

**BEFORE THE COMMISSION
APPOINTED BY THE DUNEDIN CITY COUNCIL**

UNDER the Resource Management
Act 1991 (RMA)

IN THE MATTER Of an application by Dunedin
City Council for resource
consent being processed with
reference LUC-2020-631

BY **MICHAEL VARSANYI &
ANYA DURLING**
Submitter

STATEMENT OF EVIDENCE OF ANYA DURLING

DATED 27 APRIL 2022



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STATEMENT OF EVIDENCE OF ANYA DURLING

INTRODUCTION

1. My name is Anya Durling. I own the property at 40 Tunnel Beach Road, Dunedin, with my partner Michael. We have owned and developed this property for a period of twenty years. We purchased the property as bare farm land with no services. Together over many years Michael and I have created our dream property which includes a new home and an extensive equestrian complex including five stables, a feed shed, an all-weather arena with lights, four paddock shelters, a large barn to house the horse truck, horse float and a mechanical workshop. We have also planted extensively a mix of natives and others species and fenced the majority of the property.
2. The purpose of this evidence is to explain how we live, how special our environment is, and our concerns about how the application will affect our lives. In this evidence I set out:
 - (a) The physical proximity of our house to the proposed carpark,
 - (b) Our experience with the use of the existing parking area and Tunnel Beach Track;
 - (c) Our concerns about the potential growth in scale and extent of activity precipitated by the proposed car park.
3. Attached with this evidence are some photos that are intended to help understand the character and nature of our property. They also show where the carpark and track will be visible from our property and the relationship of the proposed activities to the existing fence lines and legal boundaries of our property.

OUR HOME

4. Prior to 2002 Michael and I had always lived in the city. However we both wanted to live in a rural setting which offered peace and tranquillity away from the noise generated by close neighbours and traffic. I also planned to breed and continue to train sport horses, so we

were also looking for a property which would be quiet and safe for horses.

5. I have been involved in equestrian sports for forty years. I have represented New Zealand a number of times and I hold multiple South Island and National titles. I also coach riders in both Otago and Southland. I am sponsored by an international saddlery company.
6. Michael is a passionate and experienced surfer. He surfs Dunedin's local beaches every day all year round. His preference also was to live on a quiet coastal property where he could observe in real time swell size and direction. Our Tunnel Beach Road property is conveniently located in close proximity to the nearby surf beaches.
7. After years of searching for the right property, Michael approached the land owner of 40 Tunnel Beach Road to see if he would consider selling the land. The land was then part of a larger sheep and beef farm which also included 30 Tunnel Beach Road now owned by DOC. Mr Neville Walker owned the land and DOC had an easement for the track.
8. We purchased 40 Tunnel Beach Road from Mr Walker in May 2002. The farm had been subdivided but Mr Walker had not gone to market with it. We were the first people to purchase a section and build on Tunnel Beach Road. At that time, there were no houses on the road and very little traffic. The Otago Hunt Club owned the land adjacent to Mr Walker's farm where they kept hounds and horses.
9. When we purchased the property the setting was particularly rural and peaceful. Mr Walker farmed sheep and beef on the surrounding property including 30 Tunnel Beach Road but he lived elsewhere. The track did not attract large numbers of visitors and was closed each year for several months over the lambing season.
10. When we purchased the land, we appreciated that over time, sections would be sold and developed as lifestyle properties, we believed that the rural residential zoning would protect the rural amenity of the area. At no time did we anticipate that the land adjacent to us at 30 Tunnel

Beach may be developed into a large urban style car park to provide for significant numbers of vehicles and people.

11. We selected our property because of the stunning views, the rugged natural landscape and the tranquillity. Our property consists of rolling coastal farmland with spectacular vistas that span from Sandfly Bay to Nugget Point. The ocean is visible from everywhere on the property and there is a wonderful sense of peace, space and privacy.
12. When you walk around our property you feel very close and connected to nature. We can hear the sea crashing on the cliffs, the cries of sea birds and the wind in the trees. Even with the recent development of nearby properties, it remains, by and large a tranquil rural environment. With a minimum lot size of five acres, the neighbouring lifestyle blocks are still some distance from our property, and we hear very little noise from the current Tunnel Beach parking area given the lie of the land.
13. We moved to 40 Tunnel Beach Road for a quiet rural lifestyle but also specifically because it was a safe place for the horses. It was not noisy, there were few people, minimal traffic and no fireworks or human behaviour that scares or unsettles livestock.
14. We savour and appreciate a quiet and peaceful lifestyle at our property. It is particularly important to us because we both spend so much time outside. Michael works for less than half the year and for remainder of the year when he is not surfing; he spends his time outside maintaining and developing the property. The property is fifteen acres and we both enjoy working on the farm with the animals away from city life and our respective careers.
15. We also breed and train high performance sport horses. Like most sports, equestrian has become more professional and more expensive over the years. The horses needed to compete at a high level are now very specialised and purpose bred. They range in price from \$50,000 for a young, inexperienced horse to \$500,000 or more for a horse ready to compete at a national level. We use European bloodlines so that I can own, and ride horses of the calibre required to compete at a

