

Objective 20.2.4	Maintain and enhance a safe, efficient and effective transportation network.	
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Proposed Plan

The objectives and policies of the Proposed Plan must be considered alongside the objectives and policies of the current district plan. The following Proposed Plan objectives and policies are considered relevant to the proposal:

Transportation

	Objective/Policy	<i>Is the proposal Consistent with or Contrary to the Objective?</i>
Objective 6.2.1	Transport infrastructure is designed and located to ensure the safety and efficient of the transport network for all travel methods while a) minimising, as far as practicable, any adverse effects on the amenity and character of the zone; and b) meeting the relevant objectives and policies for any overlay zone, scheduled site, or mapped area in which it is located.	No new roading is proposed as part of this application, although some of the new lots will require the construction or upgrading of a private access. The new accesses are unlikely to significantly impact on the amenity of the zone once the initial earthworks have been completed and the driveway is landscaped. The proposal is considered to be consistent with this objective.
Policy 6.2.1.1	Enable the operation, repair and maintenance of the roading network.	There are no changes proposed for the roading network although possibly some upgrading of the roading network would be beneficial for the safety and general usability of the roads for all users. The proposal is considered to be inconsistent with this policy.
Objective 6.2.3	Land use, development and subdivision activities maintain the safety and efficiency of the transport network for all travel methods.	The proposed subdivision and development is not expected to maintain the safety and efficiency of the roads in the immediate area. The existing roads are very rural in nature and not formed to a standard appropriate for more than a limited amount of use. Rural-residential development elsewhere is situated on sealed roads, and there could be an expectation that the Council upgrade the roads to a sealed standard. The proposal is considered to be inconsistent with this objective and these policies.
Policy 6.2.3.3	Require land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network.	
Policy 6.2.3.9	Only allow land use, development, or subdivision activities that may lead to land use or development, where there are no significant effects on the safety and efficiency of the transport network.	
Policy 6.2.3.13	Require subdivisions to be designed to ensure that any required vehicle access can be provided in a way that will maintain the safety and efficiency of the adjoining road and wider transport network.	

Public Health and Safety

	Objective/Policy	<i>Is the proposal Consistent with or Contrary to the Objective?</i>
Objective 9.2.1	Land use, development and subdivision activities maintain or enhance the efficiency and affordability of water supply, wastewater and stormwater public infrastructure.	The new lots will all be self-serviced, therefore not placing any demand on Council infrastructure.
Policy 9.2.1.3	Require subdivisions to provide any available water supply and wastewater public infrastructure services to all resultant sites that can be developed, unless on-site or multi-site services are proposed that will have positive effects	The proposal is considered to be consistent with this objective and policy.

	on the overall water supply and/or wastewater public infrastructure services, or any adverse effects on them are insignificant.	
Objective 9.2.2	Land use, development and subdivision activities maintain or enhance people's health and safety.	The new sites are to be self-serviced, and the lots are considered to be of adequate size and shape for this to be able to occur. Adequate water supply will need to be kept at all times for fire-fighting purposes. Any disposal system will need to be designed by an appropriately qualified person. The Water and Waste Services Business Unit has not identified any concerns about the proposal. As such, the proposal is considered to be consistent with this objective and these policies.
Policy 9.2.2.7	Only allow land use, development, or subdivision activities that may lead to land use and development activities, in areas without public infrastructure where the land use, development or the size and shape of resultant sites from a subdivision, ensure wastewater and stormwater can be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding sites or, if avoidance is not possible, ensure any adverse effects would be insignificant.	
Policy 9.2.2.9	Require all new residential buildings, or subdivisions that may result in new residential buildings, to have access to suitable water supply for fire-fighting purposes.	

Natural Environment

	Objective/Policy	Is the proposal Consistent with or Contrary to the Objective?
Objective 10.2.1	Areas of indigenous vegetation and the habitats of indigenous fauna are maintained and enhanced	The proposed subdivision includes a proposal to covenant wetland and areas of bush and regenerating vegetation. The proposal is considered to be consistent with this objective and policy.
Policy 10.2.1.1	Encourage conservation activity in all zones.	
Policy 10.2.1.3	Limit indigenous vegetation clearance in the rural and rural residential zones to a size that avoids any adverse effects on the biodiversity values of the area of indigenous vegetation or, if avoidance is not possible, ensures that adverse effects are no more than minor.	Vegetation clearance is expected to be limited to exotic trees on some of the proposed building platforms. The proposed mitigation measures actually promote the retention of existing trees for screening. The proposal is considered to be consistent with this policy.
Policy 10.2.1.9	Only allow subdivision activities where the subdivision is designed to ensure any future land use or development activities will: <ol style="list-style-type: none"> maintain or enhance the biodiversity and conservation values associated with any Scheduled Area of Significant Conservation Value (ASCV) or an Urban Conservation Mapped Area (UCMA); and avoid or, if avoidance is not possible, adequately mitigate adverse effects on other important areas of indigenous vegetation or the habitat of indigenous fauna. 	The subject site is within an outstanding natural landscape and has several natural wetlands and some indigenous vegetation. The applicant proposes to covenant such areas for their protection and management. The proposal is considered to be consistent with this policy.
Objective 10.2.2	The biodiversity values and natural character of the coast and riparian margins are maintained and enhanced.	The applicant seeks to covenant the wetland areas of Allans Beach Road and on Papauni Inlet Road, which will maintain and enhance the coastal margins of Hoopers and Papanui inlets. The proposal is considered to be consistent with this objective and policy.
Policy 10.2.2.1	Encourage conservation activity in coastal and riparian margins.	
Policy 10.2.2.2	Require buildings, structures, storage and use of hazardous substances, network utilities activities, and earthworks - large scale to be set back from the coast and	

	water bodies an adequate distance to enable the biodiversity and natural character values of coastal and riparian margins to be maintained or enhanced.	but is still separated from the coast by the legal road. The proposal is considered to be consistent with this policy.
Policy 10.2.2.5	Only allow subdivision activities adjacent to water bodies and the coast where the following biodiversity values and natural character values are maintained or enhanced, including through provision of esplanade reserves or esplanade strips in identified locations: <ol style="list-style-type: none"> 1. biodiversity values of riparian margins and the coast; 2. the water quality and aquatic habitats of the water body or coast; and 3. the natural functioning of the adjacent sea or water body. 	There is legal road between the subject site and the coastal edges of Hoopers and Papanui inlets. There is no requirement for esplanade reserves or strips.
Objective 10.2.4	Subdivision and development activities maintain and enhance access to coastlines, identified water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai.	The proposed subdivision and development is not expected to have any implications for access to the coastline, and will improve pedestrian access to Mt Charles. The proposal is considered to be consistent with this objective.
Policy 10.2.4.1	Require buildings, structures, and earthworks - large scale to be set back from the coast and water bodies an adequate distance to maintain or enhance public access along riparian and coastal margins.	The proposed subdivision is separated from the coast by legal road. Accordingly, the proposed subdivision will have no adverse effects on the public access to the coast. The proposal is considered to be consistent with this policy.
Policy 10.2.4.3	Require subdivision of land to enhance public access to the natural environment through: <ol style="list-style-type: none"> 1. requiring esplanade reserves or esplanade strips of an appropriate width and location adjacent to identified water bodies and the coast; and 2. where practicable, providing opportunities for access in other areas where this will enhance recreational opportunities, particularly through connecting to and expanding the existing tracks network or utilising adjacent unformed legal roads. 	There are no esplanade reserve or strip requirements for this land. The applicant intends creating an easement in gross across the property for public walkway to Mt Charles, linking with existing unformed legal roads. The proposal is considered to be consistent with this policy.
Objective 10.2.5	Outstanding Natural Features (ONFs), Outstanding Natural Landscapes (ONLs) and Significant Natural Landscapes (SNLs) are protected from inappropriate development and their values, as identified in Appendix A3, are maintained or enhanced.	The proposed subdivision will create significantly undersized lots for the Proposed Plan zoning, and will have several more building sites that would be anticipated for the land area. It is also in an Outstanding Natural Landscape where development is not a permitted activity. The subdivision is therefore not considered to be 'appropriate' development of this zone. The proposal is considered to be contrary to this objective.
Policy 10.2.5.8	Require new buildings and structures, additions and alterations, and wind generators - on-site energy generation in Outstanding Natural Landscape (ONL) and Significant Natural Landscape (SNL) overlay zones to have exterior colours and materials that avoid or, if avoidance is not possible, minimise adverse visual effects caused by reflectivity.	The applicant has proposed a suite of mitigation measures to reduce the impact of the new development on the landscape. If implemented, the development is unlikely to have on-going adverse effects on the landscape. The proposal is consistent with this policy.
Policy 10.2.5.11	Only allow subdivision activities in Outstanding Natural Feature (ONF), Outstanding Natural Landscape (ONL), and Significant Natural Landscape (SNL) overlay zones where the subdivision is	The proposed development will not meet the landscape values in the short term, but mitigation could mean that the development meets this policy over time. The proposal is considered to be inconsistent with this policy.

	designed to ensure that any future land use or development will maintain the landscape values identified in Appendix A3 and will be in accordance with policies 10.2.5.1 - 10.2.5.9.	
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Natural Hazards

	Objective/Policy	Is the proposal Consistent with or Contrary to the Objective?
Objective 11.2.1	The risk from natural hazards, including climate change, is minimised, in the short to long term.	Parts of the subject site are subject to land instability and coastal hazard overlays. These are not considered to have adverse implications for the proposed residential building sites as all building platforms are situated clear of the hazard areas, although further investigation for Lot 4 will be necessary to ensure the suitability of the site. The proposal is considered to be consistent with this objective and policy.
Policy 11.2.1.3	In the hazard 1 and 2 overlay zones, only allow new buildings, and additions and alterations to buildings, where the scale, location and design of the building or other factors mean risk is avoided, or is no more than low.	
Policy 11.2.1.5	In the hazard 2 overlay zones, only allow the establishment of sensitive activities where the scale, location and design of the activity or other factors means risk is avoided or is no more than low.	The risk of hazards for these building sites is considered to be low. The proposal is consistent with this policy.
Policy 11.2.1.6	In the hazard 2 overlay zones, only allow the establishment of potentially sensitive activities that are not otherwise permitted in the zone, where all of the following are met: 1. the activity has a critical operational need to locate within the hazard 2 overlay zones and locating outside the hazard 2 overlay zones is not practicable; and 2. the scale, location and design of the activity or other factors means risk is avoided, or is no more than low.	There are no sensitive activities proposed for the hazard 2 overlay zones. The proposal is considered to be consistent with this policy.
Policy 11.2.1.8	In the hazard 1 and 2 (flood) and hazard 3 (coastal or flood) overlay zones, require new buildings intended for sensitive activities to have a floor level that mitigates risk from flooding (including coastal flooding) and rising groundwater so that risk is no more than low.	It is not considered necessary to require the future dwellings of the building platforms to have minimum floor levels outside of the Building Act 2004 requirements as none are considered to be at risk from coastal hazards. The proposal is considered to be consistent with this policy.
Policy 11.2.1.9	In the hazard 3 (coastal) Overlay Zone, require new buildings to be used for sensitive activities to be relocatable so that as coastal hazards, including sea level rise, become more severe, these buildings can be relocated.	It is not considered necessary to require the future dwellings of the building platforms to be relocatable as none are considered to be at risk from coastal hazards. The proposal is considered to be consistent with this policy.
Policy 11.2.1.12	In all hazard overlay zones, or in any other area that the DCC has good cause to suspect may be at risk from a natural hazard (including but not limited to a geologically sensitive mapped area (GSA)), only allow earthworks - large scale or subdivision activities where the risk from natural hazards, including on any future land use or development, will be avoided, or no more than low.	No future earthworks have been identified as part of this application, but some earthworks will be required to develop the new lots. These will be assessed at the time of any building consent or resource consent application for future development, and will require further resource consent if breaching any rules of the relevant planning document at the time. The proposed earthworks should only be occurring on stable ground, and should not destabilise the hillside if managed appropriately.
Policy 11.2.1.16	Only allow earthworks - large scale in a land instability overlay zone where they will not have adverse effects on land instability nor create, exacerbate, or transfer risk from natural hazards.	
Policy	Limit vegetation clearance in hazard	There is no significant vegetation clearance

11.2.1.17	(land instability) overlay zones, the dune system mapped area, and along the banks of water bodies, to a scale and type that ensures any resultant risk from erosion or land instability is avoided, or is no more than low.	proposed as part of this subdivision and development proposal, and in fact, the proposal explicitly states vegetation will be covenanted in some areas. The new building sites should not exacerbate any erosion or land instability. The proposal is considered to be consistent with this policy.
Policy 11.2.1.19	Require buildings and structures to be set back from water bodies an adequate distance to ensure that risk, including from erosion and flooding, is avoided, or is no more than low.	All the proposed building sites are set back from the coastal edge and are elevated above sea level. The building platform for Lot 9 is set back from the watercourse in this location. The proposal is considered to be consistent with this policy.

