

Form 7 Notice of appeal to Environment Court against decision on proposed policy statement or plan or change or variation

[Clause 14\(1\)](#) of Schedule 1, Resource Management Act 1991

To

the Registrar

Environment Court

PO box 2069

Christchurch 8013

I, Anthony Haereroa Parata, appeal against a decision of The Dunedin City Council on the following policy statement:

The Second-Generation District Plan

I made a submission on that plan.

I am not a trade competitor for the purposes of [section 308D](#) of the Resource Management Act 1991.

I received notice of the decision on 7 November 2018.

The decision was made by The Dunedin City Council.

The part of the decision that I am appealing is:

A decision to include provision for Papakiaka in a way that includes the building of one residential unit on any existing site in parts of rural Dunedin by descendants of the grantees of the original Maori reserves. This being an exemption from the density and other rules and performance standards of the rural zone.

And:

A decision to rezone parts of the City to allow for more intensive Residential and Rural Residential activity in areas where there is or may be inadequate infrastructure capacity.

The reasons for the appeal are as follows:

The Papakiaka provisions create different rules for the same activity based on an applicant's ancestry. The absence of the usual Rural rules will lead to an unsightly urban sprawl, have an impact on infrastructure, landscape values and rural amenity. It is doubtful that the Council will be able to prevent dwellings built under these provisions from being sold on the open market. The provisions include the use of the terms "native" and "half caste" in the District Plan maps, such terms being generally considered offensive nowadays.

And:

My zoning submission was misinterpreted in the Urban Land Supply and Rural Residential sections of the plan as supporting policies dealing with future zoning proposals rather than being a submission against the zoning in the proposed plan. Despite my correcting this at the hearing, my views were omitted from the decision.

There will be long term costs to the public, water outages, environmental or public health issues where intensification of development occurs in the absence of planned and funded infrastructure upgrades.

I seek the following relief:

That Papakiaka provisions be amended so that they do not provide for residential activity (up to six residential units) on any existing rural site in the rural areas that were originally Maori Reserves and that the terms “native” and “half caste” do not appear in the Plan in relation to Papakiaka. That the definition of Papakiaka Housing means residential units on Maori Land held in Maori ownership under the jurisdiction of the Maori Land Court. That rules in the plan apply equally to everyone regardless of ancestry.

And:

All new zoning and intensification of residential development by zoning that is likely to impact on services should only proceed when supported by comprehensive engineering and funding studies so that infrastructure within and related to the new areas is not compromised.

I attach the following documents* to this notice:

- (a)
a copy of my submission *or* further submission (with a copy of the submission opposed or supported by my further submission):
- (b)
a copy of the relevant decision (*or* part of the decision):
- (c)
any other documents necessary for an adequate understanding of the appeal:
- (d)
a list of names and addresses of persons to be served with a copy of this notice.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on

request, from the appellant.

.
Signature of appellant

.
Date

Address for service of appellant: 1113 Coast Rd 1RD Waikouaiti 9471 tekainga@xtra.co.nz

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Submission to Proposed DCC Second Generation District Plan

Submitter Details

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I could not gain an advantage in trade competition through this submission.

I would like to be heard in support of my submission and will consider presenting a joint case.

Papakaika

I oppose The provision for Papakaika in its present form

The decision I seek: That the rules relating to Papakaika be amended or deleted so that the ‘descendants of original grantees’ do not receive exemptions from the provisions of the plan that other Dunedin residents are required to abide by.

Reasons.

1. The ‘descendant of an original grantee’ is in effect the descendant of a member of the Kai Tahu Iwi living in Otago when the grants were made. This is because it is highly unlikely that any Otago Kai Tahu were not grantees of one or more of the reserves. The proposal therefore distinguishes between Dunedin residents based on ethnic origin and the Dunedin City Council has not yet formally adopted such a stance but recognises the New Zealand Bill of Rights.
2. That the terms ‘Native Reserve’ and ‘Half Caste Reserve’ should not be used in the plan. These terms reflect colonial arrogance and many of us find them offensive when used in modern documents such as a district plan. The term ‘Native Reserve’ was done away with in this context by Part 1 of The Maori Purposes Act 1947.
3. The reserves were a concept of the then colonial government and any relationship between Kai Tahu and their ancestral land should apply equally to all land in Otago and not just to land within the government reserves which at the time were inadequate in size and productive capability.
4. The ability to build up to six residential units on a site of any size will lead to an unsightly urban sprawl on land, particularly at Puketeraki, which recognised for its landscape and amenity values. There will be unplanned and unquantifiable demand to upgrade and extend infrastructure at a cost to the whole city. The proposal is simply inappropriate subdivision, use and development, harking back to the situation we had before The Town And Country Planning Act 1953.
5. The proposal will cause resentment and is not in keeping with the equality and fairness to all expected by New Zealanders.

Proposed Residential and Rural Residential areas

I oppose rezoning to provide for more intensive residential use in the following areas:

1. The increase in the area of land zoned Township and Settlement at Waitati.
2. The area zoned Rural Residential 2 at Warrington.

3. The area zoned Rural Residential 1 at Edinburgh St Waikouaiti.

The decision I seek is that the areas are zoned as they were in the existing Plan and that any increase in the area provided for Residential or Rural Residential must be sustainable and not lead to an increased demand for infrastructure extension or upgrade

Reasons:

1. The more intensive residential use around Blueskin Bay will threaten the ecology of the Bay. Septic tanks will be inadequate for development on this scale as was the case when Silverpeaks County Council had to build the Warrington Sewage scheme. At that time the Council restricted residential development on un-serviced land in the area. The proposed zoning will ultimately lead to a new sewage scheme being required.
2. The water scheme at Waitati and Warrington is already stretched to capacity and any further intensification will adversely impact on existing scheme users including Seacliff and the rural users as far as Merton and the Kilmog.
3. The Edinburgh St Rural Residential Zone will lead to an upgrading of the water and roading in the area. The land drains into the Hawksbury wetland and lagoon area and may lead to an upgrading of the sewage scheme. Because of the historical township subdivision there will be effectively a 1 ha minimum lot size.
4. Development in all these areas will be for residents who in the main will be driving in and out each day to work in central Dunedin.
5. Dunedin has provided good infrastructure in the central area and residential use, where it will impact on infrastructure, should not be provided for in the plan. Dunedin has a static population and in making zoning decisions the plan should have regard to the sustainability and resilience of the city as a whole rather than the individual communities.

Section 2 Strategic Directions

I oppose the absence of policy dealing with economic sustainability in the provision of Council infrastructure.