high level. These horses are bred to be incredibly sensitive and reactive.

16. When we developed the property, we divided the land into a network of various paddocks. The layout of the paddocks are all designed to suit the horses. The two largest paddocks are right next to 30 Tunnel Beach Road. These paddocks are the most sheltered from the southerly and easterly winds and have gentle rolling land. This is where we keep our young horses, mares and foals. As well as being a place where we handle some of the young stock, I also ride in these paddocks when I am not riding in the arena. I am concerned that the increased proximity of people and traffic to this area of our property will be problematic for our horses, potentially spooking them and resulting in injury.

THE LOCATION OF OUR HOME RELATIVE TO THE PROPOSED CARPARK

17. Our home at 40 Tunnel Beach has been designed and positioned to enjoy total privacy. Our brief to the architect was to design a house that fitted in seamlessly with the natural rural landscape. We believed it was important to protect this spectacular coastline and build a structure that was sympathetic to the rural landscape. The house is positioned on the site to make the most of the sun and the spectacular views. It is also set back from the escarpment so it cannot be seen by people walking along the existing track.
18. The house has been designed for outdoor living and includes several external courtyards which are sheltered from the various predominant wind directions. The existing carpark on Tunnel Beach Rd is not visible from any part of our property. And only a small portion of the existing track is visible as it is predominantly directed away from our boundary and home.
19. The proposed car park at 30 Tunnel Beach Road is on the land directly adjacent to our property. The south side of the proposed carpark will be visible from certain points of our paddocks closest to the car park. This is because the carpark layout slopes downward to the cliffs. The

proposed bus stop is situated on the south side of the proposed carpark. Our home is approximately two hundred metres from the proposed bus stop with a direct line between both and no suitable noise mitigation is proposed. Because of the design of the car park the noise associated with the carpark will project directly towards our home. No adequate acoustic treatment has been proposed. We are also concerned that the proposed timber bench seat at the start of the new realigned track will encourage people to congregate and concentrate in this area of the site which will project noise directly to our home and property.

20. The proposed track re-alignment will result in additional switchbacks closer to our home than what is currently present and more of the track alignment wrapping around our boundary. The existing track is approximately sixty metres from our boundary at the closest point. The proposed track re-alignment to VP2 comes to within approximately ten metres of our boundary. Proposed viewpoint 1 is located in a prominently visible location from our front lawn. The viewpoints will result in people congregating and concentrating closer to our property than currently occurs and additional structures such as the interpretation boards etc that will change the character of the track. The landscape architect relies on maintenance and planting to assist in mitigating this. In my view this is likely to be helpful but given the state that the department have allowed the site to fall into since taking ownership I have little confidence that such maintenance will be carried out without the imposition of very clear and robust conditions.

EXPERIENCE WITH EXISTING ACTIVITY - TRAFFIC

21. For twenty years, numerous times a day we have entered and exited our property past the entrance of the Tunnel Beach track and along Tunnel Beach Road past the existing parking areas. We also regularly walk along Tunnel Beach Road and go down the track. We have witnessed changes to the condition of the track, the different volumes of traffic and people, the types of traffic and how and where cars have parked on Tunnel Beach Road. I believe we have spent more time

observing the traffic, people and car parking at the entrance of the Tunnel Beach track than any of the Applicant's experts.

