
Submission Summary - Marlborough Sounds Resource Management Plan - Plan Change 15 - Oyster Bay, Port Underwood- By Name

A & M Still - Participant #: 1

Submission #: 1 General - Whole plan change

Submission: Oppose the proposed residential development in Oyster Bay because of:

Precedent.

Rezoning the land would allow similar developments to proceed virtually as of right in any number of the flat bays in the Port.

Suitability of land.

All parties including the developers acknowledge that a substantial flood risk exists in the area of Oyster Bay being considered and that substantial flood control works would be required. Recent history shows that the effects of major weather events in Port Underwood are at times uncontrollable (largely due to the steep nature of the terrain). This reality, combined with the recognition that a flooding problem exists makes the land being considered fundamentally unsuitable for residential development and as such the rezoning should not proceed.

Roading

Rezoning would result in a 40% increase in Port Underwood residential sections and in turn a major increase in traffic volumes using the hills and surrounds. Despite the calculations detailed in the engineers report, such an increase would in reality only exaspitate an already unacceptable situation.

Drainage

Any large increase in residential drainage will threaten the commercial image of the mussel growing industry in Port Underwood no matter how sophisticated any disposal system might be.

The submitters consider that the submission period was too short because of the Christmas period.

Relief sought: 1. Oppose the rezoning of the land.

2. The period for submissions to be made should be extended.

Nelson Ranger Farms Limited (Simon Acton-Adams) - Participant #: 2

Submission #: 3 10.2.1.1 - Residential Environments - Objectives and Policies

Submission: Object/oppose to the addition to the notes

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- l consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose the addition to the notes at end of 10.2.1.1

Submission #: 4 16.3.1.7 - New Policy 1.7 under 16.3, objective 1

Submission: Object/oppose because:

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- I consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose 16.3.1.7

Submission #: 5 27.2.1.1 - New Standard, Exception Oyster Bay, Port Underwood

Submission: Object/oppose because:

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- I consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose 27.2.1.1

Submission #: 6 27.2.5.2 - Resource consent conditions

Submission: Object/oppose because:

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- I consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose 27.2.5.2

Submission #: 7 27.3.1 - Allotment Standards (Discretionary Subdivision Activities)

Submission: Object/oppose table because:

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- I consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose 27.3.1

Submission #: 8 Appendix J - Schedule of Specifically Identified Sites

Submission: Object/oppose appendix J because:

- a water quality in Port Underwood
- b surface water intrusion
- c concentration of sections in one area
- d issues of reverse sensitivity
- e considerations of existing users
- f issues of safety and use of existing infrastructure
- g public use of commercial infrastructure
- h consideration of the longer term commercial activities in the greater Port Underwood area.
- I consideration of commercial activities in Oyster Bay.

Relief sought: Object/Oppose Appendix J

Submission #: 51 General - Whole plan change

- Submission:**
- a water quality in Port Underwood
 - b surface water intrusion
 - c concentration of sections in one area
 - d issues of reverse sensitivity
 - e considerations of existing users
 - f issues of safety and use of existing infrastructure
 - g public use of commercial infrastructure
 - h consideration of the longer term commercial activities in the greater Port Underwood area.
 - I consideration of commercial activities in Oyster Bay.

Relief sought: Decline the Private Plan Change 15, Oyster Bay, Port Underwood.

Ruth Simonsen - Participant #: 3

Submission #: 9 General - Whole plan change

Submission: Object to the zone change from Rural 1 Zone to Sounds Residential because of the following:

1. The extra traffic on the Port Underwood Road, at the moment the road is struggling to accommodate the present traffic
2. Extra boats in the Port Underwood Sound and at the wharf in Oyster Bay. The wharf at Oyster Bay is a commercial working wharf. Where are the extra boats going to launch and the vehicles and trailers be parked.
3. The erosion that will be caused from the subdivision and the run off from the site into the bay.
4. The water collected from the houses will be contaminated with salt and the stream will not sustain 40 or more homes.
5. The waste water and sewerage has not been a success in this area because of the clay subsoil and that will result in the pollution of the sea water in Port Underwood.
6. The visual pollution I do not want Port Underwood bays to become like another Momorangi or Anakiwa and other bays in the Queen Charlotte Sounds that have large subdivisions in their bays.