The Decision I seek is that economic sustainability is given the same priority in the plan as environmental sustainability.

Reasons Dunedin is not growing and we must live within our means. For example, we know from recent experience that Blueskin Bay gets polluted if too much wastewater in residential situations is treated only in septic tanks. We know the water supply in the area couldn't cope in January 2015. Yet the plan proposes a significant residential intensification which will potentially cost ratepayers millions in provision of infrastructure.

Inconsistency between strategic policies (Sec2) and proposed new residential areas

I oppose the plan ignoring its own strategic policies in including new areas in the plan for Residential and Rural Residential intensification throughout the City.

The Decision I seek is that in choosing new areas for Residential or Rural Residential zoning or intensification the plan should have regard to its own strategic policies and in particular: 2.6.3.1, 2.6.3.2, 2.7.1.1, 2.7.1.2 and 2.2.2.4

Reason The Council should be expected to follow its own policies

Policy 2.6.3.1

I Oppose "prioritising areas that are close to the main urban area or township that have a shortage of capacity"

Decision I want is that shortage of capacity is replaced with a meaningful phrase

Reason I can't understand what the capacity is that is being referred to.

Policy 2.6.1.3 (2)

I oppose that the concept that subdivision as defined in the plan could ever render land incapable of supporting productive use.

Decision I want is that the word subdivision or subdivided is not used in this context

Reason Subdivision as defined in the plan is merely lines on a map and does not make the land any more or less productive. It is the use of the land or adjoining land that may influence production.

Persons to be served

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3.10 Management of papakāika

200. The operative plan limits papakāika development to Māori Land (defined as any land given the status of Māori freehold land pursuant to Te Ture Whenua Māori Act 1993 or subsequent legislation). The s42A Report noted that Māori Land is often owned by multiple owners and there are particular restrictions on the sale and development of the land. Sites currently classed as Māori land are the remnants of land that was originally set aside as native reserves in the 19th century when large areas of land were sold to European settlers. This land was intended to provide for kāika (villages) and food production and gathering. The s42A Report notes that there remains a strong association with this land and a strong desire from Manawhenua that papakāika be allowed in these areas.

201. The 2GP provisions allow papakāika in all native reserve areas (Rule 16.3.3.21). The ability to develop papakāika is limited to descendants of the original grantees of these reserves, who may also be represented by Rūnaka or by various management structures over the land. Native reserve land is located primarily in rural and residential zones. Both zones provide for papakāika development at greater density than is normally allowed in these areas (s42A Report, Section 2.2, p. 5).

202. Papakāika is defined in the 2GP as:

*"Residential activity within the boundaries of a **native reserves mapped area** where: the land is fully or partly owned by one or more of the following:*

- *A descendant of an original grantee of a Native Reserve, or their trustee; or*
- *a management structure governed by the Te Ture Whenua Māori Act 1993 or subsequent legislation over the land concerned, for the benefit of such persons in (a); or*
- *a Rūnaka with authority/mana over the area in which the Native Reserve is located; or*
- *a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; and, the dwelling is primarily occupied by at least one of the following:*
 - *a descendant of an original grantee of the reserve; or*
 - *a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; or*
 - *a whāngai of a descendant of an original grantee."*

3.10.1 Request to remove or amend papakāika provisions

203. *Anthony Parata* (OS248.1) requested that Rule 16.3.3.21 be removed from the 2GP altogether, or amended in a way that "descendants of original grantees" were not exempt from plan provisions that other residents are required to abide by. His reasons were that the proposal distinguishes between Dunedin's residents depending on ethnic origin; the reserves were a concept of the Government of the time and the relationship between Kāi Tahu and their ancestral land should apply to all land within Otago, not just the reserves; the ability to build up to six units on a site could lead to unsightly urban sprawl, particularly at Puketeraki, and would lead to an unplanned and unquantifiable demand to upgrade infrastructure; and the proposal will cause resentment and is not fair and equitable.

204. This was opposed in a further submission by *Ngā Rūnanga* (FS2456.104), which stated that the Native Reserves were originally granted to provide land for the descendants to live on, and the papakāika provisions facilitate this intended purpose. *Ngā Rūnanga* stated that there is strong support from Manawhenua for these provisions, and the density of any development has been carefully considered to avoid adverse effects on the landscape.

205. *Mr Parata*, in his written and verbal evidence, discussed the way that papakāika is defined and managed in a number of other territorial authorities, and noted that it generally involved communal living, or a village form, and be on Māori land. He noted that the 2GP is alone in allowing for a single dwelling on any sized site within a Māori reserve and occupied by a descendant of a grantee of the reserve. He considered that in Dunedin there is no need to provide for land within reserves as ancestral land is readily available both in rural and residential zones.

206. He considered that the restrictions imposed by the 2GP conditions mean that land and buildings could not be used as security, or to realising a capital gain on the site. The only descendants likely to use such provisions are those that cannot build under the rural rules (due to the size of the site). In response to a question, he stated that rules that will never be used should not be in the Plan. Any structure would be expensive, due to the Building Act. Allowing a few people to build on under-sized rural sites is a huge concession, amounting to discrimination, and will lead to poor environmental outcomes.

207. *Mr Parata* also considered that the advice note explaining that papakāika cannot subsequently be sold to non-descendants will be ineffectual, and the owner could put a case to a hearings panel that the house already exists, and to refuse sale would be discrimination. He concluded that the definition of papakāika does not give due respect to either the traditional or contemporary use of the term, and giving superior development rights to descendants of grantees is fraught with difficulty.

208. *Mr Parata* noted that he would be less concerned if the provisions restricted development to Māori land.

209. *Mr Parata* tabled a number of supporting documents including the draft s32 Report for the papakāinga zones in the Christchurch Proposed City Plan (May 2015), a PowerPoint presentation by Waimakariri District Council on Māori Reserve 873 (Tuahiwi), and legal submissions from Te Rūnanga o Ngāi Tahu and Ngā Rūnanga to the Proposed Christchurch Replacement Plan, Chapter 4 Papakāinga (November 2015).

210. In its original submission to the 2GP, *Ngā Rūnanga* (OS1071.11) sought to retain the provisions in the Manawhenua section of the 2GP that provide for papakāika, including the controlled activity status in rural zones (Rule 16.3.3.21); the density performance standards (rules 16.5.2.1.h and 16.5.2.3.a); assessment Rule 16.11.3.2; and the advice note on Papakāika (Note 16.3B).