22. While we have owned 40 Tunnel Beach Road we have seen a significant increase in visitor numbers to Tunnel Beach. During the decade 2002 to 2012 there were much fewer visitors to the track and very little associated traffic. During the summer periods we would see larger volumes of people and traffic, but on the whole the numbers remained low compared to today. From 2012 to 2022 there has been an obvious and significant increase in the volume of visitors.
23. In recent times all marked car parking has stretched down one side of Tunnel Beach Road (the western side) apart from one large vehicle or bus park which is on the eastern side near the entrance to the track. This bus park is mostly used by cars or vans. In the peak season during fine weather and often on weekends and public holidays cars will park further down Tunnel Beach Road in single file and predominantly on the western side of the road. However, sometimes on busy days there are also cars parked on the eastern side of the road further down from the bus park.
24. All existing car parking is located much further away from our property than the proposed car park. Some of the car parks are on an elevated flat area nearer the entrance of the walkway while the rest are located sloping downwards towards Blackhead Road. Due to its current location and topography and because the car parking is not concentrated into one area we do not experience any noise that is particularly objectionable. On calm days when the carpark is busy we sometimes hear people's voices, doors slamming and cars revving.
25. As visitor numbers to Tunnel Beach have increased so have the volume of vehicles parking on Tunnel Beach Road. Most visitors I see come in private cars or vans. There are some cyclists but they are very few and far between. I cannot recall many times where I have seen visitors on motorbikes at the walkway. A few visitors make their way to the track by foot and with the recent development of the formed pathway on Blackhead Road I have noticed a small uptick in

pedestrian traffic visiting the track. In the all the time I have lived on Tunnel Beach Road and even in the peak of tourism prior to the pandemic, I have rarely seen buses park or drop people off.

26. I have a heavy vehicle driver's license and I own and drive a horse truck that is a similar length and size to a commercial bus. Over the past decade I have driven my truck up and down Tunnel Beach Road hundreds of times. I know from experience it is difficult to navigate a heavy vehicle around the traffic and pedestrians on Tunnel Beach Road. It is tricky when there are just a few parked cars let alone when the car park is full.
27. Tunnel Beach Road is simply not designed for buses or heavy vehicles to turn around or park comfortably. There is a long unmarked park on eastern side of the road positioned at the entrance of the walkway, it has never been sign posted or marked as being for large vehicles or buses only. Because of this it is almost always used by cars or vans. This means that even if a bus can turn around at the end of Tunnel Beach Road it is unlikely there is space for it to park.
28. I believe that commercial tourist operators and general bus traffic do not tend to come up Tunnel Beach Road because of the layout of the road and the lack of parking. The limited times I have seen a bus park on Tunnel Beach Road it has been a small to mid-sized bus rather than a coach. Also, the car park has been relatively empty allowing them more room to turn around and park.

EXPERIENCE WITH EXISTING ACTIVITY – VISITORS

29. As visitor numbers to the Tunnel Beach track have increased so have the numbers of people roaming off the track and onto the south side of our property. We also have issues with people walking down the right of way and coming down our driveway. Although we have a gate at the top of our driveway, we find that if we leave the gate open, people think it is okay to walk down our drive to the house or to the stables.
30. When we redirect visitors to the Tunnel Beach track they tend to say that they knew where the track was but they were just interested to see

what was down the road or what houses were down this way. More frequently they say they were just looking to see if there was another way down to Tunnel Beach. I believe that the search for a unique 'Instagram worthy' photograph often drives people to ignore signs and low barriers and leave the formed tracks to roam into private property.

31. We have had a person come right up to our house after leaving the Tunnel Beach track, walk around the south side of our property, squeeze under a gap in the fence and walk right up to the house. When I confronted him and asked him to leave, he said he wanted to photograph and pat the horses. I believe that if the proposed car park and track realignment goes ahead substantial fencing and planting is required to deter people roaming onto our property.
32. In the last decade I have seen various types of anti-social behaviour on Tunnel Beach Road that tend to occur at locations where it is convenient to "park up". I have seen cars parked and occupied by young people who are drinking and smashing bottles and drivers who come up the road to do burnouts. Also, I have heard people letting off fireworks during the Guy Fawkes period. However, because this anti-social behaviour all takes place out on Tunnel Beach Road and is often spread out along the road way it does not impact us greatly. Apart from fireworks, we do not tend to hear much noise related to these activities. We see them when we are coming and going from our property and see the glass and tyre marks on the road.
33. Freedom camping on Tunnel Beach Road has been an ongoing issue which became more problematic in the few years leading up to the pandemic. Campers were parking in car park spaces, stringing up washing lines, leaving rubbish, and defecating on the roadside.
34. The proposed carpark will provide a nice open space for people to engage in these behaviours more readily and in closer proximity to us.