Relief sought: To not change rezone from Rural 1 Zone to Sounds Residential Zone

Ross Simonsen - Participant #: 4

Submission #: 10 General - Whole plan change

Submission: The submitter opposes the request. The following comments are made in the submission in relation to the corresponding sections in the s32 report prepared by Connell Wagner Limited.

- 1.6 Having sold the best part of the farm of course the remaining part will be uneconomic.
3.2 How can the applicants say the road can accommodate the traffic over the next 15 years when we have trouble now?
3.3 The assessed rainfall is too high. When the stream does dry up where are they going to get their water from. Salt spray in the water from the roof will affect their drinking water.
3.7 The boat ramp will be overcrowded as the mussel farmers are already thinking of blocking off the ramp.

Where is the waste rubble going?
What about a rubbish collection?

- Relief sought:*
1. To many sections
 2. Oppose the plan change

Gregory Paul & Patricia Ann McLean - Participant #: 5

Submission #: 12 27.2.1 - Allotment Standards (Controlled Subdivision Activities)

Submission: The controlled subdivision allotment standards are an avenue for additional and excessive development to proceed.

Once rural/residential change is approved the developers may then proceed to install sewerage reticulation and effectively more than double the number of proposed sections without any need to proceed through resource consent.

Given that the remainder of the re-zoned land could then also be carved up, Oyster Bay would become one very, very large development, considerably larger than is currently being indicated, thus further impacting on amenity values. Conceivably an area this size could accommodate 200 plus sections.

Relief sought: This option and all wording alluding to further development should be removed before the application proceeds further.

Submission #: 11 General - Whole plan change

Submission: The submitter opposes the rezoning because:

- 1 Amenity

As the developers report so favourably points out there are many bays within the Port with small property developments, but that is exactly what they are, small. What is proposed here is in terms of the location is excessively large and this change of zoning is a breach of faith. Councillors were elected on the basis of the district plan as it was approved. The submitters researched and purchased on the basis of this plan, which allowed for a rural lifestyle. A rural lifestyle without excessive noise, residential visual contamination, high traffic volume and overcrowded beach frontage. By allowing a plan change the Council will be eroding totally the very reasons why the submitter purchased in Oyster Bay and by accepting this proposal the Council is in direct conflict with the public who first commented on and agreed with the initial district plan.

- 2 Sewerage

The developer's state in their proposal that they would utilise package bed reactors such as the Oasis Clearwater system for dispersal. Indeed the system may be capable of functioning as described, but will the boggy ground in this valley be able to cope with the prescribed volume? They conclude the majority of dwellings will be used for batch and holiday homes typical of the Sounds properties. The submitter questions how the developer and Council will guarantee that this will be a constant in the future, resource management cannot restrict how much time the owners spend there. The developers continually use the phrase intermittent use, clearly they appreciate that there may indeed be a problem with ground quality if full time use was the reality. The likelihood is that should these dwellings become permanent residential homes, then the increase in use may compromise the effluent disposal field and the distances between each may well prove to be insufficient. Example provided in Wellington which has not worked.

- 3 Water supplies

The submitter comments that the current water supply is sufficient for existing dwellings but

would be doubtful that the scale proposed is achievable or maintainable. The Council owes it to the existing residents not to place the available water supply at risk. No account of fire fighting needs.

4 Lack of infrastructure

Expect water front reserves be set aside and developed, additional parking is provided with public toilets and that an upgrade or supply of wharf and boat launching facilities are realistic. The current ramp is not suitable for 2wd vehicles as stated in the application.

Relief sought: 1 Retain the current rural zoning and allow development of small rural blocks only thus avoiding concerns as detailed in this submission.