211. *Mr Vial*, called by *Ngā Rūnanga*, noted in his evidence that Manawhenua have expressed a strong desire for whānau to return to their land, and for the communities to grow, providing a supportive environment for older people and young families. Returning to their ancestral land is a way Māori can maintain and enhance their culture and traditions. When the reserves were set aside, they were intended for kāika. The papakāika provisions provide for such a possibility.

212. Both *Mr Matapura Ellison* and *Mr Edward Ellison* appeared at the hearing for *Ngā Rūnanga*, and in their written evidence, both emphasised the strong connection whānau have with the Māori Reserves, describing them as both tūrakawaewae and tauraka waka, anchoring whānau to the land. Living on the land is an important way of maintaining this connection.

213. *Mr Edward Ellison* explained that whānau in the district have been unable to establish papakāika to date, due to difficulties with laws concerning communal land. The 2GP provisions will facilitate establishing papakāika.

214. In her revised recommendations, given orally, the Reporting Officer noted that the Waimakariri example tabled by *Mr Parata* does not presume village development, but allows single houses, on both Māori Land and general title land, as long as they are by a descendant of an original grantee.

215. The 2GP still puts far greater restrictions on land used for papakāika than apply to normal residential activity in residential zones.

216. The Reporting Officer recommended that the request by *Anthony Parata* be rejected and the requests by *Ngā Rūnanga* be accepted (s42A Report, Section 4.3.16, p. 33).

217. *Ngā Rūnanga* (OS1071.52) also sought to amend Policy 14.2.1.6, which sets up the framework for papakāika development within Native Reserves, to read:

"Enable Manawhenua to live in develop and occupy papakāika in Native Reserve areas where any adverse effects on the relevant zone can be adequately managed in line with the objectives and policies of the relevant zone".

218. The reasons given were that the provisions should recognise that it is appropriate to develop papakāika housing, provided that adverse effects on the site and the surrounding area are adequately managed. The submission stated that the provisions provide a limited exemption for the development of housing that supports Manawhenua social, cultural and economic well-being. A requirement to mitigate all or any adverse effects in line with the objective and policies of the relevant zone is contrary to the enabling direction of these provisions.

219. The s42A Report noted that Policy 14.2.1.6 is intended to be an enabling policy, against which the policies of the relevant zone are considered. For example, for papakāika development in the rural zones (a controlled activity for up to 6 units or 15 habitable rooms), relevant rural policies are included within assessment Rule 16.8.2. These include policies in relation to managing the disposal of stormwater and wastewater, ensuring there are no significant effects on the safety and efficiency of the transport network, and maintaining rural character and visual amenity of the rural zones. This last policy (Policy 16.2.3.2) is of concern in that it may result in the number of dwellings being limited in order to maintain rural character. This is contrary to the aim of the papakāika provisions, which are to allow a greater density of development in rural areas, acknowledging there may be some effects on rural character. It is also contradictory to Policy 16.2.1.5, which exempts papakāika from the normal rural density restrictions, and from achieving various rural objectives and their policies, including Policy 16.2.3.2. What was actually intended was that while allowing a greater density, the design of any development maintains rural amenity outcomes as far as practicable, for example through design, scale and location of dwellings (s42A Report, Section 4.3.15, pp. 29-30).

220. To remedy this, the Reporting Officer recommended that the papakāika assessment rule (Rule 16.8.2.1) is amended to remove the reference to Policy 16.2.3.2 as a relevant policy, and add additional assessment guidance instead. This guidance would encourage the development to achieve Objective 16.2.3 as far as practicable, in terms of the design, scale and location of the development.

221. She did not support the specific wording changes requested, as in her view, removal of the reference to the objectives and policies introduces uncertainty as to what outcome must be achieved. She was also concerned that the phrase "develop and occupy" differs from the definition of papakāika, which is "residential activity".

222. Consequently, she recommended that amendments were made to the assessment rules in the rural section (Section 16), but that the other provisions, including Policy 14.2.1.6, remain unchanged (s42A Report, Section 4.3.15, pp. 29-30).

3.10.1.1 Decision and decision reasons

223. Overall, we reject the submission from *Anthony Parata* (OS248.1) to remove the papakāika provisions or limit them to Māori land, and accept the further submission by *Ngā Rūnanga* to retain them.

224. In our assessment these provisions are a small concession, relating to only a few small areas, that recognises a longstanding cultural attachment to these areas. We acknowledge that they may not be the best locations for further housing from servicing or landscape perspectives, but the evidence was that they were originally identified by the Government of the day to meet the need for land for housing for Māori and we were told that need still exists.

225. We are not persuaded that the provisions would cause significant resentment by the wider community, as suggested by *Mr Parata*. His was the only submission that raised any concerns. The greater density provided for may lead to a form of development that some may consider unfortunate, but the rules are designed to at least partly address this through the consent process. We accept *Mr Parata's* point that it may be difficult for beneficial owners

to actually make use of the provisions because of things like bank rules about security for mortgages, but that is no reason not to provide the opportunity.

226. With respect to the submission by *Ngā Rūnanga* to amend Policy 14.2.1.6, we agree with the Reporting Officer's reasoning in regard to amending the Papakaika assessment rule (16.8.2.1), but consider that a better approach is to add a new policy to the rural section that states, "Require Papakaika to maintain the rural character, values and amenity of the rural zones as far as practicable in terms of the design, scale and location of the development", and replace the reference to Policy 16.2.3.2 in rule 16.8.2.1 with a reference to this new policy. This clarifies the preferred outcome for Papakaika housing within the rural zones.

227. We therefore accept the submission of *Ngā Rūnanga* in part. The changes are shown in Appendix 1, attributed to MW 1071.52.

3.10.2 Activity definition – Papakāika

228. The *Dunedin City Council (DCC)* (OS360.13) sought a minor amendment to the definition of papakāika to include the phrase "Papakāika is a sub-activity of standard residential activity", to clarify its relationship to residential activities and improve plan usability.

229. *Ngā Rūnanga* (OS1071.24) sought to have the definition of papakāika retained in its notified form.

3.10.2.1 Decision and decision reasons

230. We accept the submissions from both *Ngā Rūnanga* (OS1071.24) (in part) and the *DCC* (OS360.13) and retain the definition of papakāika with the addition of the clarification phrase proposed above (see Appendix 1, MW 360.13).

3.11 Terminology and spelling

3.11.1 Request to remove terminology 'native reserve' and 'half-caste reserve'

231. *Anthony Parata* (OS248.10) sought to remove the terms "native reserve" and "half-caste reserve" from the 2GP, as these terms "reflect colonial arrogance" and are considered offensive. In his evidence, *Mr Parata* noted that under the Māori Purposes Act 1947, the term 'native' is to be replaced with 'Māori'. The terms "native reserve" and "half-caste reserve" appear on old maps only and are not in local usage.