Rural Zones

	Objective/Policy	Is the proposal Consistent with or Contrary to the Objective?
Objective 16.2.1	Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of rural communities where these activities are most appropriately located in a rural rather than an urban environment. Residential activity in rural zones is limited to that which directly supports farming or which is associated with papakāika.	The proposed subdivision seeks to establish four residential properties that are in no way related to productive rural activity, but will enable the balance land to be retained as a productive block and to maintain and enhance the vegetation cover on this land. Proposed Lots 1, 2, 4 to 6, and 8 to 10 will all be significantly undersized and non-rural in character. There are no existing dwellings in these locations.
Policy 16.2.1.4	Limit residential activity, with the exception of papakāika, in the rural zones to a level (density) that supports farming activity and achieves Objectives 2.2.2, 2.3.1, 2.4.6, 16.2.2, 16.2.3 and 16.2.4 and their policies.	The proposed subdivision and residential development is considered to be inconsistent with this objective and these policies.
Policy 16.2.1.7	Avoid residential activity in the rural zones on a site that does not comply with the density standards for the zone, unless it is the result of a surplus dwelling subdivision.	
Objective 16.2.2	The potential for conflict between activities within the rural zones, and between activities within the rural zones and adjoining residential zones, is minimised through measures that ensure: <ol style="list-style-type: none"> 1. the potential for reverse sensitivity effects from more sensitive land uses (such as residential activities) on other permitted activities in the rural zones is minimised; 2. the residential character and amenity of adjoining residential zones is maintained; and 3. a reasonable level of amenity for residential activities in the rural zones. 	The proposed subdivision is not expected to give rise to conflict between residential and rural activities. Some residential activity in the Rural zones is anticipated and generally is not considered incompatible with farming practices, and in particular, grazing of animals. The proximity of the quarry to Lots 2 and 4, and the possible use of the access through Lot 4 for use by the quarry, has the potential to create reverse sensitivity issues for the quarry operation. Overall, the proposal is considered to be inconsistent with this objective.
Policy 16.2.2.3	Require all new buildings to be located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites.	A number of the proposed building platforms appear to breach front, rear and side boundaries. None of these breaches are considered to adversely affect the amenity of adjoining residential properties. The proposal is considered to be consistent with this policy.
Objective 16.2.3	The rural character values and amenity of the rural zones are maintained or enhanced, elements of which include: <ol style="list-style-type: none"> a) a predominance of natural features 	The proposal will introduce an additional eight residential dwellings on an outstanding natural landscape. The overall density of development is in accordance with the expectations of the

	<p>over human made features;</p> <p>b) a high ratio of open space, low levels of artificial light, and a low density of buildings and structures;</p> <p>c) buildings that are rural in nature, scale and design, such as barns and sheds;</p> <p>d) a low density of residential activity, which is associated with rural activities;</p> <p>e) a high proportion of land containing farmed animals, pasture, crops, and forestry;</p> <p>f) significant areas of indigenous vegetation and habitats for indigenous fauna; and</p> <p>g) other elements as described in the character descriptions of each rural zone located in Appendix A7.</p>	<p>District Plan (although slighter greater than that anticipated by the Proposed Plan), but the new lots will be significantly undersized lots and will not be associated with rural activities. The overall predominance of natural features will remain.</p> <p>There are concerns that the additional residential activities will introduce inappropriate levels of lighting, affecting the quality of the dark sky.</p> <p>The proposal seeks to preserve areas of significant indigenous vegetation and habitats.</p> <p>Overall, the proposal is considered to be inconsistent with this objective</p>
Policy 16.2.3.1	Require buildings, structures and network utilities to be set back from boundaries and identified ridgelines, and of a height that maintains the rural character values and visual amenity of the rural zones.	The proposed building sites are general set low on the landscape, and largely comply with boundary and ridgeline setbacks. Several of the house sites are, however, in prominent locations, although visibility is often limited to distant viewpoints. The overall density of development is, however, consistent with expectations albeit on undersize lots.
Policy 16.2.3.2	Require residential activity to be at a density that maintains the rural character values and visual amenity of the rural zones.	The proposal is considered to impact on the visual amenity of the rural zone, and is inconsistent with these policies.
Policy 16.2.3.8	Only allow subdivision activities where the subdivision is designed to ensure any associated future land use and development will maintain or enhance the rural character and visual amenity of the rural zones.	The subdivision is not considered to maintain or enhance the rural character and visual amenity of the zone. The proposed development is more rural-residential in nature, and is not concerned with rural activity. The proposal is contrary to this policy.

- [227] As the Proposed Plan is not far through the submission and decision-making process, the objectives and policies of the Dunedin City District Plan have been given more consideration than those of the Proposed Plan.
- [228] It is my view that the proposal is consistent with many of the objectives and policies of the Dunedin City District Plan and the Proposed Plan to do with manawhenua, hazards, servicing, public health, the natural environment and natural hazards. However, it is inconsistent with those of sustainability, land fragmentation, rural productive worth, roading and landscape. It is contrary to several policies in respect to the subdivision of rural land and development of an outstanding natural landscape. Overall, I consider the proposal to be inconsistent with the objectives and policies of the District Plan and Proposed Plan.

Assessment of Regional Policy Statement and Plans

- [229] Section 104(1)(b)(v) of the Act requires that the Council take into account any relevant regional policy statements. The Regional Policy Statement for Otago was made operative in October 1998. It is currently under review and the Proposed Regional Policy Statement was notified on 23 May 2015. The Hearing Panel decisions on the Proposed Regional Policy Statement were released on 1 October 2016. At the time of writing this report, the appeal period has closed.
- [230] The proposal is considered to be consistent with the relevant objectives and policies of the following chapters of the Regional Policy Statement for Otago: 4: Manawhenua, 5: Land, 9: Built Environment, and 10: Biota. It is also considered to be consistent with the following relevant objectives and policies of the Proposed Regional Policy Statement:

- Objective 1.1: Resource Management in Otago is integrated;
- Objective 3.1: Otago's natural resources are recognised, maintained and enhanced.
- Policy 3.1.9: Ecosystems and indigenous biological diversity;
- Policy 3.1.10: Natural features, landscapes and seascapes;
- Policy 3.1.12: Environmental enhancement;
- Objective 3.2: Otago's significant and highly values natural resource are identified and protected or enhanced.
- Policy 3.2.2: Managing significant vegetation and habitats;
- Policy 3.2.3: Identifying outstanding natural features, landscapes and seascapes.
- Objective 4.3: Infrastructure is managed and developed in a sustainable way;
- Policy 4.3.1: Managing infrastructure activities;
- Objective 5.3: Sufficient land is managed and protected for economic production;
- Policy 5.3.1: Rural activities.

7. DECISION MAKING FRAMEWORK

Part II Matters

[231] When considering an application for resource consent, any assessment of the proposal to be made is subject to consideration of the matters outlined in Part II of the Act. This includes the ability of the proposal to meet the purpose of the Act, which is to promote sustainable management of natural and physical resources. Other resource management issues require consideration when exercising functions under the Act. The relevant sections are:

- 5(2)(a) "Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- 5(2)(b) "Safeguarding the life-supporting capacity of air, water soil and ecosystems;
- 5(2)(c) "avoiding, remedying or mitigating any adverse effects of activities on the environment";
- 6(b) "The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development";
- 6(c) "The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- 6(f) "the protection of historic heritage from inappropriate subdivision, use, and development";
- 7(b) "The efficient use and development of natural and physical resources";
- 7(c) "The maintenance and enhancement of amenity values";
- 7(d) "The intrinsic values of ecosystems;
- 7(f) "Maintenance and enhancement of the quality of the environment"; and
- 7(g) "Any finite characteristics of natural and physical resources".

[232] With regard to Section 5(2)(a), it is considered that the proposed subdivision and residential development of undersized lots will maintain the potential for rural use of the natural and physical land resource simply because the majority of the land will be held in one large site. Without an on-going restriction on further subdivision and development, however, this is actually no change to the present situation except that there will be eight additional houses in this location situated on Rural land which will no longer have any rural productive or open character.

[233] With regard to Section 5(2)(b), it is considered that the proposal to covenant the wetlands and indigenous vegetation areas will safeguard the ecosystems associated with these habitats.

- [234] With regard to Section 5(2)(c), it is considered that the proposed subdivision will have more than minor adverse effects on the landscape and the rural environment in the short term, probably reducing in the longer term because of landscaping.
- [235] With regard to Section 6(b), the subdivision and land use proposals will introduce eight new residential units into the Peninsula Coast Outstanding Natural Landscape. The nature of the proposed subdivision, creating eight significantly undersized Rural-zoned rural-residential lots, is not considered to be appropriate subdivision for this zone, and could have adverse impacts on the landscape of Hoopers and Papanui Inlets, depending on the success of mitigation measures.
- [236] With regard to Section 6(c), the proposal is to covenant the wetlands, and the existing and regenerating indigenous vegetation. This will be particularly beneficial to the Hoopers Inlet side of the property, but less so for the Papanui Inlet side.
- [237] With regard to Section 6(f), neither Kai Tahu ki Otago nor Heritage New Zealand, being the two organisations most likely to have concerns about historic heritage, has identified concerns for any known archaeological or heritage site although the peninsula has an extended period of occupation and there are such sites in the area.
- [238] With regard to Section 7(b), it is considered that the proposed subdivision will fragment Rural-zoned land into small Rural-Residential size sites, but will retain the bulk of the land within one large title. The overall density of development is more or less in accordance with the zone expectations, although the layout of the subdivision is not. The proposal is considered to maintain the open space and productive potential of the physical and natural resources of the subject site overall, but not in terms of the undersized lots.
- [239] With regard to Section 7(c), it is considered that the proposed subdivision will adversely affect the Rural-zone amenity values and character due to the number of new dwellings proposed, and the fact that this is an outstanding natural landscape. Several of the proposed house sites are prominent and relatively high on the landscape.
- [240] With regard to Section 7(d), it is considered that the proposed subdivision will recognise the intrinsic nature of the ecosystems in this location.
- [241] With regard to Section 7(f), it is considered that the proposed subdivision will not entirely maintain the quality of the environment although the density of development is largely in accordance for expectations of the zoning and there will be covenanting of wetlands and bush. However, this is an outstanding natural landscape where the quality of the landscape is recognised as being of high quality, and the establishment of eight residential units in this landscape will have visual effects, including at night.
- [242] With regard to Section 7(g), it is considered that the Rural land resource is of finite character. The subdivision proposal seeks to establish residential units on the land at the density anticipated by the District Plan (but not the Proposed Plan) while also retaining the bulk of the land, vegetation and productive farm unit in one title. Although the rural-residential style lots will have extremely limited rural 'resources' of quality, the proposal is considered to maintain the finite characteristics of the natural and physical resources.

Section 104

- [243] Section 104(1)(a) states that the Council shall have regard to any actual and potential effects on the environment of allowing the activity. Section 5.0 of this report assessed the environmental effects of the proposed development and concluded that the effects on the environment of the subdivision will have more than minor adverse effects on the rural environment and landscape.

[244] Section 104(1)(b) requires the Council to have regard to any relevant objectives and policies of a plan or proposed plan. Section 6.0 concluded that the subdivision is considered to be generally consistent with most of the relevant objectives and policies of the District Plan, except where inconsistent with sustainability, land fragmentation, rural productive worth, roading and landscape. Overall, I consider the proposal to be inconsistent with the objectives and policies of both Plans.

[245] Section 104(1)(b) requires the Council to have regard to any relevant regional policy statement or regional plan. In paragraph [230] of this report it was concluded that the application is consistent with the bulk of the relevant objectives and policies of the Regional Policy Statement for Otago and Proposed Regional Policy Statement for Otago.

[246] Section 104(1)(c) requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. Consistent administration and interpretation of the Plans by the Council is a desired outcome for consents.

True exception (s104(1)(c))

[247] Another matter relevant to the Commissioner is the consistent administration and interpretation of the District Plan. Further, the application is a non-complying activity and case law gives guidance as to how non-complying activities should be assessed in this regard.

[248] Early case law from the Planning Tribunal reinforces the relevance of considering District Plan integrity and maintaining public confidence in the document. In *Batchelor v Tauranga District Council* [1992] 2 NZLR 84, (1992) 1A ELRNZ 100, (1992) 1 NZRMA 266 the then Planning Tribunal made the following comments:

"...a precedent effect could arise if consent were granted to a non-complying activity which lacks an evident unusual quality, so that allowing the activity could affect public confidence in consistent administration of the plan, or could affect the coherence of the plan."

[249] In *Gardner v Tasman District Council* [1994] NZRMA 513, the Planning Tribunal accepted that challenges to the integrity of a district plan could be considered as an 'other matter' (under what was then section 104(1)(i) and what is now section 104(1)(c) of the Resource Management Act 1991), rather than as an effect on the environment. The Planning Tribunal in that case also said:

"If the granting of one consent was likely to cause a proliferation of like consents and if the ultimate result would be destructive of the physical resources and of people and communities by reason of causing unnecessary loadings on services or perhaps by reason of causing under-utilisation of areas where services etc. have been provided to accommodate such activities, then the Council may well be able to refuse an application having regard to that potential cumulative effect."

[250] These matters have been considered by the Environment Court when sitting in Dunedin. Case law starting with *A K Russell v DCC* (C92/2003) has demonstrated that when considering a non-complying activity as identified by the Dunedin City Council District Plan the Council will apply the 'true exception test'.

[251] In paragraph 11 of the decision Judge Smith stated "... we have concluded that there must be something about the application which constitutes it as a true exception, taking it outside the generality of the provisions of the plan and the zone, although it need not be unique." This was added to in paragraph 20 where the Judge stated,

"... therefore, examining this application in accordance with general principles, we have concluded that the application must be shown to be a true exception to the requirements of the zone."

- [252] More recently, the matter of Plan integrity was considered in the Environment Court case *Berry v Gisborne District Council (C71/2010)*, which offered the following comment:

"Only in the clearest of cases, involving an irreconcilable clash with the important provisions, when read overall, of the Plan and a clear proposition that there will be materially indistinguishable and equally clashing further applications to follow, will it be that Plan integrity will be imperilled to the point of dictating that the instant application should be declined."