2 Remove from the proposal/application all reference and avenues which clearly provides for further unrestricted development courtesy of the residential area rezoning change.

Claire & David Hutchison - Participant #: 6

Submission #: 13 General - Whole plan change

Submission: Opposed to the proposed plan change. The submitters have spent a lot of time over the last 20 years at Oyster Bay and are concerned with the impact that more housing will have on the environment and the aesthetics of the landscape.

The reasons for opposing are concerns about:

1. The impact of silt and overflow from sewerage from the development on the oyster and pippi beds in Oyster Bay.
2. The increase of traffic on a road already under pressure.
3. The impact of more recreational boaties using the wharf. There is little room to park boats and trailers, with parking occurring on the road at busy times.
4. The impact of more people accessing the beach. There is no toilet. The beach has become more popular over the last 20 years.
5. The amount of room for moorings. The bay is nearly full with fishing and recreational boats.
6. The visual impact of more housing and type of buildings on the landscape of the bay.
7. The noise form increased numbers of people and the impact of this on the long term residents.

Relief sought: Opposed to the proposed plan to rezone 26 hectares in Oyster Bay, Port Underwood from Rural 1 to Sounds Residential.

K & S Roush - Participant #: 7

Submission #: 14 General - Whole plan change

Submission: Oppose this plan change in its entirety. Any plan change should only be valid with the consent of the majority of those who are affected by the change. The MSRMP [Marlborough Sounds Resource Management Plan] is a guiding document approved by the majority of the people of the Marlborough Sounds. People make their long term decisions based on what the plan allows. In this case much of the character and amenity values of Port Underwood, such as its sense of remoteness, peace and quiet, and lack of large numbers of people, is determined by the existing Plan which has a high proportion of the area zoned as rural.

Some people are attracted to this type of lifestyle and have homes or baches in Port Underwood because of this. The applicants consultants suggest that the rezoning will not affect the character and amenity values of Port Underwood. The submitter feels that they are

incorrect in this statement and others spoken with who live in or visit Port Underwood feel this plan change would have a large effect on the area. It seems hard to believe that the number of residential blocks in Port Underwood could be increased by 50-100 percent and there would not be large scale effects in a number of matters.

A preliminary report on the Regional Policy Statement review referred to concerns about residential subdivision in the Sounds.

Relief sought: Decline this application until Regional Policy Statement has been revised and the Management Plan has been re-assessed to reflect the desires of the community.

John Albert & Janice Narelle Guard - Participant #: 8

Submission #: 15 General - Whole plan change

Submission: Oppose the Plan Change in its entirety.

The Council has identified that only flood mitigation works constrain the development of Oyster Bay and the rezoning to Sounds Residential. The submitter considers the following factors should be addressed as follows:

Transport

The extra volume of traffic created by this proposed subdivision and not to mention the increased tourist traffic will impact of the road structure and safety. Road widening is mentioned for one part near the wharf, not the only part that will be affected. Number of accidents misleading, near misses go unreported. Commercial traffic (trucks) provide a significant hazard.

Landscape and Visual Amenity

Landscaping report suggests elevated sites not be built on, site plan shows these included. Disagrees with statement that development will be discrete, it will be visible from the water and road. Suggestion to require planting of salt resistant vegetation to provide screening of housing development.

Environmental impacts

Another 40 houses will impact on the environment. No refuse collection currently. The beach environment will be impacted with increased vehicle and foot traffic. The current wharf is for commercial use with one toilet and refuse containers for the fishing boats. Unlikely people using the beach will go home to use the toilet. Limited space for vehicle and boat trailers. The septic tanks for that number of dwellings must have an impact on the environment. The soil testing did not give an accurate picture of the status of the land in Oyster Bay with typical annual rainfall. At the head of Oyster Bay there are significant pine forests, some of which have been already milled. It should be addressed that future harvesting needs access to the area and it would be inappropriate to have housing in the middle of it.