EFFECT OF CURRENT CONFIGURATION IN MANAGING NUMBERS

35. I believe that the current parking situation naturally limits the number of people that visit the track. When people drive up to the entrance of the

Tunnel Beach track and find there is no room to park, they tend to drive back down the road and if a park does not become available they leave. On busy days I have also seen campervans drive to the end of Tunnel Beach Road, turn around and leave because parking has been full.

36. The visitors to Tunnel Beach come as individuals, couples, families or small groups of friends. This is because they predominantly arrive in private cars or vans. They are visiting this location to walk down the track to see the tunnel, the beach and the headland. They appear to spend some time enjoying the view, maybe take some photos and then walk back. There is currently no reason to prolong their visit for more than an hour or so. This has the effect of keeping the flow of visitors moving rather than creating bottle necks of people on the track or encouraging the formation of larger groups on site.
37. The small groups that currently walk the track do not congregate anywhere in the car park or at the top of the track. They do not picnic or rest near our property or in the car park for any length of time. Even when the track is busy there is a small steady flow of people constantly walking up and down the track. Because these visitors are not arriving all at once or in large numbers their conversations and laughing generally do not generate much noise nuisance. The fact that visitors are moving steadily and do not stop close to our property for any period of time means we generally do not hear them.
38. The carpark as proposed is significantly larger than the parking currently available. The configuration will also create an area that encourages people to stay for longer periods. Particularly with the potential addition of food trucks and bus parking, seating areas etc. These things fundamentally change the nature of the activity that is likely to occur.
39. We note that the applicant has removed the vendor activity from the proposal and a condition has been proposed in the section 42A report prohibiting such activity. We support those changes because we

consider that enabling food vendors to operate would fundamentally change the nature of the activity in the area.

40. We also consider further changes including the removal of bus parking is necessary to ensure that inappropriate incremental growth of the activity is not encouraged.
41. I also note the condition that has been included within the section 42A report that reflects the proposed operating hours. We consider it absolutely necessary for that to be imposed as a condition so that there is a clear enforcement tool in relation to that. We also consider that the condition must stipulate what is to happen to close the carpark.

Increase in visitor numbers

42. I appreciate that Tunnel Beach is a spectacular and important attraction for Dunedin and I understand that this application seeks to better manage those people visiting Tunnel Beach. However, I do not agree that granting consent will not cause an increase in visitor numbers. Our concern is that by providing on site facilities and by increasing the ease and availability of access to the site, visitor numbers will increase further. The proposal will make the track even more accessible increasing the 'market' who are attracted to come and visit. The most obvious potential for this arises from the specific provision for busses.
43. I have already stated that during the time I have lived on Tunnel Beach Road and even in the peak of tourism prior to the pandemic, I have rarely seen buses park or drop people off. In Mr Van de Hurk's evidence he states at page 5 that "Survey data and regular site observations by Rangers shows that most visitors travel to Tunnel Beach in a private car or van and that buses almost never visit".
44. Mr Trumper's evidence at page 5 reiterates that visitor surveys undertaken by DOC had no responses from visitors stating they had arrived by bus. It seems that the only evidence of buses visiting the site are some photographs of a couple of buses provided by Mr Van de Hurk in Appendix A in figures 32, 33 and 40 of Mr Trumper's evidence.

The applicant is proposing a bus drop off area in the proposed car park and Mr Trumper states at page 5 that the assumption of three buses per hour arriving at the site is a conservative estimate of the peak number of buses expected to visit the site. This is also proposed as a condition of consent by Mr Taylor.

45. If it is agreed that historically and presently buses rarely visit Tunnel Beach and the Applicant is proposing that potentially three buses each containing approximately 60-68 people may arrive at the site each hour bringing around two hundred people an hour to the site – I do not understand how this will not significantly increase visitor numbers to the site. This potentially could create an additional 1,600 visitors to Tunnel Beach per day. Further these people will arrive in large groups rather than the small staggered groups that tend to make use of the track now.
46. The proposed car park includes a parking bay for bicycles and e-Bikes. Presently none of these facilities are provided. I have seen very few visitors arrive at Tunnel Beach on bicycles. Those few cyclists I have seen chain their bikes up to the fence near the entrance to our right of way. This is not a particularly safe spot for their bikes and I believe that this is probably a deterrent for cyclists visiting the track. Presumably the applicant's motivation for providing better facilities for cyclists and e-Bike riders is to encourage more of them to come. Once again, this increases the 'market' of potential visitors. I would note that I have less concern about the potential increase from cyclists as it is a lower impact activity than large buses.
47. There are currently no facilities for motorbikes or visitors who require dedicated mobility car parks. During the time I have lived on Tunnel Beach Road I have only very occasionally seen visitors arrive on motorbikes and I have never seen anyone with obvious mobility impairments visiting the track. I appreciate the applicant being inclusive but I do not understand how on the one hand you can propose facilities for particular visitors who currently do not visit the site with the intention that they will, and then on the other hand say this will not increase visitor numbers.

