

This is a submission on an application from (name, address & activity)

ZMS of Cambridge CP Limited

I am/am not\* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

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.

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

Filling in the Stormwater Drain on existing sections 32 + 32A Kelly Road, and the impact on our Property and living quality whilst this is being undertaken

My submission is:

Support parts or all of  Oppose parts or all of  are neutral parts or all of

include—

- the reasons for your views.

Please see attached sheet

I seek the following decision from the consent authority:

give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought

As per the submission, we want the council to be aware of concerns around heavy earthworks being undertaken on the sections next to ours, and the potential hazards to our family.

I wish (or do not wish) to be heard in support of my submission.

- I do wish to be heard in support of my submission (this means that you will speak at the hearing)
- I do not wish to be heard in support of my submission (this means that you will not be advised of the date of the hearing and will not speak at the hearing)
- If others make a similar submission I will consider presenting a joint case with them at the hearing.

You must tick one of the boxes above, otherwise it will be deemed that you do not wish to be heard and we will not advise you of the date of the hearing.

- I have served a copy of my submission on the applicant. (this is required by section 96(6) (b) of the Resource Management Act 1991)



I request/do not request\*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

Signature of submitter:   
(or person authorised to sign on behalf of submitter) (A signature is not required if you make your submission by electronic means.)

Date: 11/10/23 Contact person: Adrian Clark  
(name and designation, if applicant)

Postal address: 30A Kelly Rd, Cambridge 3434  
(or alternative method of service under section 352 of the Act):

#### Notes to submitter

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.

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.

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

If you make your submission in hard copy please deliver to Waipa District Council, 101 Bank Street, Te Awamutu or 23 Wilson Street, Cambridge or post to Private Bag 2402, Te Awamutu 3840

If you make your submission by electronic means, a signature is not required. Electronic submissions on resource consent applications must be directed to [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz).

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 may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

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

#### Privacy information

The information you have provided on this form is required so that your submission can be processed under the RMA. The information will be stored on a public register and held by the Council, and may also be made available to the public on the Council's website. In addition, any on-going communications between you and Council will be held at Council's offices and may also be accessed upon request by a third party. Access to this information is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. If you have any concerns about this, please discuss with a Council Planner prior to lodging your submission.

While we do not oppose the change to the covenants to allow the sections 32 and 32A to be subdivided into four and to build a single dwelling on each section and the removal of the easement, we do have some concerns.

We ask that the following be taken into consideration when work is being undertaken:

1. We ask that our shared driveway, 30A, is not to be used for heavy machinery, trucks or tractors when filling in the existing stormwater drain or excavating the sections. We ask that access for that to be from the road through the front sections not down the driveway. This is to protect the driveway and we also have a daughter with special needs, and we do not want to be worrying about her safety from the increase in vehicles while she uses our driveway. She is also picked and dropped off each day by a school van that also uses the driveway. \*
2. When the drain has been filled in and building is to start on the section next to ours, can we please ask that the tradespeople continue to access through the front sections, if able to. This is for the same safety reasons as mentioned above.
3. We are very concerned about the heavy earthworks that will need to be undertaken to fill in and pack down the existing stormwater drain. Whilst the Bridleways Subdivision was being undertaken there was very little consideration given to the effect on the residents of Kelly Road for the best part of over a year or more, where our house was subjected to continual shaking from 6.30am and through most of the day, making it unliveable. As we work from home, can the heavy earthworks be limited to a couple of hours at a time, or can we be given advance notice so that we can make arrangements to not be home.
4. We are very concerned at the damage that may be caused to the internal walls and plastering in our house due to heavy earthworks in close proximity. Is there any liability by the developers to fix any damage that may occur?

\*Today the school van had difficulty accessing our driveway due to trucks parked on the verge close to our driveway. The drivers made no effort to move to assist access. Kelly Rd has no off street parking and is not designed for ~~several~~ several large trucks to be parked on the road at the same time.