Water Supply

This is a coastal environment and saltwater covers everything, roof water would not be suitable for drinking unless it had a specific treatment system. In a dry year minimal flows will be apparent in the stream - is there enough life supporting capacity then for the number of dwellings proposed? Water quality needs to be addressed.

Other

The s32 report contains misleading information, with photos and locations which are incorrect e.g. Uriti Bay only has one dwelling, not several. A site visit is required.

Council should be addressing this development for the public good and welfare of any new residents.

Should be dealt with as a resource consent as a non-complying activity and there is no good reason why a Plan Change should occur for this single development.

Relief sought: Reject Plan Change 15 in its entirety

Patricia Maxwell Platts - Participant #: 9

Submission #: 16 General - Whole plan change

Submission: Opposed to this plan change because the submitter and their family do not wish to see further subdivision of land in Port Underwood, with all its attendant problems. There are more than enough dwellings in the area already.

Relief sought: The Council to refuse consent for the application.

Gaylene & Graham Beattie - Participant #: 10

Submission #: 17 General - Whole plan change

Submission: Strongly oppose the proposed private plan change. The rezoning to residential conflicts with the objectives of the plan and therefore we strongly object to the proposed rezoning for the following reasons:

Increased water costs - including the need in the plan to add a storage tank on current allotments

Water contamination and availability

Sewerage in peak times when batches may house as many as 20 people

Noise pollution

Light pollution

Rubbish - collection required

Effects on marine environment

Silt and soil contamination into the sea bed and oyster beds

Visual pollution

Lack of parking along the road by the wharf

Smoke pollution in the winter

Rural character will be eroded

Conflict between commercial and an increase in residential users

Most boat owners try and park as close to the wharf as possible and this does cause congestion

Preserving sites of historical interest.

The submitter asks whether a septic system can be designed and maintained given the flood history in Oyster Bay. Will the plan change set a precedent for high density housing in Port Underwood and the cumulative effects resulting from increased population in the area? Will the road be able to cope? Also the affects on the character and values of Port Underwood

The Port Underwood is a unique area that is highly valued by the small but slowly growing community.

The submitters do not object to progress of the Port and over the last 25 years have witnessed significant positive progress in the area including the mussel industry, the wharf development, increased tourism activities and batch owners. It is their opinion that these have not significantly altered the amenity value for the current and traditional users of the area. The proposed development would severely affect the amenity value of the area and adversely change their families enjoyment of the area. The proposed change brings no benefits to Oyster Bay and the surrounding Port Underwood Sounds.

Relief sought: Strongly oppose the proposed private change.

Penney Family Trust (John Penney) - Participant #: 11

Submission #: 18 General - Whole plan change

Submission: Support reasonable levels of development in the Port Underwood area, but are strongly opposed to the application because of the very large numbers of possible sections in a small and historically significant area being inappropriate.

The submitter has calculated the number of potential sections to be 44 (without reticulation) or 88 (with reticulation). They observed that up to 19 people can be present on a section over holiday periods.

Water supplies

Usual water usage is 140 litres per person per day. Realistic but not for when watering lawns and boat wash down is included. A 7500 litre storage tank provides a buffer, the short term water usage from even 44 sections could be well in excess of the 1 cubic metre per day allowance.

Wastewater disposal

The proximity of a stream, the fall of the land to the stream and the fact the stream runs directly to the sea should all be major concerns in regard to septic disposal. During heavy rain and in very dry periods the out flow from the systems is likely to end up directly in the sea. Can aerated systems cope with sudden and major increases in throughput? A significant percentage of a 4000m² site will be taken up with the water tank and effluent disposal field on each site.

Traffic and Roading

Concern that traffic monitoring systems never seem to be active during busy periods. 5-10 fold increase in traffic on a weekend and much more during Easter and Christmas. Permanent residents have a realistic view of the road conditions and drive accordingly, the same is not true for other road users. The additional traffic generated in both directions from Oyster Bay from 44 sections is a major concern.

Amenity

The high section density, the low land slope, the potential for 2-storey houses and the number of water storage tanks (on tank stands) will generate a 'busy' environment very out of character with the existing semi-rural land use and at odds with the primary reason most residents live in Oyster Bay - isolation.

