

**VERBAL SUBMISSION TO HEARING. Christopher Girling
Reference FS50.2**

Reference Submission 825354 opposing the following:

S305.001, S305.002. Requested site 175. Outram Developments Limited

S307.001, S307.003. Requested site 154. Peter Doherty

S308.001, S308.002. Requested site 154. CC Otago Ltd

INTRODUCTION

**Thank you for the opportunity to make a further submission
rejecting the appeal to rezone RS154 and RS175**

The process adopted by the Submitters seeking to rezone from rural to residential appear to be taking three opportunities to support their appeal.

I will respond indirectly to some points raised in their supplementary submissions.

I note that the three submissions (S308.002, S305,001 and S307.001) have requested rezoning and application of a structure plan mapped area instead of a New Development Mapped area (NDMA).

This effectively avoids at this stage the need to detail key elements of subdivision relating to storm water, waste water and risk of ground contamination and hence the opportunity to provide specific counter argument. This opportunity may never arise should any subsequent NDMA application be deemed 'non notifiable'.

I have been motivated in part to make a submission and to be here today after following the process and development of the subdivision known then as Maungatua View that has occurred over

the last few years. What the Hearing approved and what finally occurred were quite different

That subdivision on high class soils approved back in 2014 was limited to 28 sites with an onsite wastewater system. Following a non-notifiable process and a number of changes the final result was 35 new sites and individual onsite septic tanks. Further Public submissions on key aspects of the changes were effectively denied.

The question has to be asked why the waste water plant ceased to be a requirement for that subdivision.

We can become too preoccupied with all the rules, amendments and arguments for and against. In so doing it is not difficult to lose sight of the overarching issues that exist as far as Outram is concerned as these appeals to rezone from rural to residential.

Within the boundaries of Dunedin City Outram is both unique and vulnerable.

I believe that there are two fundamental questions that need to be answered during this process:

The first question:

- 1. Should the very limited and finite resource of high class soil be allowed to be lost forever simply to allow further housing development in and around Outram**

Much has been written about this very scarce and finite resource and the need to protect it.

Outram is very fortunate in that it is surrounded by high class soils and it is one of the fundamental reasons I am here today as it is essential we need to protect them for future generations.

I quote the previous Mayor, Mr Cull, from an article that appeared in the ODT on the 16th August 2019:

‘.....The 2nd Generation Plan restricted future urban sprawl on the Taieri Plain for reasons including the need to protect high class soil, because of the value in food production, he said.

However ,it was fair to say the city – on the Taieri Plain in particular – had already lost productive land it should not have to housing development, Mr Cull said.

I think we’ve built on some soils we oughtn’t have’. (End of quote from the article)

Mr Cull was commenting after the Government unveiled a ‘draft National Policy Statement’ on valuing highly productive land back in 2019.

Following a submission process the National Policy Statement final decisions will be made by Ministers and Cabinet at the end of this month, August 2022. If approved by Cabinet, the proposal would be gazetted and take effect soon after decisions are made.

I believe that it will be premature to even consider a decision in favour of those appealing that the sites in questions should be rezoned from rural to residential until that National Policy Statement is released and gazetted.

The National Policy Statement process also sought to address a transitional stage as it has been expressed ‘a

fear of a gold-rush of applications to subdivide and develop highly productive soils.

In reviewing the 2GP per Variation 2 as it seeks to provide for greater housing primarily in central Dunedin it was totally right to exclude Outram.

I see no evidence to support that there is any form of significant demand for housing in Outram. It is logical that real estate agents will always want more sections or houses to sell. It is also reasonable to ask a few friends if they would like to come and live in Outram. That in itself does not mean there is a shortage.

A pattern has emerged in Outram to utilise previous relatively small areas of market garden land or high class soils for subdivision. Those investing in land to develop for residential subdivision purposes have presented arguments that the land is no longer being used for intensive market gardening, is now growing grass and is a small enough area not to provide a viable and economic unit.

If you accept this appeal it further supports and sets a precedent for further small lots of high class soil to be submitted for rezoning from 'rural to residential'.

The submitters appealing have indicated location of a waste water plant in the adjoining property (a neighbour).

Is that not Potential further loss of high class soil?

This is possibly not the forum to debate the reasons why there has been a reduction in market gardening around Outram. It is the time to confront the fact that a

consequence of climate change is that we should become more self-reliant and not dependant on sourcing food from the North Island or further afield.

This Hearing should consider the consequence of climate change. I list some more obvious ones:

Severe weather events, such as being experienced in the upper South Island, whether drought or extreme rainfall, will damage crops and limit supply. We have to anticipate that these sort of calamitous events will happen more often.

The loss of prime high class soils for subdivision purposes in and around Pukekohe are illustrative of the importance on not relying on others.

Salinization is expected to increase in vulnerable areas as sea levels continue to rise. Loss of farmland is inevitable over a period of time.