- [253] The Commissioner should consider the relevance of maintaining the integrity of the District Plan and whether there is a threat posed by the current subdivision proposal in this regard. If the Commissioner deems there to be a real threat from this type of proposal being approved, it would be prudent to consider applying the 'true exception' test to determine whether a perception of an undesirable precedent being set can be avoided. However, *Mason Heights Property Trust v Auckland Council (C175/2011)* noted that the true exception test is not mandatory:

"The Court has frequently looked at whether the proposal constitutes a true exception to the Plan. This test is not mandatory, but can assist the Court in assessing whether issues of precedent are likely to arise and whether the proposal meets the objectives and policies of the Plan by an alternative method."

- [254] The applicant believes that the site and surrounding area is somewhat unique in that it has had a long history of human occupation, both Maori and European. The subject site has had up to twelve residential dwellings in the past, and the applicant considers that the proposal is comparable to the historic situation. The wider environment still reflects this closer settlement pattern with the small settlement to the east and rural residential development to the west.
- [255] This assessment has been challenged by quite a few of the submitters who consider that, rather than being exceptional, the historical pattern of development and human occupation is typical of rural areas, and that the granting of consent will create a precedent for other subdivisions of rural land in a like manner. Furthermore, planning provisions have moved on since the original settlement of the area, becoming more stringent, with the Proposed Plan requiring even larger lots than the operative District Plan does. Many submitters wish to see the rules of the Proposed Plan respected.
- [256] The historical development of the subject site is long gone, effectively removing any existing use rights that might have otherwise existed. As such, I do not see that the historical use of the land has much relevance today. I also agree that rural areas tend to have a range of property sizes, with small sites often present. These are generally well established properties, and reflect a different period of occupation and land use patterns from today. The District Plan seeks to avoid fragmentation of large lots into smaller non-productive units, and the Proposed Plan has adopted an even more stringent approach with the same goals in mind. This is the current planning regime in respect of rural development which should, in my opinion, outweigh historical and discontinued land uses.
- [257] If there is any true exception argument applicable to this location or proposal, I would say it is the environment and landscape which is more dramatic than the average rural setting. Unfortunately, this characteristic of the environment does not work in the applicant's favour necessarily; it is a sensitive landscape where controls on

development are more stringent than other locations, and therefore any argument that this is a 'true exception' which would justify development is effectively negated.

- [258] In terms of subdividing a large property into a limited number of small undersized lots in discrete locations while largely maintaining the existing farming operation, I do not consider that this rural property is sufficiently unusual enough for Council to be confident that other rural property owners would not also have the expectation of being able to subdivide in a like manner. I do not consider that there is a true exception argument for this property.

Non complying status (s104D)

- [259] Section 104D of the Act establishes a test whereby a proposal must be able to pass through at least one of two gateways. The test requires that effects are no more than minor or the proposal is not contrary to the relevant objectives and policies.
- [260] It is my opinion that the subdivision will have adverse transportation effects, and possibly geotechnical effects, which are more than minor, but the proposal is not contrary overall to the objectives and policies of either the District Plan or the Proposed Plan. As such, I consider that the subdivision and land use proposals meet one test of Section 104D, and the Commissioner is able to consider the granting of consent.

8. RECOMMENDATION

Subdivision SUB-2016-58

That pursuant to section 34A(1) and 104B and after having regard to Part II matters and sections 104 and 104D of the Resource Management Act 1991, and the District Plan and Proposed Plan, the Dunedin City Council **declines** consent to the **non-complying** activity for the subdivision of the land held in CFRs 207075, 95918, 95919, 95920, OT15C/195, OT45/181, OT254/294, OT254/295, OT205/103, and OT11B/1033 into eight undersized lots and balance areas, at 78 Cape Saunders Road, Cape Saunders.

Land Use LUC-2016-336

That pursuant to section 34A(1) and 104B and after having regard to Part II matters and sections 104 and 104D of the Resource Management Act 1991, and the District Plan, the Dunedin City Council **declines** consent to a **non-complying** activity for the establishment of residential activity on new undersized lots to be created by SUB-2016-58 at 78 Cape Saunders Road, Cape Saunders.

Land Use LUC-2017-24

That pursuant to section 34A(1) and 104B and after having regard to Part II matters and section 104 of the Resource Management Act 1991, and the District Plan, the Dunedin City Council **declines** consent to an **unrestricted discretionary** activity being the continuation of the existing quarrying operation on Lot 3 SUB-2016-58 at 78 Cape Saunders Road, Cape Saunders.

9. REASONS FOR RECOMMENDATION

1. It is my opinion that any actual or potential adverse effects on the environment from the subdivision and development of 78 Cape Saunders Road will be more than minor for the following reasons:
 - a) The proposed subdivision will create eight significantly undersized Rural-zoned lots more in keeping with rural-residential zone development. These lots will have extremely limited rural character, and no rural productive worth. Neither the District Plan nor Proposed Plan seek to create rural lots of this nature, with

the Proposed Plan rules being far more stringent than the present operative rules. The relevant minimum site size rule of the Proposed Plan was made 'in effect' at the time of the Proposed Plan's notification because of concerns Council had with rural subdivision. Although the final rule might be quite different to that notified once the Plan is operative, at present the planning directive is far more onerous than the current District Plan. The proposed subdivision layout does not align with the direction of the Proposed Plan.

- b) The proposal will introduce eight new residential dwellings into an outstanding natural landscape. Some of the future dwellings will have greater impacts on the landscape than others, depending on the height of the building platform and its visibility from public viewpoints. The platform for proposed Lot 6 is, in particular, elevated and will be seen from across both inlets. It will be the only building site visible from Hoopers Inlet, although admittedly over a distance of 2.5km or so. Several of the other building sites will be prominent when viewed from Papanui Inlet, and will be higher on the landscape than present development.
- c) The applicant has promoted a number of mitigation measures for each building platform intended to screen and incorporate the buildings into the landscape with minimal adverse impact. Council's Landscape Architect is of the view that the proposed development will have adverse effects on the landscape in the short term which will be minor, but the mitigation measures will help reduce these impacts as plantings around the housing matures over time. Having noted that, the Landscape Architect notes that the landscape effects have the potential to be 'extreme', the success of the mitigation will be dependent on compliance with the conditions, and this will not be evident immediately. This rural location also has an element of isolation and remoteness which will be reduced by the introduction of eight new houses, regardless of how well the buildings are integrated into the landscape. The proposal is not considered to be incremental development and change on the landscape.
- d) The area is known for its dark and interesting landscapes which makes the inlets popular for dark sky viewing. I consider that the proposed subdivision will have limited effect, if any, on the dark sky environment as viewed from Hoopers Inlet, but the proposal has the potential to introduced dotted lights across the face of Mt Charles, therefore impacting on the Papanui Inlet environment. The degree of impact will depend on a number of factors, most of which cannot be easily managed by Council.
- e) The eight proposed houses will introduce additional traffic to the area. The traffic itself is unlikely, in my opinion, to have significant adverse effects on amenity, but the road formation is substandard and unlikely to be acceptable to rural-residential occupiers. All Rural-Residential zones in Dunedin City have sealed roads although I am unaware of this being a Council policy. In their current form, the roads are narrow and metalled, and are subject to poor visibility in places. Transport does not support the proposed subdivision because of potential issues with the roading in the area. It is also possible that, due to additional residents in the area, Council will be subject to increased pressure to upgrade the roads.
- f) Council's Consulting Ecologist recommends that an ecology review of the whole property be undertaken as it is not possible to accurately determine the effects on ecology without one. The increased residential development has the potential to adversely affect wildlife in the area, especially if domestic animals prove to be predators.
- g) The proposed subdivision and development is not considered to be sustainable use of Dunedin's natural and physical resources. The subdivision will create lots with no rural productive land value, and will reduce the amount of productive


land within the farm property. The development is not considered to be sustainable use of the roading infrastructure, and some of the housing is not in appropriate locations for the sustainability of the natural landscape.

- h) The applicant has not offered a 'no further subdivision' condition for the large site of proposed Lots 7 and 12. This is to have an area of over 194ha. The removal of the eight rural-residential style lots from the subject property in any significant way. There is the risk that the applicant will repeat the whole exercise to subdivide, using exactly the same arguments. This can be addressed by Council imposing the 'no further subdivision' condition as part of the consent, but it is usually done in agreement with the applicant.
 - i) The applicant seeks to restrict residential activity on the large site of Lots 7 and 12. The does not appear to be any need currently for a house on this proposed site, but it would be unusual for a large farm not to have any development rights and it is possible that there will be an application in the future to establish a farm house on this site. It is perhaps more appropriate to provide for a house site as part of this proposal, so that the effects of nine houses on the landscape can be properly assessed.
 - j) While Council's Consulting Engineer, MWH, has not identified any concerns about stability, several of the proposed building sites will require further investigation or controls on foundations and/or earthworks. There are known areas of instability within the subject site.
 - k) The small sizing of the lots means that not all can be developed while still maintaining the minimum yard requirements. While no other neighbours will be adversely affected by these yard encroachments, the need to breach yards suggests that the site sizing is not appropriate for the Rural zone.
 - l) Council's Parks and Recreation Services department would like to see a public walkway created up to the summit of Mt Charles, and supports this aspect of the proposal. However, the adjoining landowner has submitted in opposition to the proposal (although not specifically to the proposed walkway). Unless the proposed walkway is fully fenced on its uphill side, there is the possibility that members of the public will walk through neighbouring land while using the walkway.
2. There is no true exception argument which would allow this application to proceed without creating an undesirable precedent for the Rural zone generally. Most rural areas have a mixture of site sizes and residential activity that was established on small sites under different planning regimes. Allowing property owners to subdivide small parcels for residential use scattered around a large farm property is not in accordance with the expectations of either the District Plan or Proposed Plan. The consequence of this could be a major change to the visual appearance and character the rural land.
 3. The Proposed Plan is subject to submissions and the new zoning, with its minimum site size, has not been finalised. While greater weight is to be given to the current District Plan, the Council needs to be careful of undermining the integrity of the Proposed Plan this early in the process. There are submissions both opposing and supporting the new minimum site sizes, so it cannot be assumed that these will be reduced as a result of the submission process
 4. The proposal is considered to be inconsistent the objectives and policies of the District Plan relating to sustainability, land fragmentation, rural productive worth, roading and landscape.

- 5. Overall, it is considered that the proposal meets one branch of the Section 104D test of the Act. Accordingly, the Commissioner is able to consider granting consent.
- 6. While the proposed changes to the quarry consent are not unacceptable, this application is for the establishment of the quarry operation on a new site (proposed Lot 3). Should the proposed subdivision be declined, the revised quarry consent must also be declined. The consent holder of the existing quarry consent does, however, have the option of reapplying to Council for a variation to RMA-2006-3670881, or applying for a new quarry consent in relation to the existing title.

Report prepared by:

Report checked by:



Lianne Darby
Planner



Kirstyn Lindsay
Senior Planner

9.2.2017

Date

9 - 2 - 2017

Date

APPENDIX I: Summary of Submissions

Submitter	Support/ Oppose	Reasons for submission	Wish to be heard?
1. Lana Paterson	Oppose	<ul style="list-style-type: none"> • Area is of outstanding beauty. • Additional development would damage this beauty. • Requests application be declined. 	No.
2. Stuart Todd	Oppose	<ul style="list-style-type: none"> • The area of proposed building is a nationally significant area of beauty and dark skies. • The rising popularity of astronomy and tourism it crease is of extreme importance. • The houses and associated light pollution will deter from this nationally important dark sky site. • Will impact greatly on beauty and tranquillity of Papanui and Hoopers Inlets. • To consider building in such a rural and lovely area shows complete disregard for the environment, local area and darkness and attraction of sky for international astronomers and future 'astro tourism' potential. • Requests that application be declined. • Requests a protection order on area of Hoopers and Papanui Inlets. 	No.
3. Marcia Elliot: Vice President Southland Branch Royal Astronomical Society	Oppose	<ul style="list-style-type: none"> • Submission in regard to development of new sites. • Concerned about inevitable light pollution that would be caused in Papanui and Hoopers Inlets by development. • Extremely popular and beautiful place for night time/astro photography. • Dwellings will significant impact on night sky. • Will forever alter what has always been and should continue to be an accessible place for professional astro-photographers and amateur learning. • If promoted as a Dark Sky community for locals and tourists, then altering these places would have devastating impact. • Hoopers Inlet is submitter's first choice when staying in Dunedin or when Southland is cloudy. • Opposes any alteration to these areas that will be detrimental to the night skies. 	No.
4. Jonathan Gilks	Oppose	<ul style="list-style-type: none"> • Landscape at 78 Cape Saunders Road and surrounding coast is outstandingly beautiful, uniquely Dunedin landscape. • Asset to Dunedin. Huge value in keeping it development free. • Landscape has ecological, cultural, historic and recreational values. • Economic value potential in low impact industry of tourism. • Dark skies tourism becoming hugely popular. Area holds value for is low light pollution merits, beauty and rural undeveloped nature. • Submitter is a night sky photographer. • Area has low light pollution, making it ideal for astro-landscape photography. Development would threaten that status. • Submitter currently composing a business plan for night sky photography tour using locations such as 78 Cape Saunders Road. • Business would provide tourists with outstanding experience, attract dark sky tourism, and promote Dunedin as a unique and wonderful place to visit. • Dark sky tourism is growing at accelerating rate in New Zealand. Recent openings in Otago and Canterbury. 	No.