48. The proposed modification of the track gradient reducing the steepness of the track and the inclusion of viewing areas higher up opens up the Tunnel Beach track to a wider range of people. These developments have been specifically designed to increase the ease and availability of access to Tunnel Beach and the surrounding coastal landscape. I believe that these developments will encourage older and less physically mobile people to use the upper part of the track and the associated facilities.
49. With the development of these proposed facilities and modifications to the track, we believe more people will come and stay longer. We do not want to see the creation of a major all-day attraction for crowds of people next to our home. It would be completely inconsistent with the amenity of our rural residential environment.

Noise from the proposed car park

50. The proposed car park is adjacent to our property and much closer than the existing car park, which effectively sits over the crest of the hill. The design of the proposed car park is a more concentrated area and a terraced design sloping down the hill towards our house. Our home is approximately two hundred metres from the proposed bus stop with a direct line between both and no suitable noise mitigation has been proposed. It will be clearly (albeit partially) visible over our hedge because the existing macrocarpas do not provide a screen the full length of the carpark. We are concerned that the noise associated with vehicles using the car park will project directly towards our home given its design and positioning.
51. The proposed bus drop off is situated on this south side of the proposed carpark in the area that we will be able to see. The noise associated with buses coming and going, air brakes and large groups of people talking is a key concern for us. In Mr Shank's evidence he describes the noise made by these large groups as being equivalent to "diners in a lively outdoor dining area". Just one bus of sixty-eight people all talking like diners would in a lively outdoor area will be like having a commercial restaurant next to our property and will negatively

impact our rural amenity. I do not believe that land owners in a rural residential area should be expected to tolerate this character of noise. As I have set out above, I consider that it will be quite different from the nature of the activity that currently takes place, particularly with the liberal control of 3 buses per hour. Which is many more than currently utilise the track. It is totally inconsistent with expectations for a rural residential area.

52. The proposed timber bench located in the carpark at the start of the track will encourage people to congregate there and the noise of people talking and laughing will project directly to our home. This proposal also redirects greater volumes of traffic through the right of way to our property which will create more noise.

Noise effects from the track

53. I believe there will be more noise from visitors walking the track due to greater numbers of visitors coming to Tunnel Beach and because visitors will be arriving in larger groups on buses. These people will move down the track in more concentrated groups talking and laughing, potentially with guides talking loudly as they marshal people along. We will hear this noise from our property.
54. The proposed viewing point areas 1 and 2 are locations where visitors will congregate resulting in increased and prolonged noise levels close to our property. View point 1 in particular is prominently visible from the front lawn of our property, which is where we like to occupy and relax on nice days. Currently visitors do not stop for long periods while traversing the track as they head straight down to the tunnel and headland.
55. The proposed timber bench at the start of the re-aligned track by the proposed carpark will create another noise congregation and concentration area with the noise projecting directly to our home site. There is no noise mitigation measure proposed to reduce this noise projecting towards our house and property.

56. The potential for food trucks to establish will also change the nature of the experience and encourage users to stay for extended periods having food or coffee at the carpark, sitting alongside the track and so on. With the current configuration people generally come and go (save for the freedom campers). The potential for this will further exacerbate noise and affect the character of the rural residential area. We are absolutely supportive of the decision to remove this from the proposal.
57. The proposed bund design and landscape planting do not adequately mitigate potential noise effects from the car park or the track in my view. At a minimum an acoustic fence is required, the bus park and food truck parks removed and a prohibition on buses using the carpark.
58. We would also like to see more vegetation planting and fencing between the track alignment and our property to discourage people from wandering and attempting to trespass over our property.
59. I also believe that further consideration needs to be given to the operational hours. Particularly the Summer ones. The early evening period is when we are often relaxing outside, and when most other 'rural' activities have ceased. Our property and the surrounds are particularly quiet and peaceful during this time. I would like to think this period of the day can be protected, by closing the carpark earlier. My preference would be 5.30pm, because that is when we are generally home from work, but 7pm would be acceptable. This would be particularly important if provisions for large buses is to be retained. It may be less of an issue if the bus parks are removed and a prohibition on buses incorporated into the condition.