232. This submission was opposed by *Ngā Rūnanga* (FS2456.2), who argued that the terms are the correct historical names of the reserves, as granted by the colonial government.

233. The Reporting Officer discussed the use of the alternative term 'Māori Reserve' with Kāi Tahu ki Otago, which represents the Rūnanga. They noted that the term 'Māori Reserve' may have other legal meanings, and to avoid confusion 'Original Native Reserve' could be used. The Reporting Officer also noted that the Rūnanga felt strongly that the correct names of the reserves should be used to describe them, including the terms "native reserve" and "half-caste reserve". She therefore recommended that all incidences of "native reserve" be amended to read 'original native reserve' unless it is the name of a specific reserve (s42A Report, Section 4.3.5, p. 15).

234. The Reporting Officer later commented, while discussing her revised recommendations, that another alternative would be to use the term 'Original Māori Reserve'.

3.11.1.1 Decision and decision reasons

235. We consider that the appropriate term is 'Original Native Reserve' for the Plan text and map legend, but to use the actual historical names in the mapping information. While we understand *Mr Parata's* concern, we cannot re-write history. The names used for individual reserves are the legal names and are factually correct. We therefore accept *Mr Parata's* submission (OS248.10) in part, and amend "native reserve" to 'Original Native Reserve' wherever it appears in the Plan (attributed to MW 248.10).

Rural Residential Decision

3.2.5 Submissions on the 2GP's approach to, and extent of, rural residential zoning

50. A number of broad, high level submissions were received on the matters discussed above. This included both submissions directly on the Strategic Directions policies themselves, and submissions on the extent and application of rural residential zoning which, if accepted, would also impact on the strategic directions policies. In the interests of efficiency and clarity, we discuss all of them here, together.

51. There was one submission in support of Policy 2.6.1.4 from *Horticulture New Zealand* (OS1090.18).

52. There were four submissions in support of Policy 2.2.4.3.b. *University of Otago* (OS308.492) supported those policies associated with Objective 2.2.4 that support and encourage a compact and accessible urban environment. *New Zealand Transport Agency* (OS881.174) sought retention of Policy 2.2.4.3 as it enables and encouraged the Council to take a longer term view of infrastructure expansion to ensure that it occurs in a sustainable manner (particularly in respect of the provision of roading). *Radio New Zealand* (OS918.66) supported retention of policies associated with Objective 2.2.4 to help mitigate the risk of new sensitive activities establishing near *Radio New Zealand's* facilities. *Federated Farmers* (OS919.173) agreed that the Council should appropriately control expansion of rural residential areas in the most appropriate locations and only when required by growth, and supported the zone based approach to addressing the tensions relating to subdivision and development.

53. *Anthony Parata* (OS248.11) opposed expansion of rural residential zones without regard to the strategic policies of the 2GP (specifically policies 2.6.1.3, 2.6.3.2, 2.7.1.1, 2.7.1.2 and 2.2.2.4), stating that the Council should be expected to follow its own policies.

54. *Colin Weatherall* (OS194.5) sought amendment to rural residential zoning in some areas, stating that they are both impractical and lacking in quality assessment values, although no specific examples were given.

55. *Harboursides and Peninsula Preservation Coalition (HPPC)* (OS447.103) opposed the expanded Rural Residential 1 Zone at St Leonards, Three Mile Hill Road area and Abbotsford, and all areas of Rural Residential 2 zoning. The reason given was that additional rural residential zoning is contrary to the 2GP Strategic Directions and DCC-sponsored land use assessment reports. *Howard Saunders* (FS2373.27) opposed this submission, stating that "Removing all Rural Residential 2 zoning is contrary to 2GP objectives to deal with qualifying undersized rural blocks and will be totally unacceptable to owners of such land".

56. *Save The Otago Peninsula (STOP) Inc Soc* (OS900.130) also opposed the expanded Rural Residential 1 Zone at St Leonards and all areas of Rural Residential 2 zoning, stating that "Peninsula and city residents have consistently stated that they do not want increased building on sites on each side of the Low Roads to Taiaroa Head and to Port Chalmers. We have argued that infilling of existing residential suburbs should be enough to feed the need for further housing on the sides of the Harbour. The DCC's own reports commissioned from expert analysts also reiterate that there is no need for increased housing outside the existing footprints." *Howard Saunders* (FS2373.1) opposed this submission, stating "Rural Residential 2 zoning is required to meet 2GP objectives of dealing with suitable undersized rural blocks of land".

57. *HPPC* (OS447.4 and FS2267.104) and *STOP* (OS900.16) also sought to replace Policy 2.2.4.3.b with a new clause (b) that avoids creation of new rural residential subdivisions unless there is a capacity shortage of fewer than five sites across Dunedin, with use of existing undersized rural sites not enabled but considered as part of a demand-driven new rural residential zone.

58. *HPPC* gave a number of reasons for this request, set out in Addendum 4 to their submission. They expressed concern about the potential adverse effects of rural residential development, and questioned the need and rationale for new rural residential zones, which they considered represented large amounts of new rural residential capacity. *HPPC* believed

this would have adverse effects, and cited those raised in the Special Zoning Report – Rural Residential Zones including adverse effects on rural productivity, land fragmentation, rural character and amenity, pressure on infrastructure, and reverse sensitivity issues. They were also concerned about adverse effects on the natural environment. They considered the new rural residential zones were contrary to the 2GP's strategic objectives (in particular Objective 2.2.4, which states "Dunedin stays a compact city with resilient townships..."), the Spatial Plan, and to the research commissioned by the Council during 2GP development, which they considered demonstrated sufficient capacity in existing rural residential zones.

59. *Howard Saunders* (FS2372.3, 41), *Federated Farmers of New Zealand* (FS2449.345, 346) and *Geoff Scurr Contracting Ltd* (FS2391.6) opposed these submissions. *Howard Saunders* stated that existing undersized rural blocks are adequately dealt with by Rural Residential 2 zoning. *Federated Farmers* stated that it is unworkable and unrealistic to manage rural residential subdivision in the way proposed, and will be uncertain and confusing for plan users. *Geoff Scurr Contracting* stated that many of the areas are already rural residential subdivisions in practice, not new ones.