Flood hazard

With the current concerns about climate change and the number of times in the last few years that a 1 in 50 and 1 in 100 events have occurred, to only require a 1 in 50 year protection is rather short sighted. With the reduction in vegetation as trees are harvested and the erosion that results, there is potential for a major disaster with so many houses packed into the floor of a valley with a huge water catchment area. Concerns regarding evacuation in an emergency. The road on both sides has been blocked in the past from such an event and water access is unlikely to be possible in a storm.

Relief sought: Be rejected by Council

Jane Kircher - Participant #: 12

Submission #: 19 General - Whole plan change

Submission: Oppose the plan change for the following reasons:

Creating an area of high density housing is contrary to the spirit and character of Port Underwood.

The precedent it may set, if approved, could see the character of the entire Port area significantly changed.

High density housing would have a serious negative visual impact on the Port, and would detract from the rural character the Marlborough Sounds Resource Management Plan claims to value and protect.

Already depleted fish stocks would be compromised even further with a large increase in the

Port's population.

There are no benefits to the Oyster Bay community or to the Port as a whole.

Relief sought: Decline the application in its entirety.

P & A Kircher - Participant #: 13

Submission #: 20 General - Whole plan change

Submission: Oppose the whole application for the following reasons:

1. A Sounds residential development of this size and nature will totally change the character and amenities of both Oyster Bay and Port Underwood as a whole.
2. The application goes against the nature and intention of the Marlborough Sounds Resource Management Plan, whose aim is to retain the rural character of the Port.
3. The application if approved could have a serious adverse precedential effect for the whole of Port Underwood.
4. A residential development of 40 plus sections would have a huge visual impact on Oyster Bay, and thus the Port, changing the landscape of the area entirely.
5. There would be an adverse effect from such a high density development on fishing resources in the Port, which are already under pressure.
6. There is potential for sewerage pollution of Oyster Bay and surrounding land and water with such a concentration of housing, especially as flooding does occur in the Bay.
7. The Port Underwood Road is a good rural road, but with the increased volume of traffic from so many more residents, the road is less likely to safely cope.
8. This application has no benefits at all for Oyster Bay residents or the Port Underwood community as a whole.

Relief sought: Decline this whole application.

Robin Rae & Raewyn Anne Kirkwood - Participant #: 14

Submission #: 21 General - Whole plan change

Submission: Oppose the plan change in its entirety.

The Council in assessing the suitability of the land have accepted the s32 report without adequate investigation, or questioning the accuracy of information provided or the conclusions drawn. The reports over emphasis the benefits that such a change would provide. The proposal should be considered as a non-complying activity. The submitter considers that there is no good reason why a plan change that would set a landmark precedent for the Marlborough Sounds should occur in this instance. The MSRMP was put in place after due diligence to safeguard areas like Oyster Bay from intensive development. Council has to address this proposal ensuring public good and welfare of existing residents.

Other factors that require further investigation prior to a decision being made on the proposed Plan Change, these are in summary [more in depth discussion is provided in the submission]:

Roading

Consideration has not been given to increased logging and marine farm traffic, up to 60 new residences from subdivision and undeveloped sections, lack of access, facilities and parking for recreational boating, trailer parking and holiday visitors and tourist traffic.

Soil evaluation

Soil testing by Abacus design is not extensive enough to identify the wet areas unsuitable for residential development i.e. no percolation tests. Wet silty/clay loams is unsuitable for filter drainage, therefore septic tank outfields, and setback areas from the three streams must be generous.

Floodwater Hazard

Oyster Bay has an average rainfall of 1521mm/year, not 1300mm as used in the calculations. Calculations and mitigation work proposed by the Connell Wagner Engineering analysis is therefore of doubtful use when assessing likely flood hazards at Oyster Bay.

Residential development is an unsuitable use of the land identified as having a flood hazard.