THREAT TO HORSES

60. We keep some of our horses in the paddock right next to the proposed car park. I also ride my horses there when I want to give them a change from riding in the arena. Horses are a prey or 'flight' animal. They have heightened sensitivity to sound and hear higher frequencies than humans. Although horses have been domesticated for thousands of years their wild instincts are still strong. Sharp, loud and impulsive noises can cause stress responses and adverse reactions. It is not

appropriate to use human auditory levels as a benchmark for equines in my experience.

61. Horses are unpredictable animals who take flight at sudden noises like motorbikes, cars skidding on gravel, doors slamming, horns, air brakes on buses and trucks, fireworks and even Velcro being pulled apart. Sudden noises may provoke a range of responses in horses. These responses can vary from shying, turning, bolting (galloping in a panic) and also kicking out at the apparent danger. Noises like this are not only dangerous for the horse but also for the person handling and riding them. Noise from fireworks often causes horses to run blindly into fences sometimes causing permanent or fatal injuries.
62. Most thoroughbred studs in New Zealand like those in Cambridge are located in rural or rural residential areas well away from large scale human activities and urban noise. There is a very good reason for this. These stud owners know their valuable horses are much safer away from traffic and the general public who do not understand or appreciate the sensitivity of horses and the noises and activities that terrify them. Young horses are particularly reactive to sounds as everything is new to them, and their instinct is to flee quickly at sudden noises. Horses also scare easily at loose rubbish like plastic bags, drones, kites, balloons and anything that flaps.
63. At peak times there will be a large volume of vehicles, including cars, motorbikes, campervans and buses that could bring three hundred and fifty people at once on site. The noise generated by all these vehicles and increased numbers of people are likely to cause real issues for our horses and will potentially put my safety at risk when I am handling and riding them.
64. Our neighbours have been considerate and do not let off fireworks on their properties. However, we have had incidents of the public letting off fireworks at the entrance of the Tunnel Beach track. Even from this distance the fireworks have terrified and panicked my horses. I believe the proposed car park will just bring this issue closer to our horses. I do not believe that the car park, if locked at 9pm during the summer, will

prevent fireworks being lit as it is often dark before this time. Also, fireworks are often lit in the lead up to Guy Fawkes and well after.

65. The proposed bund design and landscape planting do not adequately mitigate potential noise effects from the car park or the track.

EFFECTS ON RURAL CHARACTER AND AMENITY

66. We enjoy a rural lifestyle on our property and take great pleasure working outside on the farm with the animals. We feel very fortunate to live in such a special place in close proximity to the ocean and the sea carved cliffs. There is a real sense of remoteness and connection to nature on our property. The south side of our land runs down unobstructed to the cliffs and the views are expansive and uninterrupted.
67. The natural character of the area is what you would expect in a rural residential zone. It is generally not noisy; most of the time we cannot hear people talking or laughing or the sound of constant traffic. It is when things are at their most still that we hear the activities at the carpark and along the track.
68. The typical quietness and tranquillity is part of the character of the area that we value greatly. It is part of a rural residential lifestyle experience. We believe that the proposed car park and modifications to the track will increase the effects on us and significantly diminish the high rural amenity of the area. We will have all day people and vehicle noise at the carpark and on the track that is completely out of scale with the natural character of the area.
69. The applicant's proposal provides for landscaping and native planting on site to soften the form against the surrounding environment. Screening mixes are proposed to be planted around the car park predominantly to the north and to the east. Along the western extent of the car park and the earth bund a revegetation mix of various native plants is proposed. The applicant is relying on this to provide visual and acoustic screening to our property. There is reference in the

application to the existing large trees being retained, but this does not appear to be confirmed by a condition.