60. *HPPC* (OS447.104) also sought to have a new policy inserted under Objective 17.2.1 as follows: "Only allow expansion or the addition of other Rural Residential areas to occur in locations that have at least a 100 metre wide buffering area of Rural zoned land on all borders to mitigate reverse sensitivity issues with nearby Residential zoned land or public spaces." The reason given for this submission was to provide adequate recognition of the stakeholder rights of current residents. This proposed new policy was opposed by *Howard Saunders* (FS2373.25) who stated that there are better ways to manage reverse sensitivity issues, and that such a buffer zone could prevent many small, undersize rural blocks of land becoming Rural Residential 2 and thereby frustrate the policy objectives of 2GP. The proposed new policy was also opposed by *Geoff Scurr Contracting Limited* (FS2391.103) who considered it an unnecessary policy.

61. *Dianne Reid* (OS592.3) and *Pigeon Flat Road Group* (OS717.4) submitted that Policy 2.2.4.3.b should be replaced with a policy avoiding the creation of new rural residential subdivisions of 10 lots or greater within the rural zone, to provide a clear threshold for what is considered a rural residential subdivision. The *Dianne Reid* submission was opposed by *David and Kerry Hiom* (FS2473.3), with the reasons relating to their opposition to more intensive zoning and a higher intensity of use in the vicinity of Saddle Hill Road.

62. Other submitters either opposed any expansion of rural residential zoning in the 2GP, or asked for a review of the approach to zoning, as follows:

- *Judith Ansbacher* (OS191.3) opposed more rural residential subdivisions, stating that they lead to urban sprawl which has occurred at Three Mile Hill, Ocean View and Highcliff. *HPPC* (FS2267.98) supported this submission, stating that DCC plans and reports cite that rural residential zones are generally a poor land use.

- *Christopher Ryalls* (OS1051.6) sought a review of rural residential zones around the Taieri, stating "I am opposed to allowing good Taieri farm land being made into small farms."

63. Several submitters sought an increase in rural residential zoning in the 2GP. These included:

- *Craig Horne Surveyors Limited* (OS704.22), *Blueskin Projects Ltd* (OS739.22), *CTW Holdings Limited* (OS742.22) and *G & J Sommers Edgar* (OS889.25) sought expansion of rural residential zoning, additional land to be zoned rural residential or the 2GP to allow residential activity on under-sized rural sites. They were of the view that there is a large demand by residents and those looking to move to the Dunedin area for rural residential lots. They said the increase in required minimum lot size will decrease the number of 'lifestyle' lots within the rural zone, yet the total amount of rural land effectively 'lost' to rural-residential activity would be unlikely to change.

- *Peter Wilson* (OS954.2) sought clarification of how rural residential zoning was applied, and that properties identifiable as being rural residential should be zoned rural residential, stating that "I believe it is time the Council provided what the people want rather than what the

planners' ideas are... I see first-hand the difficulty people have with incorrectly zoned properties".

64. *HPPC* (FS2267.99-103) opposed these submissions seeking an increase in zoning, stating that DCC documents cite that rural residential zones are generally a poor land use choice.

65. *Radio New Zealand* (FS2332.2332.67-68, 70-75) opposed a number of submissions relating to the expansion of zoning, on the basis of its opposition to any rezoning in the vicinity of its facilities that might result in adverse reverse sensitivity effects.

82. In relation to other specific submission points, Mr Bathgate commented that:

- the submission of *Anthony Parata* (OS248.11) related also to the expansion of residential zones, and that in his view most of the strategic policies cited by the submitter are more directly relevant to residential zones;
- the further submission of *Brendon and Chota Moore* is considered in Section 5.7.6 of the s42A Report; and
- submission points by *Radio New Zealand Limited* (OS918) seeking additional provisions in the 2GP to protect Radio New Zealand transmitters from the reverse sensitivity effects of nearby residential activities are canvassed in the Network Utilities and Energy Generation Section 42A Report.

- We have therefore added links to these objectives from Policy 2.6.1.4 and new Policy 2.6.1.3 (described below) respectively, so that they form part of the assessment associated with any potential future rural residential zones. We consider this constitutes alternative partial relief for the submissions of *HPPC* (OS447.4, FS2267.104, OS447.104), and *STOP* (OS900.16), as well as partial acceptance of the submissions of *Anthony Parata* (OS248.11), discussed below.

- 142. In addition, we accept the submission of *Anthony Parata* (OS248.11) insofar as it sought that the zoning of additional rural residential areas should only be undertaken with regard to the Strategic Directions policies. This approach was supported by the evidence of Ms Christmas, and we see it as fundamental to apply these policies to our decisions on rezoning. We have therefore, in lieu of stand-alone criteria, linked to the relevant Strategic Directions or management zone objective wherever possible.

RURAL ZONE DECISION

3.8.6 Coastal Rural Zone

3.8.6.1 Submissions

1175. *Irene Mosley* (OS994.3) sought to review the Coastal Rural zoning for the Taieri Plain side of Saddle Hill. The submitter notes that the area is on the other side of the hill to the coast and was concerned that future rules for coastal land may be restrictive. The submission was opposed by *Radio New Zealand Limited* (FS2332.69) which was concerned about any increase in development and potential for reverse sensitivity issues near its radio transmission operations.

1176. *David Roy Hardisty* (OS119.2) sought to change the zoning of Lots 4-8 Deeds Plan 193 at 25 Jones Road, Evansdale from Rural Residential 2 to Coastal Rural zone because the land is subject to a Hazard 2 land instability layer and the submitter considered that the section was not suitable for residential development. *David Roy Hardisty* (OS119.3) also sought to change the zoning of Section 52 BLKII SO 18349 North Harbour and Blueskin because the section is subject to hazard overlays and the submitter did not consider residential development to be appropriate.

1177. *Anthony Parata* (OS248.3) sought to change the zoning of land at Warrington from Rural Residential 2 Zone to Rural zoning. The submitter wished this area to remain zoned as it is in the operative Plan and that any increase in residential or rural residential zoning "must be sustainable and not lead to an increased demand for infrastructure extension or upgrade". The submitter expressed concern about the ecology of Blueskin Bay being impacted and the effect of intensification on infrastructure.

1178. *Anthony Parata* (OS248.4) sought to change the zoning of Edinburgh St, Waikouaiti from Rural Residential 1 Zone to Rural zoning. The submitter wished this area to remain zoned as it is in the operative Plan and that any increase in residential or rural residential zoning "must be sustainable and not lead to an increased demand for infrastructure extension or upgrade". The submitter expressed concern about the effect of intensification on infrastructure.