There are other more extreme potential risks, however unlikely, that highlight the potential need for diversity within the farming and horticulture industries and justify the need for retention of all high class soils still left.

In conclusion:

A very clear message by this Hearing rejecting this appeal will actively discourage further loss of high class soils or highly productive land in and around Outram and allow the

region to become much more self-reliant again for the benefit of the city and the region as a whole.

This Council owes it to future generations to protect ALL high class soils.

The second question:

- 1) Can the existing infrastructure and critical location of the Outram township support further residential expansion without creating further health and safety risks specifically from flood risk, storm water management, waste water and ground contamination to the existing population and its growth should this appeal be approved.**

My belief is that Outram is in a vulnerable location

Some salient facts that so easily become lost in the general debate:

The total catchment for the Taieri river is 565,000 hectares covering a region that stretches back to beyond Naseby. This is a vast area that given an extreme weather condition could generate flood risk significantly greater than the 1980 flood and others that have been recorded to date.

Very recent extreme weather events such as in the upper South Island and earlier in the year in Canterbury and the North Island highlights that flood control planning should not be limited to historical events.

As has been evidenced in the past heavy rainfall in the catchment results in the river rising quickly and high.

Sea level rise will undoubtedly have a material effect on the flood risk of the Taieri Plains such as higher water table, salinization and lower flow rates of the Taieri river.

The height of the flood bank adjacent to the Taieri River has been designed to provide for up to 2500 cumecs, a volume of flow achieved in the 1980 flood – flow rates already experienced.

The ORC are currently scheduling strengthening the floodbank adjacent to the substation in Outram as I understand it to minimise seepage.

A breach of the floodbank near Outram could result in much of Outram being inundated as it generally lies lower than the land on which the floodbank is located.

Above Outram the floodbank is slightly lower. It is not known why it was designed this way excepting it has been presumed that it might lessen the pressure on the floodbank beyond that point in the event of a flow rate greater than 2500 cumecs.

The natural hazards flood overlay of the area proposed for rezoning is noted as 2 being medium risk.

Outram does not have an overall storm water management plan. This should be a priority given the history of flooding in and around Outram and would go some way to highlight the limited storm water storage capacity that further residential development would create.

I reference the flooding that occurred on late July 2017 when the flood water pooled around the then new subdivision – Anzac Court.

It has been estimated that in excess of 70% of Outram's stormwater goes into the Oxbow.

I contend that it is impossible to gauge the capacity of this area for storage purposes as it depends solely on how full or otherwise it is

at the time there is a major rainfall event over Outram. It should be noted that it takes a long time after the water level in the Oxbow rises for it to go down.

The groundwater protection zone does not include all of existing residential sites in Outram. (I note that this is an ORC responsibility). There should be no consideration of further residential development until the GPZ is expanded to include all residential sites and beyond.

A Planning Officer referring to the subdivision known during its development stage as 'Maunganui Views' suggested that the GPZ is an arbitrary line in the District Plan where the extent of the shallow aquifer is not as clearly defined or understood. He has little doubt that the groundwater under the subject site is directly connected with the aquifer that the GPZ provisions seek to protect.

There is little known about the aquifers believed to link the oxbow and river. From communication with the ORC I have been advised that there has been no known mapping of the aquifers. There is nothing to conclude that the proposed rezoned sites are not in any linked by aquifer. Planners must assume that they are.

The Otago Regional Council has repeatedly stated that Outram, as with other areas, has reached saturation point as far as septic tanks are concerned. The rules to this point, as it appears, have continued to allow many more septic tanks be installed. Whether new or old, septic tank failure occurs when flooding occurs or there is ground saturation.

There is a risk of nitrate contamination from human waste as well as farm activity. It is pleasing to note however that the Dunedin City Council recognises this risk and regularly monitors the level of nitrates at various points around Outram. A concern is that if the nitrate levels reach the unacceptable level it will be a period of time sampling to confirmation and hence advice to the public.

There will then be a period of time whilst the source is identified and negated. There is of course the ongoing debate about the acceptable level of nitrates in drinking water.

It is my contention that locating a waste water plant adjacent or near to an oxbow that drains its water via infiltration into shallow aquifers that could potential link back to the Outram bore field from which Outram's water supply is sourced is making the risks higher.

I note that in the seven years that we have lived in Outram we have consciously experienced three earthquakes. Damage to infrastructure from seismic activity is illustrative of such risk.

Time restraint prevents me going into greater detail so in conclusion I contend that retention of high class soils are significantly more important that further urban sprawl around Outram and that it makes little sense to encourage further residential growth in what is such a vulnerable area.

I urge this hearing to reject the appeal to rezone RS154 (91 and 103 Formby Street) and RS175 (85 Formby Street) from Rural – Taieri Plain to Township and Settlement and apply a structure plan mapped area to the rezone site.

Thank you