Water Supply

No testing of water quantity or water quality of stream water to be used to service proposed lots has been conducted. No plans have been included in engineering reports to meet drinking water standards. Developers are blocking a community water scheme. There are issues with resource consent conditions of U991233 not being met. Rainwater catchments are unsuitable for drinking water in Oyster Bay because it is a high wind zone with significant and regular salt spray dumpings.

Marine Environment

Earthworks and stream alignments within Oyster Bay will have an effect on the marine environment. Stormwater runoff will increase, and rainfall greater than 75mm/24 hr period will cause silt and pollution problems in the Bay. Oyster Bay has stocks of paua, cockles, pipis, oysters, scallops, mussels, crayfish, moki, flounder, red cod, butterfish and kawhai can be taken from the sea, seabed and shoreline. On occasions dolphin, seal and orca visit the bay. Any silting of the Bay and pollution resultant from subdivision runoff will have a negative effects on marine life.

General subdivision issues

Any increase in resident and visitor numbers in this area of the Sounds will create ongoing issues for the Council, including, rubbish disposal, postal facilities, water supply, septic tank pollution, recreation facilities, toilets, changing rooms, walkways, parks, boat trailer and visitor parking, recreation boat ramp and upgrading the foreshore reserve. These should be provided for by the developer.

The submitter asks for:

An independent traffic report be required.

Additional roading, parking and recreational areas be required at the time of resource consent.

An independent soil test be conducted and taken over a longer time, including wet months.

A comprehensive and independent plan to mitigate the potential flooding hazard be prepared using actual rainfall figures prior to earthworks commencing on the proposed rezoning site.

Requirement to form a community water scheme for existing users to safe guard supply.
Review resource consent U991233.

An independent marine environmental impact report be required to indicate and investigate the effect any development of this scale would have on the existing marine environment.

If approval given the number of lots be limited to 10-15 lots.

Relief sought: Reject Plan Change 15 in its entirety.

Clintondale Trust - Whyte Trustee Company Limited (David A Whyte) - Participant #: 15

Submission #: 22 General - Whole plan change

Submission: The proposed plan change is not supported and is unequivocally opposed.

Apprehension that the proposed change will set a precedent and precipitate similar applications in other areas in Port Underwood. The submitter discusses the supply and demand not having been quantified.

Water supply

The adequacy of the confirmed water sources to meet potential demand from the full extent of development requires more definitive investigation and confirmation. Cartage of water for domestic purposes will exacerbate roading concerns. There is no fresh water supply at or near the wharf for wash down of boats and trailers. Confirmation of the applicants commitment for such a provision.

Wastewater disposal

Reluctance by applicant for communal system. A critical provision for individual on site systems is for a caveat that the land application area for the treated wastewater be located away from potential flood hazards and to be adequately protected from flooding. Concern that the recognised flood hazard would preclude reliance upon individual on site sewage disposal for the full extent of the subdivision without the possibility of environmental contamination.

Traffic and road safety

The traffic report uses outdated information. The calculations estimate 350 against a capacity of 500. Does not adequately take into account the intermittent peak traffic precipitated by the holiday periods, the nature of increased traffic including a greater incidence of trailer boats, nor the inevitable commercial and construction traffic throughout the development period. There is no indication that the developer will pay for the suggested upgrading of the road into Oyster Bay.

Flood hazard

Flood mitigation measures are proposed, the recent forestry harvest within the immediate environs of the site inevitably means that the recognised flood protection facility to be achieved by substantive vegetation cover will not be secured during the envisaged development period. The potential for runoff and accompanying sedimentation from these denuded slopes will be exacerbated by the increase in impervious surfaces arising from the development. Exit of storm water directly into Oyster Bay will result in silting to the detriment of the beach strata, sea bed and existing marine ecosystems.