		<ul style="list-style-type: none"> • There is huge interest in New Zealand's dark skies. • Chinese feel a huge cultural connection to the stars. • Submitter believes locations such as 78 Cape Saunders Road and surrounding areas are of immense value to Dunedin now, and increasingly into future. • Development could set a precedent for further subdivision and development. • Future proof area's ecological, economical, cultural, historic and recreational values for next generation. • Requests application be declined. 	
5. Fiona Harrison	Oppose	<ul style="list-style-type: none"> • Submitter believes development is inappropriate for area. • Previous occupation is not relevant in modern times. • Area known for wild and rugged natural landform, with very little human impact. • Granting consent would directly contradict Council's new policy for development in this area. • Argument that development in keeping with naturally anticipated development of area implies all areas will be developed. • There is no suggestion area will be developed. • Proposed Plan dramatically decreases chances of development by increasing land required from 15ha to 40ha for one house. • Area is Peninsula Coast Outstanding Landscape Zone because it is special and should be preserved. • Area a natural asset to city, attracting nature tourists. • Submitter operates successful luxury boutique lodge at Hoopers Inlet because of unspoilt nature of area. Visitors come to enjoy peace and seclusion. • Allowing 11 additional dwellings will totally change the nature of the location. • These are glorified lifestyle blocks. • Inlets are unique because of excellent location to readily and easily view the Aurora Australis. Hoopers Inlet is known as the Aurora Capital of New Zealand. • Tourism opportunity is a vital and growth market for untapped tourism opportunities. • Proposal to gain Dark Sky Reserve status for Hoopers Inlet. This will be impossible if consent granted as light pollution from new dwellings would negate proposal. • Species of birds and seals live in and around inlets. Victory Beach yellow eyed penguin colony was down to two breeding pairs land season. Increased population in area will not help this endangered species. For this reason alone, application should be declined. • Ecology report did not record any threatened or at risk species of bird or sea lions (nationally critical) that nest around inlets. • As professional ecologists, they have duty to write correct and impartial report for the Council. They have failed to do so. • Lists birds in area at risk. • Area littered with archaeological sites, both recorded and unrecorded. Should be respected and preserved. • Reports with application clearly show bias towards their paying client. • Mike Moore: "It's my assessment that the proposal maintains and enhances the rural character and associated amenity values." Saying development will make it look more rural. Submitter strongly disagrees. 	No.

		<ul style="list-style-type: none"> • Consultants did not consult local iwi, and overlook the fragile bird and seal populations that live in inlets. • Proposal will fragment the landscape and impact on landscape zoning. Proposal is contrary to District Plan. • RMA: protect outstanding natural features and landscape from inappropriate subdivision, use and development. Submitter calls on Council to act on this mandate. • Subdivision is a contradiction to the District Plan policies. Effects on environment will be more than minor. • Contrary to policies: 40ha minimum site size and Landscape Zone. • Section 104D tests are not satisfied. • Requests that subdivision and land use be declined. 	
6. Hoopers Lodge Boutique Accommodation	Oppose	<ul style="list-style-type: none"> • As above for Fiona Harrison. • Supported by Impacted Business Statement. • Requests that application be declined on the basis that nature and scale of development will have significant adverse and direct effects on environment. • As a consequence, impact on tourism industry and submitter's business. • Night sky is recognised by experts as being world class. Photos used by Council to promote Dunedin as dark sky destination. • Discussions underway to make a UNESCO 'night sky reserve' centred on Otago Peninsula Back Bays. Lack of light pollution and pristine night sky environment. • Hoopers and Papanui Inlets 'must visit' locations for those interested in night sky. • Further housing development will destroy unique night sky views, put at risk budding economic developments based on Night Sky tourism. Of growing importance to business and other accommodation providers, especially during winter down season when night sky views are best. • Lodge also a nature tourist designation. Business thrives off isolation, peace and quiet and wildlife. All greatly impacted by intensified domestication of the area. • The scenic landscape needs protecting. • Tourism businesses will be greatly impacted by development. • Request that application be declined. 	No.
7. David Harrison	Oppose	<ul style="list-style-type: none"> • Submitter believes development is inappropriate for area. • Previous occupation is not relevant in modern times. Early settlers' dwellings reflect drastically different conditions to those relevant to the Peninsula today. • Existing baches and dwellings on Papanui Inlet were built under very different regime of building control which is no longer relevant. • Size of new lots considerably below minimum 15.0ha and 40.0m requirements. • Lifestyle blocks might be appropriate for outskirts of major cities, but has no regard to empathy for the Peninsula's ecological and rural character. Files in face of 'Outstanding Landscape Area'. • True nature of proposed development is conveniently missing from developer's submission. Argument that proposal is in keeping with the naturally anticipated development for area is wrong. • Area is Peninsula Coast Outstanding Landscape Zone 	No.

		<p>because it is special and should be preserved against this sort of development.</p> <ul style="list-style-type: none"> • Area a natural asset to city, attracting nature tourists. • Species of birds and seals live in and around inlets. Victory Beach yellow eyed penguin colony was down to two breeding pairs land season. Increased population in area will not help this endangered species. For this reason alone, application should be declined. • Ecology report did not record any threatened or at risk species of bird or sea lions (nationally critical) that nest around inlets. • As professional ecologists, they have duty to write correct and impartial report for the Council. They have failed to do so. • Lists birds in area at risk. • Area littered with archaeological sites, both recorded and unrecorded. Should be respected and preserved. • Reports with application clearly show bias towards their paying client. • Mike Moore: "It's my assessment that the proposal maintains and enhances the rural character and associated amenity values." Saying development will make it look more rural. Submitter strongly disagrees. • Consultants did not consult local iwi, and overlook the fragile bird and seal populations that live in inlets. • Lack of wider consultation, and the unbalanced nature of the reports mean application is substantially flawed and should be rejected on these grounds alone. • Proposal will fragment the landscape and impact on landscape zoning. Proposal is contrary to District Plan. • RMA: protect outstanding natural features and landscape from inappropriate subdivision, use and development. Submitter calls on Council to act on this mandate. • Subdivision is a contradiction to the District Plan policies. Effects on environment will be more than minor. • Contrary to policies: 40ha minimum site size and Landscape Zone. • Section 104D tests are not satisfied. • Requests that subdivision and land use be declined. 	
8. Ian Griffin	Oppose	<ul style="list-style-type: none"> • Submitter is resident of Otago Peninsula and astronomer who observes and photographs night sky from Papanui and Hoopers Inlets. • Acknowledged expert on impact of light pollution on astronomical observation. PhD in astronomy and Chair of DCC Dark Sky Advisory Committee. • Development of nature and scale proposed will have a significantly adverse effect on environment. • Inconsistent with objectives and policies of the operative and proposed Plans. • Requests that Council a) seeks further information under s92 RMA; b) puts application on hold until related consents can be heard together under s91 RMA. • Landscape report does not describe existing landscape values. Makes value judgements not informed by robust assessment. • Judgement regarding lights from dwellings not affecting night time character is reached without any assessment as to nature of existing night sky: Proposed Plan policy A3.2.3.2. 	Yes.

		<ul style="list-style-type: none"> • Night sky of Hoopers and Papanui Inlets recognised by experts as being world class. Photos of aurora used by Council to promote Dunedin as Dark Sky destination. Images used in magazines, distributed worldwide. • Discussions progressing to make a "night sky reserve" on Peninsula back bays. • No assessment of these important values or lights of development, including car lights. • Further housing around inlet will destroy unique night sky views; put at risk nascent economic developments on night sky tourism. • Analogy; effects of housing on night sky would be equivalent to building a hotel on the albatross colony at Taiaroa Head. A shameful and outrageous act of environmental barbarism. • Ecology report does not provide assessment of effects, merely provides analysis of habitat and current values. • If further assessment of ecological values results in areas being protected from development, then potential conflict with other values e.g. landscape. • Geotechnical report: area has been subject to landslides in past. No detailed information regarding stormwater and sewage controls for new sites. • No stormwater consents sought although fundamental component of development for site stability. Similarly, no consents sought to discharge treated sewage to ground. Application should be held so consents sought together. • Fails to adequately address impact of development on cultural values. Only considers those sites or features that may be physically impacted. No analysis of impacts from additional population in area. Surprising a full cultural assessment has not been obtained. • No detail on earthworks or access locations. Have potential for significant environmental effects, but will not be assessed until after development has commenced. Further information required. • Easy to reach conclusion effects are minor in the absence of full assessments. • Effects of development on night sky are significant; a direct contradiction to protecting outstanding landscapes and avoiding inappropriate development. • No means discussed of reconciling conflicts in requirements e.g. geotechnical and ecological. Submitter of view that it is extremely unlikely that such an outcome is possible. • Clear certain trade-offs have already occurred. Application makes much of minimising fragmentation of rural land, but does not avoid landscape area or potential natural hazards. Conflict. • No compelling evidence in application why subdivision of this nature and scale is necessary. • Application seeks to legitimise rural residential development in a rural area which such development is intended to be avoided. Application is non-complying and must adhere to a higher standard of scrutiny. • Effects of six to 17 dwellings spread across overall site on large blocks are potentially quite different (visual and landscape effects). Wrong to categorise density and cumulative amenity effects as a 'non-issue' compared to baseline. Historic use no longer the case. • Landscape protections of Plans and section 6(c) of 	
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		<p>RMA. Inappropriate development.</p> <ul style="list-style-type: none"> • Requests that application be declined on basis that it will have significantly adverse effect on the environment and inconsistent with objectives and policies of both Plans. 	
9. Leslie Arthur Robert Ladvrook	Oppose	<ul style="list-style-type: none"> • Area is a wonderful dark sky area close to city where people photograph Aurora Australis. • Submitter has visited area for night photography, staying at Portobello Motor Camp for proximity to area. • Too few places as beautiful as this for night photography. • Subdivision and buildings will only add lights to a dark sky area. Houses will increase lights, and traffic at night will ruin night landscapes by travelling along roads, causing streaks of light due to long exposures. • Last visit, was amazed at wildlife in area. Photographed abundant bird life. • Remarkable area; would not like to see populated with buildings. • Requests Council think long term; once something like this is gone, it will not be back. • Photography at: https://www.flickr.com/photos/flyfisingsouthland/set/72157648789296186 • Requests application and any other subdivision that degrades aesthetic beauty of the wonderful place, day or night, be declined. Please consider it a dark sky reserve. 	No.
10. Jo Bailey	Oppose	<ul style="list-style-type: none"> • Relatively frequent visitor to Otago Peninsula. • Dumbfounded to read that there was a proposal to subdivide for residential development. • Area has significant value in terms of its landscape and limited light pollution. • Unique character should be retained in perpetuity. • Area zoned rural. Proposed development is out of character. Will impact on area into future. • Area is jewel in Dunedin's crown. To lose it to inappropriate development devastating. • Requests the application be declined. 	No
11. John Parker	Oppose	<ul style="list-style-type: none"> • Inappropriate activity with lot sizes smaller than required. • Neighbour of proposed development. • Requests that application be declined in entirety. 	Yes
12. Heather Skinner	Oppose	<ul style="list-style-type: none"> • More and more dark sky is being lost to light pollution caused by 'wrong' lighting. • Increase in commercial buildings and housing estates going up in dark sky area. • Tragic that people will no longer have the choice to look up and view the night sky. • Requests that houses not be built in a dark sky area where not only the night sky can be viewed by also aurorae. 	No.
13. Yoshiko Cowell	Oppose	<ul style="list-style-type: none"> • Submitter lives in Portobello and works in area. • Services concerns about impact of more people and dwellings in the area. • Significant area for wildlife, especially wetland and grassland feeding birds. Birds and visiting sealions are often not seen as co-existing favourable with people and domestic animals. • As a tour guide, often hears tourists remark at how beautiful and 'remote' feeling the inlets are. Beautiful place to bring tourists for bird spotting. Close to 	No.