1179. *Geoff Scurr Contracting Limited* (OS794.7) sought to change the zoning of the sites bounded by Bendigo, Edinburgh and Glasgow Streets, Waikouaiti from Rural Residential 1 Zone to Coastal Rural Zone. The submitter noted that the area in question was a working farm and understood that the lower part of the land flooded every two or three years.

1180. *Mark and Rayna Dickson* (OS868.1) sought to change the zoning of the part of 36 Harvey Street, Waitati, zoned Township and Settlement Residential Zone to Coastal Rural Zone because of the rural activities taking place on the property, which included growing produce, rural ancillary and community activities and a single residential activity. The submitter also suggested a caveat that there were exemption rules applied for setbacks because of the limitations of the small site. This matter was dealt with in another submission by the same submitter (OS 868.2) on Rule 16.6.11, where it was recommended that this submission be declined (see section 3.5.19).

1181. *Mark Lauder* (OS913.1) sought to change the zoning in the area around and including his property at 287 Green Island Bush Road from Rural Residential 2 to Coastal Rural Zone. We note, from the full submission, that the submitter was concerned about the zoning of the area more generally as the submitter preferred a rural zoning because he did not want further residential development.

3.8.6.2 Section 42A

1182. In response to *Irene Mosley*, the Reporting Officer, Katie James, noted that the Coastal Rural Zone is a broad category which includes Waikouaiti Coast and Hills as well as South Coast and is characterised by small to medium properties and includes coastal land as well as adjacent hills. She recommended rejecting the submission, noting that although the name of the zone has 'coastal' in it, the provisions associated with the rural zoning do not relate to coastal issues per se, with other mapping layers addressing coastal issues specifically, including natural coastal character overlay zones and coastal hazard layers.

1183. In response to the submissions of *David Roy Hardisty*, Dr James noted that as the property owner himself did not consider residential development to be suitable on the sites, including concerns about hazard overlays on the sites, that it would be appropriate to change the zoning. It was recommended that the zoning was changed to Coastal Rural Zone for both sites.

1184. With respect to the submission of *Anthony Parata* and the rural residential zone at Warrington, Dr James noted that the Rural Residential 2 Zone at Warrington formalised an existing cluster of small sites immediately adjacent to the Warrington Township and Settlement Zone. These met the criteria laid out in the Special Zoning Report – Rural Residential Zones with half of these sites already having dwellings, meaning that there would be only an additional development potential of four. With regard

to the submitter's infrastructure concerns, she noted that Rural Residential zones are not serviced for water, waste water or storm water and there is no expectation that new dwellings would connect to infrastructure. An additional four households worth of traffic would also have a negligible effect on roading infrastructure. For these reasons it was recommended that the submission be rejected.

1185. In response to *Anthony Parata's* submission on Edinburgh Street. Waikouaiti zone, Dr James noted that the Rural Residential 1 Zone at Waikouaiti is a new zone which zones a cluster of small (1-4ha), mostly developed rural sites, which was identified through the process outlined in the Special Zoning Report – Rural Residential. There was a theoretical capacity of 11 further dwellings, including infill potential (see Rural Residential Section 42A Report for data). The Reporting Officer considered that the area was no longer predominantly rural in nature and recommended the submission be accepted in part (see our response to *Geoff Scurr Contracting Limited Geoff Scurr Contracting Limited* below).

1186. In response to *Geoff Scurr Contracting Limited*, Dr James noted that area outlined has the address of 35 Edinburgh St and consists of 11 separate titles (sites) owned by the submitter, which have a total area of 7.6ha. It was noted that were three sites above the 1ha minimum site size for residential activity and no dwellings on any of the sites. As the submission was from the owner of the sites who actively uses the land for farming activities, the Reporting Officer considered that changing the zoning of 35 Edinburgh St to Coastal Rural Zone would be appropriate. In the Reporting Officer's view, this recommendation also addresses, in part, the concerns of *Anthony Parata* (OS248.4).

1187. In response to *Mark and Rayna Dickson*, Dr James noted that, based on the description provided by the submitter, most of the activities on site revolve around growing produce, with complementary activities such as markets, workshops and provision of accommodation for workers as well as a family home. The submitter also referred to conservation and community activities taking place on site. Under residential zoning, farming, including rural ancillary retail, is a non-complying activity. Therefore, Dr James noted that while the commercial market gardens at the rear of the property are in the Coastal Rural Zone and are permitted, any new ancillary activities that rely on the rural activity would be non-complying if they were located in the part of the property zoned as Township and Settlement Zone. As all of the activities described are permitted in rural zones the Reporting Officer was inclined to agree with the submitter that the nature of the activities on the site were more in keeping with a rural zoning than a residential one. She recommended amending the split zoning of the property and zoning the entire site as Coastal Rural Zone. Notwithstanding this recommendation, Dr James also noted that the submitter may still be required to seek consent for any new buildings or additions or alterations that do not comply with the boundary setback rules for rural zones.

1188. In response to *Mark Lauder*, Dr James noted that the Rural Residential 2 zoning on 287 Green Island Bush Road did not allow for any further development on the site as there was an existing house. When taking into account the whole area zoned as Rural Residential 2, she noted that the properties met the criteria for the Rural Residential 2 Zone as they are within a cluster of undersized, partly developed, rural sites and the zoning would only allow for 2-3 extra houses. Noting that there were no submissions from the other affected landowners, Dr James recommended rejecting the submission.

3.8.6.3 Hearing

1189. *Irene Mosley* tabled a statement at the hearing but did not appear. In her statement, she expressed concern about the name of the Coastal Zone and impact in relation to the coastal hazard rules. She considered that the land was suitable for subdivision for eco-friendly homes.

1190. *Anthony Parata* appeared at the hearing and tabled a statement, opposing the Rural Residential 2 zone at Warrington and Rural Residential 1 Zone at Waikouaiti. He expressed concern about residential sprawl and impacts on infrastructure, particularly water, sewerage and road sealing.

3.8.6.4 Decision and reasons

1191. We accept the submissions of *David Roy Hardisty* (OS119.2) and have changed the zoning of the listed sites at 25 Jones Road, Evansdale from Rural Residential 2 Zone to Coastal Rural Zone for the reasons outlined by the Reporting Officer.

1192. We accept the submission of *Geoff Scurr Contracting Limited* (OS794.7) and the submission of *Antony Parata* (OS248.4) in part, to change the zoning of 35 Edinburgh Street (but not any of the surrounding properties on Edinburgh Road, Waikouaiti) to Coastal Rural Zone for the reasons outlined by the Reporting Officer

1193. We accept the submission of *Mark and Rayna Dickson* (OS868.1) and have amended the split zoning of 36 Harvey St, Waitati so that the entire site is in Coastal Rural Zone for the reasons outlined by the Reporting Officer.

