subdivide the subject site at 111A Cliffs Road, Dunedin, into two new lots.

I/We wish to lodge a submission on the above resource consent application:

Your Full Name: DOREE JOHANNA GEROLD

Address for Service (Postal Address): PO BOX 1573, QUEENSTOWN

Telephone: USA 201 775 842 4971 Facsimile: NA

Post Code: 9300

Email Address: DOREEG@GMAIL.COM

I: ☐ Support/Neutral/Oppose this Application

☒ Do

Do Not wish to be heard in support of this submission at a hearing

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

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

LYDERS ROAD - INCREASED TRAFFIC
MY HUSBAND, JEFFREY WILSON, AND I DO NOT BELIEVE
IT CAN HANDLE ADDITIONAL TRAFFIC WITHOUT A
SERIOUS UPGRADE AND CAPACITY INCREASE.

My submission is (include the reasons for your views):

UNTIL THIS ISSUE IS ADEQUATELY
ADDRESSED, WE OPPOSE ANY FURTHER
SUBDIVISION.

The decision I wish the Council to make is (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

REJECT THE APPLICATION TO SUBDIVIDE

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Date: 9-10-16

Notes to Submitter:

Closing Date: The closing date for serving submissions on the Dunedin City Council is Friday, 21 October 2016 at 5pm. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is C/- Maaik Duncan, Terramark Ltd, PO Box 235, Dunedin.

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To: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Resource Consent Number: SUB-2016-84 & LUC-2016-430

Applicant: Janet and Andrea Warburton

Site Address:

Description of Proposal: The proposal is to subdivide the subject site at 111A Cliffs Road, Dunedin, into two new lots.

4/ We wish to lodge a submission on the above resource consent application:

Your Full Name: Andrew & Judith Stewart

Address for Service (Postal Address): 82 Cliffs Rd

51 Clail Dunedin

Telephone: +64 21 485 825

Facsimile:

Post Code: 9012

Email Address: judystewart62@gmail.com

I: Support/Neutral/ ☒ **Oppose** this Application

I: Do/Do Not wish to be heard in support of this submission at a hearing

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

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

potential subdivision of 111A Cliffs Road

My submission is [include the reasons for your views]:

Submission attached.

The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

decline application

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Date: 10.10.16

Notes to Submitter:

Closing Date: The closing date for serving submissions on the Dunedin City Council is Friday, **21 October 2016 at 5pm**. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is C/- Maaik Duncan, Terramark Ltd, PO Box 235, Dunedin.

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Our submission is that we object strongly to any further development which would increase the users of the private access road known as Lyders Lane.

The proposed activity is a non-complying activity and fails both limbs of the s104D gateway test of the RMA.

In our view the adverse environmental effects of the proposal are more than minor and the application should have been publicly notified. The capacity of the Lyders Lane has already been exceeded by some margin. This has significant safety and amenity effects that should not occur within a residential suburb such as this. In particular the road is not a public road and the dwellings located on it are not serviced by the DCC to the standard one would expect in a normal suburban area. This has significant amenity effects on us. For example, the DCC provides a black rubbish bag rubbish collection service to the properties located at the top of 'Lyders Lane'. However the collection point is at the bottom of the access road and given the distance from those properties, rubbish is often dropped off at an earlier time. This often leads to animal's getting into the rubbish bags and being the owners of the property opposite this, we are usually the clean-up crew. This has a significant impact on amenity values and is not appropriate in a suburban area. This will only get worse if more people live up the road.

With respect to the policy limb of the gateway test, we believe that it is contrary to the key policies of the Residential, Subdivision and Transportation sections of the District Plan that deal with amenity values, safety and efficiency of the transport network, infrastructure capacity and the physical constraints to subdivision.

In our view the proposal does not promote the sustainable management of natural and physical resources and should be declined accordingly.

We also comment that the application to Council mentions that we have indicated to Terramark that we would object without certain conditions being met with respect to the upgrading of the road. That is incorrect.

Previously we have agreed, albeit reluctantly, to the now granted subdivision consents at 109 Cliffs Road (Roes) and 113 Cliffs Rd (Fogarty) as long as strict conditions were placed on the consents which would upgrade the road to a suitable standard. We are yet to see the upgrade to the road and consider the impact of the four proposed residences. Until such time as that has happened, we **strongly oppose** any further development. It must be remembered that as first house on the road, we have full impact of every vehicle using that access road.

We also have serious concerns at the potential number of consents to subdivide that may be sought. In granting the existing consents, it seems a precedent is being set.

If this application were to be successful, would they or subsequent owners look to subdivide again?

Furthermore, we note that no consideration has been given to the significant amount of traffic that Cargill's Castle may generate in the future. The road as it stands now could not accommodate the traffic generated by a popular tourist attraction.

We feel that either the Council or the developers must instead consider opening up the access from the paper road, particularly given the uncertainty around Cargill's Castle.