		<p>Dunedin City.</p> <ul style="list-style-type: none"> • Beauty of landscape will be changed by increased number of buildings. • Flow-on effect on the safety of roads. • Requests that outstanding landscape be protected for all to enjoy, and wildlife will have space to roam and feed. • Requests that the application be declined. 	
14. Te Runanga o Otakou	Neutral	<ul style="list-style-type: none"> • Te Runanga o Ngai Tahu Act 196 describes the takiwa of Ka Papatipu Runanga. Centred on peninsula and extending from Heyward Point to Clutah Rive, and inland. • Important to Waitaha, Kati Mamoe and Kai Tahu people as a source of mahika kai, a place of settlement, burial place and as a cultural landscape embodying ancestral, spiritual and religious traditions of all generations prior to European settlement. • Otago Peninsula is an important taoka tuku iho for Te Runanga o Otakou who hold mana whenua for this area. • Okia Flat site is very old and large settlement site dating from earliest arrival of Waitaha. • Numerous burial sites, middens (moa remains), stone tool and manufacturing material. Also waka landing sites, and extensive traditional history. Point is known as Tarakipa. • Site direct across estuary mouth of the south where small settlements sited close to water sources, water landing sites, and a known source of stone material for adzes. • Significant use of inlet and ocean fishery, and also kaimoana found in bays and shore. • Names the various features in area. • October 2014, a totara waka was excavated from sand dune at Papanui Inlet. Believed to be about 500 years old. First waka unearthed on Otago Peninsual. Second oldest found in Aotearoa. • Development of Manawhenua provisions in Proposed Plan, include a wahi tupuna plan framework and overlay for District Plan maps. Wahi Tupuna are landscapes and places that embody the relationship of Ngai Tahu and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga. • Wahi tupuna around Papanui Inlet include: <ul style="list-style-type: none"> - Kaika on coastal margins of inlet. - Okia Flat - Papanui Beach - Poatiri (Mt Charles) - Tuhiraki and Ka Takakitaka Te Piro o Kapo – islands of Papanui Inlet. • Values set out in Appendix 1 of submission. Earthworks are a principal threat to these values. • The Kai Tahu ki Otago Natural Resource Management Plan 2005 is the principal resource management planning document for Kai Tahu ki Otago. • Plan a planning document, but also intended to assist others in understanding tangata whenau values and policy. • Plan contains objectives and policies for wahi tapu sites relevant to current proposal. Plan seeks to ensure all wahi tapu sites are protected from inappropriate activities. Earthworks policy require an 	

		<p>archaeologist to survey an area before earthworks commence, and an accidental protocol should be adopted.</p> <ul style="list-style-type: none"> • If consent to be granted, submission that it should be subject to the following conditions: <ul style="list-style-type: none"> - Pre-work briefing be held with Site Manager and machinery operators prior to any earthworks occurring. Undertaken by an iwi approved archaeologist and by representative of Te Runanga o Otakou. - Monitoring of earthworks by iwi approved archaeologist and representative of Te Runanga o Oatakou. Consent holder to pay all cost of cultural monitoring. - Earthmoving machinery should use straight edged buckets to minimise accidental damage to unrecorded archaeological sites and artefacts. - All practical measures should be undertaken in minimise risk of contaminants and sediment into inlet. - Machinery should be clean and well maintained before entering work site. Refueling done away from watercourses. - Excess excavated material should be removed to an authorised clean fill site. - Revegetation and landscaping should use appropriate indigenous species. - Wastewater disposal systems are appropriate for soil conditions, and regularly maintained and serviced. - Buildings are to be single storey and coloured appropriately for environment. - That all associated lighting be LED fittings, and include shielding. • Te Runanga supports the proposed QEII Trust covenant and ecological management recommendations set out in Ecology Assessment (Wildlands 2016). • Recommends that Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol should be attached as advice. • Requests further consultation during development regarding <ul style="list-style-type: none"> - Location of infrastructure and wastewater disposal fields; - Management and monitoring of earthworks. - Management of accidental discovery of archaeological sites and artefacts. 	
15. Lynn & Gilbert Samuels	Oppose	<ul style="list-style-type: none"> • Subdivision in respect of residential activity on undersized rural allotments within outstanding landscape area. • Development should be constrained to the current 15.0ha minimum site size. • Potential problems of contaminated water entering Papanui Inlet if there is greater concentration of building. • Much made of history of peninsula, but these sites do not appear to have been occupied in the past; there is usually a reason for that. • More detailed geotechnical surveys need to be undertaken before subdivision allowed. • Requests that the application be declined. 	Yes.
16.	Oppose	<ul style="list-style-type: none"> • No need for subdivision in scenic landscape. 	No.

Will Lewis		<ul style="list-style-type: none"> • The sensitive wildlife habitat area is an inappropriate area of housing, and needs protection from humans. • Proposal is non-compliant with District Plan, conflicts with Plan policies and objectives. • Under RMA, Council has duty to protect scenic landscapes and at risk wildlife. • Requests that the application be declined in full. 	
17. David Roderick John & Heather Muriel McKay	Neutral	<ul style="list-style-type: none"> • Submitters concerned at the likely increase in number of vehicles using the sub-standard roads. • Roads and sea walling in both Hoopers & Papanui Inlets are in need of improvement. Are a safety concern. 	Not stated.
18. Alister William Robinson	Oppose	<ul style="list-style-type: none"> • Submitter's family has owned 265 Cape Saunders Road for 106 years. Submitter has visited inlet for over 70 years, and part owner of property for 10 years. • Submitter has good understanding of geography of area which is delicate and subject to slips and land subsidence in rain. • Basic facilities for residents; electricity and telephone. No water, sewage or refuse services. Electricity subject to cuts. • Road in poor repair. Narrow, falls into inlet or fields in places. Sea wall around inlet is substantially damaged in many places, not properly repaired. Two fatalities on road in recent years. • Development would greatly increase number of residents. • Proliferation of residential dwellings in an area of very low development intensity. • Visual presence of buildings, noise in a tranquil environment, light pollution in dark sky area, and additional traffic on narrow, dusty and not well-maintained roads. • No specific measures proposed to avoid, remedy or mitigate these effects. • Concerned at effects on natural coastal environment; supporting documentation does not thoroughly assess potential effects on wildlife, wetlands and inlets. • QEII covenant proposed around Hoopers Inlet, but no additional planting or ecological restoration appears to be proposed. Areas already fenced off, useless as farmland or residential lots. No QEII covenants proposed for Papanui Inlet. • Little or no consideration of the avifauna, vertebrates (particularly endangered jewelled geckos) or invertebrates. Ecological report assessing adverse effects is required. • No consideration of culturally sensitive sites. No analysis of impact on these sites and the underlying cultural sensitivities addressed. • No details regarding earthworks for access. Applicant has already commenced earthworks; shows in adequacy of applicant's management as without Council approval, and might have destroyed Maori middens. • No provision for car parking for proposed track to Poatiri (Mt Charles). No provision of public toilets or other facilities. Major impact on environment, and is serious concern. • District Plan integrity threatened by proposal. May result in proliferation of non-complying subdivisions. Hopes that, if consent granted, consent notices 	Yes.

		<p>registered on small lot prohibiting further subdivision, and on large lot prohibiting all subdivision other than controlled activity subdivision.</p> <ul style="list-style-type: none"> • Objective 6.2.1: not consistent. Subdivision may lead to additional pressure to subdivide in future. Reduce productivity of farm. • Objective 6.2.2: inconsistent. Reduces ration of open space relative to built environment. Lessen predominance of natural features. Increased population density, demand for better roads. QEII covenant, but no enhancement proposed. • Objective 6.2.3: inconsistent. As above. Subdivision of landscape management area, adverse effects on infrastructure, fragment productive land, conflict with farming. • Objective 6.2.4: inconsistent. Increase demand for roading. Double the traffic. • Objective 6.2.5: inconsistent. Potential sensitivity conflicts with farming. • Objective 6.2.6: inconsistent. No consideration of stormwater and wastewater disposal effects on land, wetlands or inlets. • Objective 6.2.7: inconsistent. QEII covenant, but no enhancement proposed. Stormwater and wastewater effects. Reduce natural character and amenity of coast. • Objective 14.2.1: not consistent. Insufficient details regarding development being complementary or sensitive to underlying landforms. • Objective 14.2.2: not consistent. QEII covenant insufficient unless appropriate management plan. No planting proposed. • Objective 14.2.3: not demonstrated how proposal will affect landscape. • Objective 14.2.4: As above. Does not encourage maintenance and quality of landscape. • Gateway test: effects more than minor, not consistent with objectives and policies. Fails both limbs. • True Exception test: applicant argues site and area is unique, has long history of human habitation. Actually typical. Surrounding development pattern and along NZ coast. Granting consent would open door to subdivision on Otago coast. • Applicant has ignored consent conditions in relation to quarry. Substantial earthworks on sites, with consent? Bulldozed sand dunes are now unstable and are being eroded. • If granting consent, needs to be extensive conditions and covenants. These have not been offered or detailed by applicant. • Residents need to be convinced that Council will monitor developments. • Requests application be declined. 	
19. C Hall	Oppose	<ul style="list-style-type: none"> • Subdivision is inappropriate and will result in considerable adverse effects. • Does not meet objectives and policies of either District Plan or Proposed Plan. • Create a precedent for undersized residential lots in peninsula rural area. Integrity of Plans must be maintained. • Cumulative effects will be substantial. • Lots are inappropriately sited. Lots should be selected to create least impact on environment, not in relation 	Yes.

		<p>to derelict buildings.</p> <ul style="list-style-type: none"> • Access to lots is inadequate. Papanui Inlet Road cannot provide sufficient access to lots. Alternative access must be provided. Any new access will have amenity effects. • Effects of forming accesses to lots are relevant consideration, more than minor. • Geotechnical report indicates issues with identifying building platforms on lots. Must identify building platforms in order to consider environment effects and residential development. If left to purchasers, effects cannot be assessed. Greater impacts will result. Insufficient information provided. • Wastewater disposal areas need to be defined to address environmental effects. Several lots are low-lying or on sandy soils or coastal land. Effects of disposal on environment and culturally important sites more than minor. • Stormwater had not been adequately considered or provided for. More than minor. • Insufficient archaeological protection. • Insufficient consideration of effects on Mt Charles, wahi tupuna. Adverse effects. • Effects on landscape and rural amenity. • Insufficient information to assess effects on high class soils. More than minor effect on limited resource, unless evidence to contrary. • Several sites close to quarry, reverse sensitivity issues. Should be removed from proposal. • Proposed protection for ecological values and new wetland area acknowledged. Not clear on legal mechanism for protection. • Existing amalgamation conditions means land cannot be disposed of separately. Not addressed in application. • Proposed public access of limited value without connection to existing walkways. No car parking provide. More than minor effects on transportation network. • No limitation on future development proposed. No certainty residential lots not further developed in future. • Insufficient mechanisms to impose controls on residential development. Essential to provide understanding of effects. Without limitations, effects on amenity substantial. • Proposal not a true exception. • Does not adequately mitigate effects. • Quarry lot will result in substantial change to quarry operation. New consent and not a variation of existing consent. • Requests application be declined. 	
20. Craig Werner	Oppose	<ul style="list-style-type: none"> • Dunedin will suffer significant adverse impacts on amenity, cumulative effects, Plan integrity, precedent, transportation. • Council reports oversupply of rural residential land. No reason given for development. • Remoteness of development, roading and quarry will spawn complaints to Council regarding nuisance control & infrastructure. • Outstanding natural landscape. Subdivision should not be allowed. • Justification of development does not stand up to 	Yes.

		<p>public common sense scrutiny.</p> <ul style="list-style-type: none"> • Typical mitigation measures offered are woefully inadequate. These measures for other applications have not been successful. • Public eyes are a more reliable gauge than paid consultant opinion. • Comments on applicant's status and Council treatment of their applications. • Requests application be declined. 	
21. Save the Otago Peninsula (STOP)	Oppose	<ul style="list-style-type: none"> • STOP is a society incorporated in 1982 (34 years ago) to address issues relating to the conservation, environment and landscape of the Otago Peninsula and Harbour. 214 registered members. • Details the involvement of STOP in other Planning matters and community interests. • STOP's opposition to this proposal is in line with attempts to prevent buildings on small rural lots smaller than 15.0ha on the grounds of reduced landscape values, increased domestic animal numbers, increased impervious surfaces, and dark sky interests. • Need for this subdivision in an outstanding landscape area is unproven, will create unwelcome precedent, and inappropriate give proximity of quarry. • DCC residential studies for 2007, 2009, and 2013 conclude that there is no need to increase Rural Residential subdivision capacity because of current over-supply. • New lots are likely to prove unattractive to new purchasers because of quarry with its occasional explosions, digging and stone crushing operations. Council has plenty of evidence that this is incompatible with lifestyle living. Not mentioned in application. • Most lots will have accesses past quarry. • Submitter of view that unsuspecting buyers will inevitably complain about noise, dust and inconvenience of quarry next door. • Application discusses amenity values in respect of other passers-by but no reference to loss of amenity due to proximity of quarry. • Historic stone wall on Lot 4 has ballooned outwards, indicating land slumping and movement of slope above. Slumping evident to view up to quarry overburden. Wetland at corner of Cape Saunders Road and Papanui Inlet Road. To achieve building setback, building has to be sited on other side of quarry road. Not conducive to rural lifestyle. • No consideration of reverse sensitivity issues for quarry. • STOP commended Hearings Panel that there were no rural residential areas proposed for peninsula in Proposed Plan. • STOP has sometimes argued for rural residential blocks being preferable to scattered dwellings over landscape, but this does not fit that criterion. • Appears that argument is subdivision plan allows building sites to be less visible, with conditions, within landscape and this is reasons for smaller lots. STOP disagrees because of visible dwellings already across landscape. • Historical housing density argument is spurious, based purely on historic precedent. What is appropriate chances over time, and District Plan reflects this. 	Yes.

		<ul style="list-style-type: none"> • STOP generally supportive of UNESCO Dark Skies Reserve, and eight additional dwellings on area between inlets will add to light pollution. STOP disagrees with dismissive statement that lights will not fundamentally alter the night time character. • Application to put QEII covenant over salt marsh and regenerating bush. Has QEII Trust be asked? Another such proposal was turned down by Trust because of financial priorities elsewhere. • STOP endorses removal of stock from these areas and restoration of salt marsh. Most has been drained and infilled. Some restored after Environment Court decision. • Responsibility for management of QEII areas lies with the landowner. Need to be spelt out by consent conditions, timeframes and monitoring regime. Experience of landowner's compliance history and Council's resourcing for monitoring is not positive. • Argument that up to 17 sites could be created under density calculation. Original proposal seems to promote 15.0ha lots, but changed to better argue larger farm block would have less impact on landscape. Still a non-complying subdivision for both Plans. • Nothing to stop property owners of new lots extending buildings in future. • Hoopers and Papanui Inlets are important components of Dunedin's outstanding landscapes. Section 6(c) of RMA. • STOP strongly disagrees that landscape effects will not be compromised. To say it will be 'enhanced' is definitely not accepted. • Proposal to remove stock from wetlands and bush sort of action any farmer should make. • Roads are loose metal, narrow, have blind corners, hill crests and traffic has to share with trucks for quarry. Tourists often respond inappropriately when meeting traffic. Effects on transport network are not less than minor. • STOP foresees pressure on Council to upgrade roads, electricity. More complaints to Council re: noise and traffic. • Fails objectives and policy test of s104D. • Proposal compromises integrity of District Plan. Undesirable and dangerous precedent. • Granting consent for outstanding landscape area will be used as a precedent for other proposals. Undersized lots. • STOP requests application be declined. 	
22. Moiria Parker	Oppose	<ul style="list-style-type: none"> • If consent granted, Council will fail to protect outstanding natural features from inappropriate subdivision. • Disputes view that proposal will enhance the landscape and natural coast character. • Outstanding landscape areas have strongly defined character, dramatic scenery, and regionally significant. • Proposed subdivision is within the Peninsula Coast Outstanding Landscape Area. High visual value and highly sensitive to change. • Important to protect general visual dominance of natural landscape elements over human elements. • Hoopers and Papanui Inlets are outstanding and dramatic landform features. 	Yes.