1194. We reject the submission of *Anthony Parata* (OS248.3) relating to the zoning around Warrington; we note the explanation of the Reporting Officer that the notified Rural Residential 2 Zone at Warrington has formalised an existing cluster of small sites immediately adjacent to the Warrington Township and Settlement Zone. These sites have largely lost their rural-character and in our view are appropriately zoned.

1195. We reject the submissions of *Mark Lauder* (OS913.1) and *Irene Mosley* (OS994.3), and have retained the Rural Residential 2 zoning in and around 287 Green Island Bush Road; and the Coastal Rural zoning for the Taieri Plains side of Saddle Hill for the reasons outlined by the Reporting Officer.

1196. We have made the following amendments to the 2GP map to implement this decision:

- Amended the zoning of Lots 4-8 Deeds Plan 193 at 25 Jones Road, Evansdale from Rural Residential 2 Zone to Coastal Rural Zone {RU 119.2} (see Figure 5 in Appendix 2).
- Changed the zoning of 35 Edinburgh Street Waikouaiti to Coastal Rural Zone {RU 794.7} (see Figure 6 in Appendix 2).
- Amended the zoning of 36 Harvey St, Waitati so that the entire site is in Coastal Rural Zone {RU 868.1} (see Figure 7 in Appendix 2).

Urban Land Supply Decision

3.4.1 Broad submissions and evidence

144. *Anthony Parata* (OS248.6) submitted that the zoning of additional residential and rural residential areas should only be undertaken with regard to the Strategic Directions policies, in particular 2.6.1.3, 2.6.3.2, 2.7.1.1, 2.7.1.2 and 2.2.2.4.

145. *Robert Wyber* (OS394.24) sought to remove references in the 2GP to Dunedin being a compact city. *Mr Wyber* recommended replacing these references with a longer description of Dunedin's urban form, because in his view Dunedin is not a compact city due to its commuter suburbs. This submission was considered in the Plan Overview s42A Report, but we consider it here, as it was part of *Mr Wyber's* broader argument for the 2GP to enable more urban expansion.

146. *Robert Wyber* (OS394.3) also sought to provide for residential expansion and intensification in and around all commuter suburbs along both sides of the harbour, to Careys Bay and Portobello. He also sought that the Plan allows 'infill' at the suburban level (in the sense of filling the gaps between existing suburbs). He particularly identified an area centred on Mount Grand Road, to the west of Kaikorai Valley (see Appendix 1 of his Statement of Evidence) as appropriate for development. *Mr Wyber* considered that most people would rather live in a suburban environment rather than a medium density one, and that this necessitated additional greenfield sites (Statement of Evidence, pp. 12 and 15).

147. We also note that we received a submission from *Robert Wyber* (OS394) to permit residential development at General Residential 2 density on all new General Residential 1 sites.

148. The ULS Reporting Officer, Ms Emma Christmas, agreed with *Mr Parata* (OS248.6) that rezoning should only be undertaken in accordance with the relevant Strategic Directions policies (s42A Report for ULS Part 2 at section 5.1.3, p. 38).

149. The Plan Overview Reporting Officer, Dr Anna Johnson, recommended rejecting *Mr Wyber's* submission (OS394.24). In her opinion the term compact city is appropriate as a descriptor for Dunedin. She argued that all cities of any size have commuter suburbs, many of which have been (or in some cases still are) separate townships/municipalities. Dunedin is no different. Many of the townships described by *Mr Wyber* were once independent towns, and over time have become more dependent on and integrated with the main urban area of Dunedin, through economic shifts and the increase in the relative affordability of private motor vehicle travel. This is a pattern typical of most parts of the western world. The most important characteristics of what makes a "compact city", in her opinion, is a city being amenable for supporting public transportation and walking, due to its density, diversity, and distribution of land use and the design of its built form. She concluded that Dunedin shares many more characteristics of a compact city than that of a city characterised by urban sprawl (Plan Overview s42A Report, section 6.3.9, p. 88).

150. In her opening statement for the ULS Part 2 Hearing, the ULS Reporting Officer, Ms Emma Christmas, raised concerns about the broad areas suggested for rezoning by *Mr Wyber*, as affected parties may not have been alerted to the rezoning possibilities that *Mr Wyber's* submission could lead to. She recommended that we focus on the specific areas identified by submitters (Opening Statement Part 2 Hearing, para 36). She said, at the conclusion of the hearing, if we consider further development capacity is required, then we could indicate priority areas for the DCC to pursue through a plan change process.

151. Mr Craig Werner, on behalf of the *Harbourside & Peninsula Preservation Coalition* (OS447.11), considered that development on the urban boundary disrupts existing residents' amenity. He preferred the development of 'satellite townships', which would allow for

localised but separate smaller urban centres to accommodate residential growth, without compromising the amenity of residents on the fringes of the urban area. He considered that the GR1TZ approach 'kicked the can down the road' and that the 'hard choices' about where new satellite townships should be had to be made now because of the time it would take for them to develop. His concern was that the amenity of land adjoining the Otago harbour would be compromised through urban sprawl and negative visual impacts from reducing the amount of rural space. While he considered that expansion from current urban areas is fine for absorbing very small population increases in a few areas, in the harbour and Cove areas, the effects are different due to the likely ribbon development and proximity of the harbour.

152. Mr Werner's view was that the Plan should provide for additional urban land in the following order: infill of the urban core, re-zoning of GR1 to 'multi-family' (this was not explained), new satellite towns, and lastly, development of specific GR1TZ sites. He also tabled evidence opposing all large GR1TZ areas, requesting that GR1TZ are confined to small, true infill areas.

153. Lala Frazer, appearing for *STOP* (OS900), expressed concern that the GR1TZ will allow urban sprawl. She considered GR1TZ should be removed from the Rural Hill Slopes zone.

154. *Mr Wyber* appeared at both the Plan Overview and ULS Hearings and spoke to his submission. At the Urban Land Supply Hearing, he suggested that the concept of a compact city was not supported in mainstream literature, citing paragraphs from an Auckland University paper (*Compact Cities, Everyday Life, Governance and the Built Environment, School of Architecture and Planning, 2009*). *Mr Wyber* was of the view that Dunedin was a suburban city containing areas of concentrated housing.