70. In the past two decades we have planted well over five hundred native plants on our property. Many of these are the same species the applicant proposes to plant in and around the proposed car park. It is our experience that the local weather conditions can make growing these native plants very challenging. We have found that the fierce winds, dry conditions in summer, possums and rabbits often kill the native plants. We have access to water for irrigation and have been able to water our native plants throughout the summer. Even with watering we have found that the natives take many years to grow to any notable size and we have had to replant many new natives to replace those that have died off. Ultimately, we have had to 'reinforce' the native plantings with more robust and faster growing exotic species.
71. It is our view that it will take many years for the native plantings to grow large enough to be effective as visual and acoustic screening. There is little to no detail on how the planting is to be maintained to ensure it achieves the intended mitigation. We consider that further consideration needs to be given to this.

MANAGEMENT OF THE PROPOSED CARPARK

72. The use of the carpark at night is a key concern of ours. We oppose any use of the carpark at night. We believe that if the car park was open at night then there would be significant issues with freedom camping, anti-social behaviours like drug dealing, drivers doing burnouts, people congregating to drink and party etc.
73. During the last consultation meeting all the present neighbouring landowners made it very clear to DCC and DOC that they wanted the carpark locked at night. In the application the DCC says "In the first year of operating DCC will liaise with DOC and assess visitor feedback to determine whether these hours of operation are sufficient." That is not appropriate. We believe that the operating hours must be fixed by conditions.

74. We are pleased to see operating hours conditions proposed in the section 42A report and support it. Although we would also like the summer operating hours to be shortened so that we get some further respite from the activity during the summer evenings when we are most frequently out enjoying our property. We also think it is important that the condition is specific that gates are to be installed and locked outside of operating hours.
75. We believe this application is inadequate because there is nothing in the proposal that manages the scale of the use of the carpark and the track by members of the public. The DCC does not predict an increase in use but does not offer any controls to ensure that is the case. In fact, as I have set out above the configuration of the carpark and new track alignment will make it easier for people to access, encourage use of the track by tour bus operators which is likely to increase and change the nature of the activity at the site in a manner that is not consistent with the rural residential character of the area or the nature of the existing activities.
76. It is our view, that the changes to the parking that will facilitate a change in use need to be avoided, if the level of activity (e.g. visitor numbers) itself is not to be controlled directly.

Conclusion

77. In my view this is a sensitive environment, and consent should not be granted. However, if consent is granted, critical controls should be included in the conditions.
78. We recognise that provision for carparking and toilet facilities on site is desirable but say that no capacity for growth of use should be provided. Strict control on the scale of the activity needs to be exercised.
79. The changes made to the application do not resolve our concerns. We still say that the scale of the proposed use of the site by the public is out of character with the rural residential zone. Limits should be imposed by doing the following:

- (a) Limiting car park to 25 cars on site.
- (b) Not making provision for bus parking on site and prohibiting buses from using the site.
- (c) Not making provision for food vendors and prohibiting them from establishing at the site.
- (d) All vehicles must be removed and gates locked outside of the following hours:
 - (i) Autumn/Winter 9am - 5pm
 - (ii) Spring/Summer 8am - 7pm, particularly if buses are to remain.
- (e) Requiring active crowd/public control measures such as signage, barriers, planting and fencing to ensure that members of the public stay on the track.
- (f) Inclusion of more robust landscape management and maintenance obligations to ensure landscaping achieves the intended outcomes.
- (g) That the large Macrocarpas be retained.
- (h) Require that the realigned walking track not traverse onto 32 Tunnel Beach Road as shown on design sheets 4 and 5; and that Viewing Point 1 and 2 be deleted.

Anya Durling

Date: 27 April 20



In front of house at 40 Tunnel Beach house looking East at sunrise





Looking out to sea.



Looking South East



From North-East upper corner of 40 Tunnel Beach property looking South with boundary shelterbelt to 30 Tunnel Beach on the left and 40 Tunnel Beach house on the right.



From North-East upper corner of 40 Tunnel Beach property looking South with boundary shelterbelt to 30 Tunnel Beach on the left and 40 Tunnel Beach house on the right.



From North-East upper corner of 40 Tunnel Beach property looking South with 40 Tunnel Beach house in the distance



Paddock closest to 30 Tunnel Beach, facing north from corner near house site.



Paddock closest to 30 Tunnel Beach, facing north from corner near house site.