		<ul style="list-style-type: none"> • Eight new dwellings and development will severely compromise the natural character. More than minor effects on landscapes. • Requests that application be decline. • Granting consent would make mockery of landscape designation and affect integrity of District Plan. Would set a precedent. 	
23. Iain Burgon	Oppose	<ul style="list-style-type: none"> • There are no controls on the created sites. • No need for subdivision in outstanding landscape area. • Sites are undersized. • Will create rural land fragmentation. • Area is habitat of wildlife at risk, endangered and critically endangered. Wildlife adversely affected. • Archaeological sites and tapu land will be impacted. • Existing and future tourism will be negatively impacted. • Council's duty is to protect natural features and landscapes from inappropriate subdivision, land use and development. • Fails s104D tests. • Requests that the application be declined. 	No.
24. Jill Hamel	Oppose	<ul style="list-style-type: none"> • Submitter is archaeologist. Has worked around peninsula for over 50 years. • Site within outstanding landscape. Thriving eco-tourism industry is dependent on this. • Mr Moore says effects will be minor, but overlooks that perception involves memory. • Having seen an incongruous object e.g. house, building or quarry, in natural landscape, it becomes part of that landscape in mind's eye. • Inevitable that increase in buildings will reduce natural values and be contrary to District Plan. • Promotion of inlets as Dark Sky Reserve close to City. Visitors can view seals and penguins by day, and distant galaxies by night. More lights from buildings and cars is not desirable in such an area. • Argument that ten houses should be allowed because there were one 12 houses is wrong. 1901 Military map show no more than four farmsteads, a garden and two huts. No evidence given to support applicant's map of past dwellings. At least two stars shown on map are not even on property. • Statement that location preferred for habitation since humans lived in area, implying Maori habitation, is misleading. • Minor traces of Maori occupation, but most was on northern side of Papanui Inlet. Traces of occupation on south side were not small settlements, but brief camping sites. • More lifestyle blocks will mean more hens, cats, dogs, and greater opportunities for rates, mice and mustelid populations to thrive. Some domestic animals can carry disease affecting native bird populations. • Density of 40.0ha sites should be respected. • Subdivision must not be contrary to objectives and policies. Productivity and rural character will be negatively affected. • No discussion on reduction on productivity of farm by removal of 28ha, let alone other effects on stock movements, lambing, etc. from people, dogs and lifestyle blocks. • Fencing often fails to contain unusual livestock. Wandering stock. 	Yes.

		<ul style="list-style-type: none"> • Land stability a general problem, particularly on Lot 4. Major slip on Lot 4, with building platform shown 50m uphill of slip. Rotational failure slip with toe bulge affecting Papanui Inlet Road. Suggestion this is a very old slip. Submitter believes building platform likely to slip, especially with discharge to ground. • Effort made to use twelve historic house sites as a true exception. Some proof should be provided: titles, archaeological evidence. • QE II land remains in ownership of applicant. Not a good record of compliance. Mitigation provisions are those an environmentally aware farmer would make in any case. • Requests application to be declined. 	
25. Helen Davidson	Oppose	<ul style="list-style-type: none"> • Development is in appropriate for area. Previous occupation is not relevant. • '... the naturally anticipated development of the area ...' suggests the area will be developed in future. Area is special (landscape zone) and should be preserved. • Ecology report did not list threatened or at risk species of birds or sea lions. They have a duty to submit a correct and impartial report. • Lists at risk birds. • Area attracts wildlife tourism. Increased population density in area will not help endangered species. For this reason alone, the application should be declined. • Archaeological sites, recorded and unrecorded. Should be respected and protected. • Submitter supportive of Dark Skies Reserve. A further eight dwellings will undoubtedly add to light pollution in area. Dark Skies will attract growing tourism market. • Disagrees with Mr Moore's statement that proposal will maintain and enhance the rural character and amenity values. • Consultants did not consult local iwi, and overlooked fragile bird and seal populations. Both issues fundamental to area. • Access roads are narrow, metal, with blind corners. Shared with quarry trucks. Locals and tourists are hazards on roads. • Wrong to suggest transportation effects of traffic from new houses will be less than minor. • There will be pressure on Council to upgrade roads, electricity. Increased complaints to Council re: noise and traffic. • Proposed Plan moving to 40ha minimum lot sizes due to landscape protection. • Proposal will fragment landscape and impact on landscape zone. Contrary to District Plan. • Council imposes rules to maintain and promote landscape and environment; why should Council override rules? • Granting consent will compromise integrity of Plan. Undesirable and dangerous precedent. • Subdivision no envisaged in landscape area. Will be used as a precedent for other subdivision. • Concerns that there will be trade off of areas of biodiversity value with rights to subdivide pastureland. Cumulative detrimental effect. • Council must act on mandate to protect outstanding natural features and landscape from inappropriate subdivision. 	Not Stated.

		<ul style="list-style-type: none"> • If granted, personal financial gain at expense of wildlife and community, and environment. • Requests that application be declined in full. 	
26. Ms Quentin Furlong & Dr. Michael Furlong	Opposed	<ul style="list-style-type: none"> • Area is Peninsula Coast Outstanding Landscape Area. Submitters have clear view of Hoopers Inlet side of subject site. • Attached photographs. • Currently no residential development visible as existing housing low, near road. Sometimes lights from houses can be seen. • Landscape report does not appreciate scenic wider hill and coastal views, and untouched pastoral values which contribute to landscape. • These landscapes have been iconic subjects of revered NZ artists (e.g. McCahon); still resemble views of 67 years ago when McCahon did his Otago Peninsula series. • Also the case in Andris Apse's photography published in 2006. • Outstanding landscapes that need to be respected and preserved for everyone. • Outstanding landscapes contribute to the Peninsula's success as eco-tourism draw. • Minimum 15.0ha rule likely to become 40.0ha rule. Council long term planning for peninsula is for lesser rural residential density, to preserve rural and scenic values. • Granting consent will provide clear precedent for others wanting to subdivide into undersized lots in outstanding landscape areas. Potential density creep should be prevented. • Significant additional light glare affecting night skies. One porch light can be seen for miles. Hoopers Inlet is specifically and consistently cited by Otago Museum Director Dr Ian Griffin as ideal for night sky viewing. • Believe Council needs to back up its own rules and policies. Not allow exceptions to landscape designations and 15.0ha rule. • Rural and landscape areas are being encroached upon more and more. Otago Peninsula property owners choose to live there with clear understanding of rules. • Any permitted subdivision should only allow building near the roads and not on hillsides. • Requests consent be declined. 	Yes.
27. Dwayne Daley	Oppose	<ul style="list-style-type: none"> • Submitter owns bach on Cape Saunders Rd. • Not opposed to some degree of subdivision if done appropriately, but oppose this proposal. • Development will greatly increase number of residents on Hoopers and Papanui Inlets. • Proliferation of residential dwellings in area characterised by low development intensity. • Visual presence of buildings. • Additional noise in a tranquil environment. • Additional light pollution in dark sky environment. • Additional traffic on narrow, dusty, not well maintained roads. • Concerned about effects of land use on natural coastal environment; hard to gauge effects as supporting documentation does not thoroughly assess effects on wildlife, wetlands and inlets. • QEII covenant proposed, but no additional planting or ecological restoration proposed. • Plan integrity threatened. Granting consent may result 	No.

		<p>in proliferation of non-complying subdivision of new lots and surrounding properties.</p> <ul style="list-style-type: none"> • Needs to be a true exception. Application argues that long history of human habitation is a true exception. On contrary, it makes the site typical. • General pattern of existing development is common throughout New Zealand coastal environment. Not exceptional. • Adverse effects appear more than minor. Appropriate mitigation not proposed. Not consistent with objectives and policies of District Plan. Fails both s104D tests. • Provides an assessment of the relevant objectives and policies. <ul style="list-style-type: none"> - Unclear how proposal will enhance spaciousness and separation in rural area, or enhance landscapes. - Development would likely increase demand for improved roading. Upgrade would alter character of area. Costs. - Would not maintain the productive potential of rural land. - Unclear how subdivision of marginal farm will maintain ability of land resource to meet needs of future generations. - Reduction of open space to development. - Increased population, demand for better roading. - No specific measures promoted to avoid or remedy impact of development. - Landscape management area, high class soils, adverse effects on sustainability of infrastructure. Fragment land. Conflict with agriculture. - No consideration of effects of stormwater and effluent disposal on land, wetlands and inlets. - No enhancement of margins of water bodies and coastal environment. - QEII covenant is insufficient without appropriate management plan. - Not sufficiently demonstrated how landscape affected or mitigation measures commensurate with scale of development. - Not a coordinated and sustainable subdivision. - Impacts on ecosystems as report only addresses vegetation. - No mitigation of land use effects. - Increased noise levels affecting amenity. - Finishing of structures and shielding of light sources not addressed. Dark skies. • Requests application be declined. • If granted, lists appropriate conditions. 	
28. Michel de Lange	Oppose	<ul style="list-style-type: none"> • Plan requires a minimum of 15.0ha. A good rule and deviating from it would set bad precedent. No need. • Subdivision precisely the kind of urban sprawl District Plan seeks to avoid. • No sense to create subdivision with houses on Papanui Inlet, area of outstanding natural beauty. • Less sense to build in proximity of quarry. • Requests application be declined. 	No.
29. Murray John Hall	Oppose	<ul style="list-style-type: none"> • Spends three months each year at Papanui Inlet, for ten years. Aware of issues for area. • Roading infrastructure is fragile. Gravel and one way. Additional traffic will make roads more dangerous. Already closure to roads from flooding and slips. 	No.

		<ul style="list-style-type: none"> • Drainage will end up in inlet, directly or by leeching. Will adversely affect bird and shell fish. • Wastewater disposal must be defined for each lot to assess environmental effects. • Electricity, telephone, internet services will need upgrading. Numerous outages. • Proposal counter to Council's minimum lot sizes for both Plans. New subdivision should abide by rules. • No car parking for proposed public walkway, major effects on transportation network • New building platforms carved into hillside on some lots. No compaction report for these platforms. Unlikely Council has given approval for these to occur. • No consultation with locals, iwi, or wildlife groups. Should be given priority. • Requests that application be declined. 	
30. James Wakelin	Oppose	<ul style="list-style-type: none"> • Submitter's family has had holiday home at 255 Cape Saunders Road for 90 years. • Concerned about state of roads which demand full driver attention at all time. • Robert and Keith Clearwater (father and son) lost their lives on narrow climbing section of road about 1953 when car left road and tumbled down exceedingly steep slope. • Today road partially sealed, no better. • Whole area is prone to landslides, particularly after heavy rain. • Big boulders tumbled from cliffs of Mt Charles onto plateau near Lot 10, and onto road, about 18 months ago. • Many landslides along sea level section of Cape Saunders Road (no. 78 eastwards) over years. Created three deltas. One with pine trees, two with boatsheds. When settled and dry, road was laid on top once more. • 1930s, Williamson family holiday home demolished by landslide. Rebuilt. Now owned by Jack Clearwater. • 20 years ago, lahar demolished Benson family holiday home after several days of heavy rain. • Power outages likely in gale conditions. Gale earlier this year broke five poles. Power out for two days. • New housing and permanent population comes at a cost, especially to wildlife and wilderness which appeals to itinerant tourists. • Requests that application be declined. 	No.
31. Kay Dickson	Oppose	<ul style="list-style-type: none"> • The road is narrow dirt track, dusty or muddy. Maintenance on roads is minimal. There are corrugations, large potholes, broken tree branches, boulders (on road verge for three years). • Culverts are not maintained. Drainage problems when it rains. • Another eight houses with two cars would be unmanageable on dangerous, unmaintained road. • Concerned about power supply. At times on McKay Road, voltage only 210kw (c.f 240kw). Lines are brittle. Numerous joins. High winds result in power outages for at least 24 hours. • Unless Council addresses road, and applicant and power company addresses power, then consent should not proceed. Not sustainable. 	No.
32. Albert Nigel Benson	Neutral	<ul style="list-style-type: none"> • If the application is approved: <ul style="list-style-type: none"> - The Council must guarantee to improve the standard of roading, to cope with extra traffic; 	No.