155. *Mr Wyber* contended that the justification given for a compact city in the Spatial Plan was flawed, and not in keeping with the NPS-UDC. He considered that if compact meant that the city is reasonably constrained in its outer boundary, with expansion internally focused on the central area, then the term did not reflect reality. *Mr Wyber's* evidence was that Dunedin had not been a compact city for the past 90 years; however it did have 'extensive areas of crammed-together housing'. *Mr Wyber* requested that provision be made for urban expansion in the rural areas between the existing suburbs (Statement of Evidence, p. 12).

156. Further, *Mr Wyber* spoke of the unintended consequences that he perceived would be a direct result of the city adopting a model that tried to limit expansion, while providing for townships and settlements to be self-sustaining. *Mr Wyber's* concern was that the Plan's focus on a compact development model would reduce the range of houses and sections on the market and increase house prices (Statement of Evidence, p. 2).

157. In relation to *Mr Wyber's* submission seeking to permit residential development at General Residential 2 density on all new General Residential 1 sites, we did not receive further evidence on this matter from *Mr Wyber* but did discuss the concept broadly with a number of residential developers during the hearings, and found general support for the concept. Some submitters sought an averaging approach to density on new greenfields residential sites (for example Mr Keogh, appearing for *Doug Hall*, in relation to a GR1TZ at 636 North Road, Dunedin).

3.4.1.1 Decision and reasons

158. We accept the submission of *Anthony Parata* (OS248.6) insofar as it sought that the zoning of additional residential areas should only be undertaken with regard to the Strategic Directions policies. This was supported by the evidence of the Reporting Officer and we see it as fundamental to apply these policies to our decisions on rezoning. As discussed in Section 3.4.1.4, below, we have made a number of amendments to Strategic Directions policies guiding assessment of areas proposed for residential rezoning to link to the Plan's strategic objectives. As discussed in the Rural Residential Decision Report, a similar approach has been taken for Strategic Directions policies relating to rural residential zoning.

159. We reject *Mr Wyber's* submission OS394.24. We consider use of the term "compact city" has value in the partly aspirational context it is used in the 2GP, even though, as *Mr Wyber* pointed out, it is a comparative term and it is arguable as to whether Dunedin is 'compact' compared to most cities of this population overseas. The RMA requires us (under s74) to prepare the 2GP in accordance with the NPS-UDC, as well as have regard to the Spatial Plan as a relevant management plan or strategy prepared under the Local Government Act 2002. As discussed above, while requiring us to provide choice, the NPS-UDC states that: "it is up to local authorities to make decisions about what sort of urban form to pursue" (NPS-UDC, p. 3). We note that the aspiration for Dunedin to remain comparatively 'compact' is a strong theme in the Spatial Plan, and that Objective 2.2.4 (which is the strategic direction that most strongly reflects the Plan's preferred form of a compact city with resilient townships, discussed in Section 3.4.6) was not singled out for criticism by many submitters. Furthermore, we do not find the use of the word 'compact' in Objective 2.2.4 and other strategic direction provisions to be inconsistent with the outcomes sought in the NPS-UDC, which is fundamentally about the planning of well-functioning urban environments. Particularly in the context of the evidence we heard on infrastructure capacity (discussed in Section 3.5), we consider Objective 2.2.4 and related strategic objectives consistent with this higher order policy direction, insofar as they provide for a range of residential development opportunities (including greenfields development) within a framework including other strategic considerations.

160. *Mr Wyber* (OS394.3) suggested 'infill' re-zoning at the suburban level to fill the gaps between existing suburbs, in particular an area to the west of Kaikorai Valley. We note there was no evidence or detail to support rezoning of this large area as part of this process. We agree with the Reporting Officer that as affected parties will not have been alerted to the rezoning possibilities, and therefore not had adequate opportunity to participate in the process, this could lead to injustice. We consider this is a matter that DCC will be able to monitor, and review the need to develop any new residential zoning based on demand and other strategic factors.

161. *Mr Wyber* also requested the 2GP provide for residential expansion and intensification in and around all commuter suburbs along both sides of the harbour, to Careys Bay and Portobello. We do not consider wholesale rezoning of large areas of these parts of the city appropriate through this process for the same reasons as outlined for the area west of Kaikorai Valley. We did however receive submissions seeking rezoning of individual parcels of land in these areas. As discussed in the evidence of the Reporting Officer, Water and Waste services staff, Michael Moore and statements from Mr Werner, these locations are constrained to some extent by infrastructure capacity; they include areas of significant landscape values; and there is merit in maintaining green breaks between settlements. As such, we have generally rejected these areas as being suitable for residential zoning as they did not meet the criteria in Policy 2.6.3.1.

162. We consider there is considerable merit exploring the concept of provision for medium density development on new greenfield residential sites. As discussed in the Residential Decision Report, we agree that high quality medium density outcomes can be better achieved on larger sites. While we do not consider it will always be the case that new greenfields residential areas are a good fit with the medium density criteria as set out in new Policy 2.6.3.4 (new greenfields residential sites may be substantially more distant from centres, public transport and services), in other instances it may be very well aligned with the Plan's objectives, and the provisions of the NPS-UDC. Given the complexities of the amendments required to assess which sites it might be appropriate on, the potential impact on infrastructure, and taking into account the issues of natural justice, we recommend that this approach be more thoroughly investigated through a future Plan review.

163. However, our site-by-site decisions that provide for additional residential development, discussed in Section 3.8, do provide some relief to the outcomes sought by *Mr Wyber*, so we accept in part this submission (OS394.3).

164. We reject *STOP's* submission as represented by Ms Frazer opposing GR1TZ that cause urban sprawl. We note that we have amended the criteria in Policy 2.6.3.1 in response to submissions (see Section 3.4.12), and to link assessments of land being considered for residential rezoning more closely to strategic objectives as discussed above. However, as amended, we consider the criteria in Policy 2.6.3.1 appropriate, and that, consistent with the NPS-UDC, the strategic directions policies balance the provision of greenfields potential with other opportunities for residential development, including infill and urban redevelopment.

165. We reject the part of *Harbourside & Peninsula Preservation Coalition's* submission (OS447.11) and the request presented by Mr Craig Werner on its behalf, that provision should be made in the 2GP for the development of 'satellite townships'. The reason for our decision is that there has been no work done, or evidence presented, to enable us to identify locations and forms of new settlements, that would enable us to make a meaningful decision on this. We also note that Dunedin already has a number of satellite townships. Should a later capacity assessment identify the need for more residential zoning, staff will be able to consider all options then for increasing capacity, with these assessed against the Plan's strategic directions.