Paddock closest to 30 Tunnel Beach, facing south from North-East corner



From North side of 40 Tunnel Beach property looking East with boundary shelterbelt to 30 Tunnel Beach in the distance



From North East upper corner of 40 Tunnel Beach property looking West with North boundary shelterbelt on the right

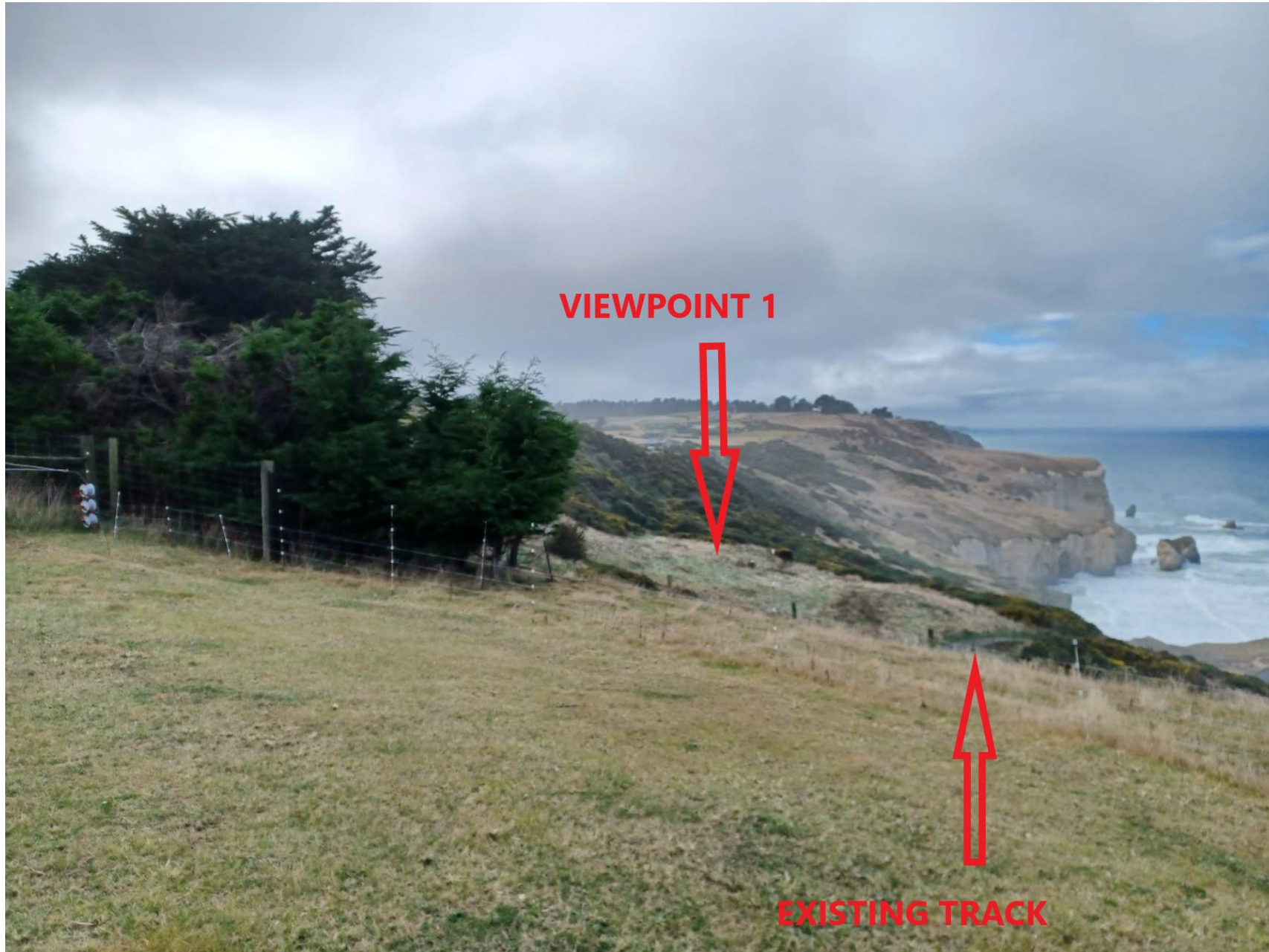


South side of proposed carpark will be visible above existing shelterbelt from 40 Tunnel Beach property



Deer Fencing and Unfenced Boundary between 40 Tunnel Beach and 30 Tunnel Beach





VIEWPOINT 1



EXISTING TRACK





**REFERENCE CABBAGE TREE NEAR
VIEWPOINT 2**