		- The landowner must give a significant area of land, mainly steep unstable slopes, to be covered by QEII covenant.	
33. Hannah & Richard Lawrence	Oppose	<ul style="list-style-type: none"> • Oppose because: 1. more than minor adverse effect on environment, spoiling special and protected character of landscape; 2. Contrary to Rural zoning and outstanding natural landscape section of District Plan; and 3. Could create undesirable precedent. • Proposed sites are well undersized for construction of dwelling. • District Plan is a vital legal document, and provisions should not be ignored. • Residential development is complexly contradictory to the intentions of the Plan. • Would spoil peaceful, attractive rural character of land. • Spoil enjoyment of Papanui residents who have paid premium prices to own rural, unspoilt properties. • Further housing would look out of place. • Very visible from a number of public viewpoints. Photographs in report show how rural and beautiful area is, and how building on it would spoil it. • Part of Peninsula Coast outstanding landscape area, in place to protect features. • Strongly feels outstanding landscapes should be protected. Council has responsibility to ensure this happens. • Natural landscapes should be dominant over human elements, remote isolated character should be protected, large scale structures should not diminish impact of landscapes, and views should be protected. • Application contradicts all of above. • Local roads overloaded and dangerous. • Highcliff Road slip and years of waiting for repairs is an example. Cannot cope with more. • Cumulative effects of more development will make roads even more dangerous. • Tourism in NZ's biggest earner, especially on Peninsula. Tourists attracted by clean, attractive green spaces and beautiful landscapes. Tourist dollar more important to economy than dwellings and sheds. • Do not want precedent to be set. • Further development will make it a suburb of Dunedin and it will lose its special character completely. • It would ruin a very beautiful and special place that should be protected and cherished for all visitors. • Historically, Peninsula divided into smaller titles, and some still exist; however, historically, huge amount of ecological damage done to landscape before awareness of need to preserve it. Past mistakes should not be reason for allowing future mistakes. • Entire community and landscape will suffer if consent is granted in order for one applicant to financially gain. • Concerned property could be quickly sold or be subject to further inappropriate consent applications in future. • Requests that application be declined. 	No.
34. Papanui Hoopers Community and Environment Protection Group (PPG).	Oppose	<ul style="list-style-type: none"> • Proposal will have adverse effect on integrity of both Plans. 15.0ha and 40.0ha minimum site sizes. • Also objectives and policies for subdivision, outstanding natural landscapes, zones, environment, amenities and sustainability. • Peacefulness and tranquillity of area with iconic landscapes and seascapes will be greatly impacted by 	Yes.

		<p>domestication of area.</p> <ul style="list-style-type: none"> • Area currently a feature because of its isolation, lack of development, and lack of human activity. Proposal will impact greatly on this. • Outstanding natural landscape. Domestication of landscape will diminish qualities of landscape. • Roads are not safe. Narrow, poorly formed. Pinch points which additional traffic could result in serious accidents and even death. Fatalities in past. • More traffic on road including trucks of quarry, and tourists using proposed walking track. • Currently eight houses occupied full time. Proposal creates standalone quarry, standalone farm, and nine new residential sites (likely to be permanent homes for families). • Health and safety issues, particularly for Lots 9 & 10; significant evidence of large landslips and regular rock falls from steep north face of Mt Charles. • Application unclear as to whereabouts of walking track and car park. Given danger of rock falls, this would be safest adjacent to the existing farm house. Also would limit traffic impacts on Cape Saunders Road. • Baseline (17 lots of 15.0ha, 6-9 lots at 40ha) is incorrect. Calculation based on maths for a flat piece of paper. No feasibility works or scheme plan to back up how this would work in practise. • Given limitations of site and topography, unlikely 17 lots would be achievable. • Area littered with archaeological and tapu sites, recorded and unrecorded. Sites likely to be tampered with as there will be more people living in and exploring area. • Earthworks already commenced without consent or archaeologist present, no regard to early Maori occupation of area. Work has been done adjacent to important early Maori fresh water resource of Waikwhakahau Creek. • Diverse range of fragile wildlife of inlets needs protection. Council has duty under RMA. • Submitter's architect notes QEII area will not enhance landscape as they already exist. QEII area it insufficient as a trade-off, given biodiversity of inlets, and ecological corridors that they form. • More humans (cats, dogs, boats) will have impact on area. Recreational activity will negatively affect already declining Hookers seal lion, yellow eye penguin, and other at risk species. Proposal will double residential properties in area. • More artificial light affecting highly regarded dark sky area. Attracts tourists and locals alike. Council has 'Dark Sky Advisory Committee' considering UNESCO 'night sky reserve' centred on inlets. Considered because of lack of development in area. • Proposal will domesticate area. Extra houses, garages, sheds, buildings, traffic will create light pollution. Without conditions, no limit to the number of sheds, garages, auxiliary buildings on new sites. • Testing shows water quality greater reduced after heavy rains and when baches are occupied. Currently, clams are no collected over Christmas because of poor water quality. • Proposal raises grave concerns in terms of water quality, sediment control, and sewage disposal into 	
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		<p>sensitive receiving environment. No buffer to leeching septic tank systems. More septic tanks will impact on shellfish and sea life. No proposal to mitigate effects on fresh water streams, aquifers, and inlet sea water.</p> <ul style="list-style-type: none"> • Argument of previous development justifying new lots. Irrelevant. Development in the early 1900s when no District Plans or RMA controls to protect landscapes. • Granting consent would give surrounding farms very strong grounds to subdivide into smaller lots also. • 'Having your cake and eating it too.' Muddy, unfarmable swamp is to be QEII trusted; steep, sandy low-productive sections are to be residential lots; quarry can be sold; farm stays intact. • Hearsay comments about applicants breaching of quarry consent. Understand Council cannot take this into account when considering application. • Quarry can be sold off and open to intensification. Quarry highly contentious in community. • No conditions volunteered to mitigate adverse effects of buildings, loss of landscape character, pests, weeds or building design control, is concerning. Shows true intention, poor assessment of environment, improper advice from consultants. • Need applicant to adhere to conditions of consent. Council needs to consider applicant's history of quarry issues and recent access ways created without consent before accepting proposed mitigation. List of recommended conditions attached. • Landscape report does not accurately assess the existing landscape values. Conclusions are not formed by robust assessment. • Proposed development is inappropriate for this area. • Argument of earlier occupation is not relevant. • Old farm buildings were built in the early 1900s, when no District Plan or RMA controls in place. • Argument that proposal in keeping with, '<i>... naturally anticipated development of the area,</i>' implies area will be developed in future. Area listed as landscape area and should be preserved. • Area a natural asset to City, attracting nature tourists. • Inlets are habitats to many species of birds and seals. Activity in this location will greatly impact on these critically endangered species. Application should be declined for this reason alone. • Ecology report did not record any threatened or at risk species of bird. Professional ecologist has duty to carry out a proper assessment. Failed to do so. • Lists birds in area that are at risk, and other native species. Activity will detrimentally effect the nesting areas, and breeding success of these at risk species. • Yellow-eyed penguin and Hookers' sea lions are regarded internationally as endangered species. This is not the place to allow significant departure from District Plan. • Appreciate applicant has gone to expense of geotechnical, ecological, archaeological and landscape reports. These and professional planner are clearly biased towards their client. • Landscape report says development will maintain and enhance rural character and associated amenity values. Submitter disagrees. • Consultants did not consult local iwi, businesses, property owners, conservation groups, and overlooked 	
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		<ul style="list-style-type: none"> fragile bird and seal populations of inlet. • Applicant argues above are minimally affected. Submitter has reports to say otherwise. • Proposal will fragment the landscape and impact on Peninsula Coast outstanding landscape area. Totally contrary to District Plan. • Proposal is in contrast to City's goals of the Natural World - Dunedin's Environment Strategy 2016 -2026. • Calling on Council to act on mandate to protect outstanding natural features and landscape from inappropriate subdivision, use and development. • Subdivision is in contradiction to framework of District Plan policies. Effects more than minor. S104D test for non-complying activities is not satisfied. • Requests that the Council decline the application. • Appendices attached including statements from Architect, Dark Sky Night, Sea Lion Trust, a local business, and Forest and Bird. Photographs. • List of recommended conditions [<i>Note. A letter dated 20 December 2016 from Otago Peninsula Biodiversity Group advises that the group was not involved in the preparation of the submission, and does not agree with the inclusion of conditions A, C, and F pg. 14</i>]. • Assessment of objectives and policies of District Plan. • True exception test: history of human occupation and existing development pattern makes site typical. Common pattern of development along NZ coasts. Granting of consent would open door to other non-complying subdivisions on Otago coastal environment. 	
35. Neil Rekker	Support	<ul style="list-style-type: none"> • Supports development in Dunedin. • Requests that the application be granted. 	No.
36. Edward Peter Light	Oppose	<ul style="list-style-type: none"> • There are no proposed controls on the new sites. • No need for a subdivision of the landscape zone. • Sites are undersized. • Subdivision will create rural land fragmentation. • Area habitat to at risk, endangered and critically endangered wild life. Will be adversely affected. • Archaeological sites and tapu land will be impacted. • Existing and future tourism businesses will be negatively impacted. • Council has a duty under RMA to protect outstanding natural features and landscape from inappropriate subdivision, use and development. • S104D tests are not satisfied. • Requests application be declined. 	No.
37. Michael Conroy	Oppose	<ul style="list-style-type: none"> • There are no proposed controls on the new sites. • No need for a subdivision of the landscape zone. • Sites are undersized. • Subdivision will create rural land fragmentation. • Area habitat to at risk, endangered and critically endangered wild life. Will be adversely affected. • Archaeological sites and tapu land will be impacted. • Existing and future tourism businesses will be negatively impacted. • Council has a duty under RMA to protect outstanding natural features and landscape from inappropriate subdivision, use and development. • S104D tests are not satisfied. • Requests application be declined. 	No.
38. Norcombe Barker	Oppose	<ul style="list-style-type: none"> • Subdivision not in accordance with District Plan or Proposed Plan. • Against integrity and fabric of District Plan and outstanding landscape plan. 	Yes.

		<ul style="list-style-type: none"> • If Council continually allows subdivisions outside rules, the future of wildlife, tourism and night skies tourism will be destroyed forever. • Wildlife and urban development cannot live together; it is one or the other. • District Plan supposed to provide a platform to make decisions for the greater good. • Only one entity benefits from application while the community will have serious permanent detrimental effects. • Requests application be declined. 	
39. John Robert James Clearwater	Oppose	<ul style="list-style-type: none"> • Peninsula was settled in 15 to 20ha blocks. • Peninsula Holding Trust has titles of about this size. If they wish to sell, they must sell under titles that they already have not create new ones to suit. • Large farms of peninsula should be protected at all costs, as they enhance beauty of area. • Present infrastructure will not cope with increased permanent residential properties; particularly roading and power supply. • Requests that the application be declined. 	No.
40. J Palomino	Oppose	<ul style="list-style-type: none"> • Noise pollution impacts on wildlife behaviour and balance in ecosystem. Road noise triggers stress, changes wildlife behaviour, migration and loss. • Road access is narrow and gravel. An increased density population put in risk the dynamic between residents and wildlife. • Native biodiversity should be protected • Subdivision should be sustainable development for future generations. • 2006 quarry consent and current consents are separate consents. Should be dealt with separately. • Cumulative adverse effects of multiple activities within one site should be weighed together. • Quarry operation contrary to Objectives 1, 2, and 3 of NZ Coastal Policy Statement 2010. Degrades estuary and wetland ecosystem. Significantly impacts on natural character of environment, and has ignored the role of Tangata Whenua as Kaitiaki of the coastal environment, causing damage to their wahi tupuna. • Proposed Plan: quarry contradicts the outstanding natural landscape protection. Must be a 'natural landscape'. Current proposal will exacerbate this problem when its focus should be to remedy the problem, restoring it to former natural state. • 2015, quarry in breach of consent conditions. • Failure to comply has created significant adverse effects on environment. Fundamentally affects applications for subdivision and land use, cumulative effects beyond bottom line which has already been crossed. • Existing activities on-site have not been considered: quarry, forestry, agriculture. • Domestication of area beyond growth needs of farming families is inappropriate in this rural area. • Before lodging application, applicant has created building pads and access to proposed lots. Proves applicant's continued disregard for environment and policies designed to protect it. • There are sufficient coastal lifestyle blocks in region. Detrimental effect on the coastal environment is compromising a matter of national importance. • Founding premise of application based on two false 	Yes.

		<p>arguments: proposal maintains and enhances the rural character, and the applicant has not consulted with neighbouring property owners as they are not considered affected.</p> <ul style="list-style-type: none"> • Statements that development will enhance or improve environment are repeated throughout application. Ignores that tourists flock to area to experience landscape and wildlife, historic and cultural heritage. • To downplay this area's amenity is a biased view to development and inaccurate. • Economic cost to tourism not considered. Significant financial cost in tourism if development spoils outstanding landscape values. • Proposed reserve does not go far enough in protecting at-risk species, ecological significant or native biodiversity. • Independent expert should freely determine an area and design of a reserve appropriate to location. • Proposed reserve is 6ha exotic grassland, clear fell and works area ... degraded farmland to be converted into native vegetation. • Reserve as a whole will improve ecological management; however, only 2% of total site area will be converted. The rest of reserve is already established and regenerating native bush. Reserve contribution appears surprisingly small considering its high importance as coastal and wetland habitat. • Requests that application be declined. 	
41. Sharyn Anne Broni	Oppose	<ul style="list-style-type: none"> • Non-complying activity; breaking up Peninsula Coast Outstanding Landscape Area. • Likely to be archaeological sites destroyed or affected. • Wildlife that is already endangered could be adversely affected. • Dark sky of the area would be negatively affected; future 'Dark Sky' status of Dunedin harder to obtain. • Requests that the application be declined. 	No.
42. Stephen Christopher Broni	Oppose	<ul style="list-style-type: none"> • Resident of Papanui Inlet for 17 years. Scale and nature of proposal is more than a little disturbing. • Contrary to Proposed Plan and Dunedin's Environment Strategy 2016 -2026 goals of protecting landscape values and minimising threats to wildlife. • Significantly change the character of the landscape, reduce attractiveness of area to existing residents and tourists. Put at risk dark sky values. • Small proposed QEII covenant appears to be a token gesture, no way compensates for impact on area. Might exacerbate problems of parking, road safety. • Quarry future a concern; management to date has been less than exemplary. Continued operation will further impact landscape values of area. • Quiet open tranquillity of peninsula is iconic, nationally and internationally. Has a high economic value to the City which is sustainable in the long term if managed judiciously. Proposal puts at risk this future vision for long term prosperity. • Requests that the application be declined. 	No.
43. Kyle Davidson & Rachel Duell	Oppose	<ul style="list-style-type: none"> • District Plan framework for peninsula was major part of decision to purchase family home in Cape Saunders Road 14 years ago. • Proposed will increase population density; affect peacefulness and tranquillity, fragment outstanding landscape zone. • Increased traffic flow on already busy, below-par, 	No.

		<p>narrow gravel roads. Council will be under pressure to upgrade road.</p> <ul style="list-style-type: none"> • Area attracts wildlife tourism. Area offers rare pristine habitat for wildlife including critically endangered wildlife. Increased population in area will not help these species to survive. For this reason, application should be declined. • Outstanding landscape zone because it is special. Should be preserved. Subdivision is inappropriate for area, and contrary to District Plan. • Granting consent will compromise integrity of the District Plan, create an undesirable precedent. • Requests application be declined. 	
44. Katrin Berkenbusch	Oppose	<ul style="list-style-type: none"> • Eight sites are considerably smaller than 15.0h and 40.0ha minimum site sizes of District Plans. • Subdivision within outstanding landscape area. Needs to adhere to minimum site size of Proposed Plan. • Relevant Proposed Plan rules are in legal effect. • Site and area are not 'somewhat unique' for long history of human occupation. Numerous sites on Otago Peninsula fall within same category, with some buildings now obsolete. • Granting consent would set precedent rendering minimum site sizes of Plan redundant. • New sites will have significant impact on landscape, not adequately described. Outstanding landscape area. • Submitter endorses protection of wildlife areas and Maori historical sites. • Requests that application be declined. 	No.
45. Sofie Jacobs	Oppose	<ul style="list-style-type: none"> • No proposed controls on new sites. • No need for subdivision of outstanding landscape zone. • Sites are undersized; will create rural land fragmentation. • Area is wildlife habitat; at risk, endangered and critically endangered. Wildlife will be adversely affected. • Archaeological sites and tapu land impacted. • Existing and future tourism businesses will be negatively impacted. • Council's duty to protect outstanding natural features and landscapes from inappropriate subdivision, development and land use. • Section 104D tests not satisfied. • Requests application be declined. 	No.
46. Heritage New Zealand	Neutral	<ul style="list-style-type: none"> • Heritage NZ is an autonomous Crown Entity with statutory authority under HNZPTA 2014. • Submission relates to potential effects on historic heritage from development of Lots 1, 2, 3, 5, 6, 8, 9 and 10. Seeks to ensure approach to managing heritage aligns with HNZPTA 2014. • Schedule 25.2 Archaeological Sites (District Plan). There is a scheduled archaeological site (ref. A018) located on Part Papanui Section 54 Block C. The extent of the site was recently mapped for Proposed Plan, and it does not extend into Part Section 54 or any part of the application site. • Parts of the subject site are within wahi tupuna area 34 - Otakou Native Reserve and 36 - Poatiri (Mt Charles). • Parts of the subject site are overlaid with an archaeological alert layer indicating likely presence of 	Yes.

		<p>archaeological sites.</p> <ul style="list-style-type: none"> • Category 2 historic place (ref. 5709) in the vicinity of the subject site. Same site as DCC scheduled site A018 and NZ Archaeological Association site J44/46. This does not extend into the subject site. • Ten recorded archaeological sites in area, indicative of Maori and European occupation and potential for other sites. • The Heritage Impact Assessment by NZ Heritage Properties sets out historic context of Papanui Inlet area. It concludes that proposed development will largely avoid archaeological and heritage sites. • HNZPTA 2014 makes it unlawful to modify or destroy an archaeological site without authority of Heritage NZ. Important that resource consent conditions manage discovery of archaeological material. • Recommended conditions based on Te runanga o Otakou's submission (listed 5.9). Accidental discovery protocol. 	
<p>47. Graeme Desmond Granger & Megan Joy Bardell</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • Residents of Papanui Inlet experience high level of amenity in terms of noise, low traffic volumes, and exceptional landscape. • Proposed Plan wisely recommends 40.0ha lot sizing. Calculates six sites, five with new dwellings. Proposed density is in conflict with Objective 16.2.3.2. • To concentrate small lots in small areas is in conflict with objectives of Plan, result in diminished amenity values. • Two lifestyle properties in close proximity to house, sharing a driveway on submitters' boundary, will have major effect on property. • Traffic generated by Lots 1 & 2 will pass seven driveways to reach Allans Beach Road. Access should be to Allans Beach Road. • Building platforms for Lots 1 and 2 on ridgeline between inlets. Buildings will be highly visible from roads on both inlets and Highcliff Road. • Buildings on ridgelines not consistent with District Plan and outstanding natural landscape area. Screening required, but trees can be removed. Not controllable. • Insufficient land around submitters' property for additional two lifestyle units. • Proposed right of way along boundary of 178 Papanui Road should not be approved. Never been a farm track; it has been recently created without consent for subdivision. Nothing historical about track. Cuts into steep face and filled in portion of wetland. Work resulted in altered drainage pattern and flooding of submitters' property. • Eight year old trees put in place to screen property from quarry removed to form track. • Conflict in assertion that higher density lots will preserve working farm. Airstrip will become a building platform. Areas in Lots 1, 2 and 8 are main areas for feed crop production. Quotes application. • Historical house sites is not unique to this property and will apply to most of Peninsula, creating precedence. • Remoteness and lack of public transport sees lifestyle owners create significant volumes of traffic. Subdivision could double traffic on narrow shingle roads. • Requests that 40ha rule be applied to assure amenity 	<p>Yes.</p>

		<p>values preserved.</p> <ul style="list-style-type: none"> • Do not grant consent for right of way along boundary. • Do not allow building platforms on ridgelines. • Lots 1 and 2 have access to Allans Beach Road. 	
48. Hamish Forrester	Oppose	<ul style="list-style-type: none"> • Believes that proposal will have significant negative effect on the amenity for visitors and residents. • Lots are undersized and will create greater density than permitted under District Plan. • Mitigation measures are far from sufficient to outweigh negative impacts. • Applicant has purchased opinion to support application. • Submitter has no issues with geotechnical, archaeological and ecological assessments, but disagrees with the majority of arguments put forward in the main body of the application; highly subjective to completely untrue. • Reverse sensitivity: neighbouring sites do not "coexist comfortably". Numerous complaints by neighbours to Council and police over actions of applicant and his activities on rural site. • Mike Moore (Landscape Architect) did not speak to neighbouring property owners when reaching conclusion there will be no significant adverse effects on amenity of neighbouring properties. Those spoken to by submitter state there will be significant adverse effects on the amenity of their properties. • True exception argument is bewildering. Greater density in smaller lots is not unique but typical of rural Otago Peninsula in historical times. • Integrity of District Plan will be undoubtedly compromised. Precedent will be set: historical use allows subdivision into non-complying lot sizes. • How can Hearings Committee have any faith in opinions offered in application when facts are misrepresented? • Statement regarding "productive potential" makes no sense. How can you remove productive land from a farming operation and make it more economically viable? • Applicant has history of filling in wetlands, arguing that flat paddocks are essential for farming operation. • Yet this application seeks to subdivide valuable flat farming land into rural-residential lots. • Appears intent of application is to create ten lots capable of supporting residential development, not the stated nine. No mention of prohibiting building on the lot of 194ha. • Farm block less economically viable if owner has to purchase a nearby rural-residential block in order to live near the farm. • Requests that the Committee decline consent, to maintain the integrity of the District Plan. 	Yes.
49. Elm Tourism Ltd.	Neutral	<ul style="list-style-type: none"> • As a daily user of the area, submitter sees no detrimental effects other than increased traffic will require more road upkeep. • Requests a requirement restricting cat and other predator ownership in this highly sensitive area. Control of feral and other cats already a significant cost to submitter's organisation, and is responsible for decimation of local wildlife. • Otherwise, there is no direct influence on wildlife. 	No.
50.	Oppose	<ul style="list-style-type: none"> • Eight sites are considerably smaller than minimum site 	No.

Thomas Edward Myers		<p>size for District Plan and Proposed Plan.</p> <ul style="list-style-type: none"> • Subdivision within the Peninsula Coast Outstanding Landscape Area. Subdivision needs to adhere to the minimum size ruling of Proposed Plan. • Relevant Proposed Plan rules in effect. • Site and area are not unique because of long history of human occupation. Numerous other sites on Peninsula have same category. Granting of consent will set a precedent making minimum site size redundant. • New sites will have significant impact on landscape; not adequately described. Particularly relevant because of outstanding landscape area. • Acknowledge the work that has gone into application, and endorse the protection of wildlife and Maori historical areas. • Requests that the application be declined. 	
51. Dunedin Astronomical Society	Oppose	<ul style="list-style-type: none"> • South side of Peninsula, particularly around Hoopers and Papanui Inlets, offers some of the best astronomy-related observing and imaging possible within short trip from Dunedin. • Sky quality result of very low housing density, combined with shielding against City's light spill that local topography provides. • Granting consent would increase housing density, lighting and traffic; materially alter the quality of the area and Dunedin's ability to broaden its appeal as an eco tourism destination. • Will set a precedent, encouraging similar developments nearby. • Request that the application be declined. 	No.
52. Gordon John Anderson	Support	<ul style="list-style-type: none"> • Property owner rights. • Submitter believes that Council's implementation of Proposed Plan rules without consultation amounts to property theft, and should be challenged. • 40ha, 15ha lots are not economic units on land with low productivity. • Majority of people who buy lifestyle blocks are unaware of work involved in maintaining 15ha to 40ha, and the limited returns to pay for upkeep. • Most people would be happier with a smaller, more management lot, with room for a house with privacy and grazing for horse or sheep. • Sadly, few opportunities to purchase small block in the Dunedin area. Subdivision will help remedy this situation. • As a former long-term peninsula resident, it is the type of property the submitter would like to move back to eventually. • Requests that the subdivision be approved as it will leave a viable farm, and the extra lots are unobtrusive leaving the area retaining its natural beauty. 	No.
53. Luke William Ellis	Support	<ul style="list-style-type: none"> • Allowing the undersized lots to be formed and a larger 'farm block' to dominate. • Submitter enjoys walking/running/cycling in area. • Appreciates the thought the applicant has gone to seeking to best minimise the impact on the environment while protecting and enhancing the special features of area. • Concerned when approached on Facebook page started by PGG that incited a negative/hysterical attitude to this project. Became clear that their claims of wildlife damage, tourist reputation loss, and other 	No.

		<p>unfounded claims were to protect their own right to enjoy this beautiful area. Nimbyism at its worst.</p> <ul style="list-style-type: none"> • Council should allow subdivision. Proposal thoughtfully considered and enhances Hoopers Inlet Road edge. • Night sky is a consideration; no houses proposed for road edges. Will be a QEII Trust site. • Requests Council to grant application as a special case. 	
54. Alan William Clearwater	Support	<ul style="list-style-type: none"> • Building should be allowed on existing titles. • New rules around 40ha has taken applicant's property rights away. • Property developed by submitter's father during 1930 to 1954, and by submitter during 1976 to 1990. • Many sacrifices made during the depression and hard farming years to make an economic unit. • Sadly, farm is still not an economic unit. • Landscape features of this property dictate that if existing titles were built on, then negative visual effects of lifestyle blocks would occur. Even 15ha too large. • Proposal will keep majority of farm in one block as a farming unit. Selling of smaller blocks will free up capital/pay off debt, allow a more economic unit to be purchased elsewhere. • Applicant (son) has been hampered by neighbours buying property next to existing quarry and then objecting to use, noise and rare activity that occurs. • Consent conditions were very loose; open to interpretation about quarry activities. Conditions have been a major focus point over last 18 months; good progress made between quarry owner and Council, addressing the issues with the quarry. • Request that consent be granted with as few conditions as possible. Lots of thought has gone into application, and applicant should be congratulated on a well-presented application with professional input. • Notes that most people opposed live on undersized lots in this area. They say no need to undersized lots, yet they enjoy this area and don't want to share it. • Believes that the applicant has designed subdivision in a very thoughtful manner for future generations. 	No.
55. James Joseph Martin	Support	<ul style="list-style-type: none"> • Area has been a natural place to build houses, as early Maori and settlers demonstrated. Many more people occupied area 100 years ago than do so today. • Wildlife and landscapes survive to this day; will not be affected by small increase in density of housing. • Biodiversity and QEII covenant mitigation proposed, along with walking track to Mt Charles, will only add to making this place a wonderful place to live and exercise. • Granting consent will not set a precedent. Other farm units do not have the same aspect or opportunity to offer enhancement to Hooper's Inlet slopes. • Granting consent will improve beauty of area; platforms are all in areas where a house would be expected. Well integrated into existing landforms and will in 10 years appear as if they have been there for 50 to 100 years. • Requests that consent be granted. 	No.
56. Rodney Moore Knights & Alison May Knights	Oppose	<ul style="list-style-type: none"> • Subdivision of the farm in a manner contradicting the District Plan and the Peninsula Coast Outstanding Natural Landscape. • Increased population density will adversely affect 	No.

		<p>endangered species such as yellow eyed penguins, Hooker sea lions and other species.</p> <ul style="list-style-type: none">• Outstanding natural landscape should be protected.• Requests that the consent be declined.	
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