Environmental impacts

No significant investigation or consideration has been accorded to the environmental impact of the proposed development, either within the intended site, or in Oyster Bay, or the wider Port Underwood environs. Port Underwood is recognised as an intensive and extensive marine aquaculture location. The identified flood hazard with its recognised impact upon the ability to ensure proper waste disposal, poses an identifiable and significant risk to such resource directly from the proposed development. It is not apparent that any assessment has been conducted to establish the extent of the fishery and natural ecosystems, both marine and freshwater, and the extent of risk of impact that the development as proposed will have on the sustainability of these resources. Any sediment/contaminant entering the marine environment is destined to remain cumulative with permanent/irreversible effect.

Other impacts such as increased demand for increased boat trailer parking and pressure on fish stocks and marine safety from increased numbers of boats fishing in Cook Strait.

Oyster Bay foreshore reserve

The landscape report concedes that the concentration of houses will attract more visitors, cars and boats to the area and to the bay. It is enviable that the proposal will result in parking being suffered on the grass foreshore and roadside reserve, not only posing an obstruction and danger to motorists and pedestrians but depriving the public the expected use of such amenity, and detracting from the beauty of the beach area.

Wharf slipway

The change to a predominantly recreational use of this facility would impact upon and possibly conflict with the intended commercial priority, and precipitate a demand for additional services eg petrol supply (pollution concerns) and toilets.

Policing and security

Port Underwood is remote in police and emergency services terms. Reliance on neighbourhood watch concepts. An influx of visitors to the area arising from the proposed

development would only exacerbate existing security, safety and emergency response concerns.

Rubbish disposal

Not served by a rubbish collection or a disposal facility.

The proposed change exhibits significant and alarming potential to permanently degrade the existing character of the immediate Oyster Bay and greater Port Underwood areas and deprive the existing community of the amenity values which have historically proven to be the areas primary attraction.

Private benefit to the applicant.

Precedent effects.

Inadequate investigation of the impacts to the existing community.

Relief sought: 1. Private Plan Change 15 not be granted, and the existing zone under the Marlborough Sounds Resource Management Plan for the application be retained.

2. The Council take no further consideration of this, or similar applications for plan changes for the Port Underwood area as a whole, in the absence of a comprehensive assessment of the effect on the environment, both natural and communal, within the immediate vicinity and wider area of Port Underwood.

Terrence Allan Dunn - Participant #: 16

Submission #: 23 General - Whole plan change

Submission: Submitters include: Bronwyn Joy Dunn, Paul Dymond and Simon Nicholas Harrison.

Oppose the application because of increased impact on wildlife, water resources, roading, amenities, increased pollution, risk to remaining native forestry and commercial forestry et al.

The current rural zoned land provides a habitat for wildlife, birds etc is scarce in the area and with more people this could easily be polluted by poorly maintained private sewerage schemes. More people increase the risk of boating and car accidents due to greater volumes. More people also increase the risk of fires being started. Sewage leach into the bay could have significant impact on local fisheries and vessel operations.

Relief sought: Allow subdivision to 8ha lot sizes. This provides a lot size more controllable for owners and an economic return for the current owner.

Tim & Victoria Freer - Participant #: 17

Submission #: 24 General - Whole plan change

Submission: Decline the application for the following reasons:

Roading

The narrow carriageway and winding nature of the road would place users at risk with any major increase in vehicle volumes.

Land suitability

The area is subject to the potential of serious flooding.

General infrastructure

The areas ability to cope with drainage requirements, rubbish disposal etc would suggest that such a development should not proceed.

Precedence

If the application was approved this could 'open the door' to further applications which would totally change the complexion of the area to its detriment.

Adverse effects to the area, by far out weigh any benefits.

Relief sought: Decline this application.

Director General of Conservation - Alastair Morrison (Stephen Wynne-Jones) - Participant #: 18

Submission #: 25 10.2.1.1 - Residential Environments - Objectives and Policies

Submission: The inclusion of the area within the Sounds Residential zone that has been identified in the Plan as being subject to flood hazard is contrary to Part II of the RMA, in particular section 7(i) and section 3.5 of the NZCPS policies 3.4.4 and 3.4.5.

The proposal fails to adequately recognise that some natural features may migrate in land as the result of dynamic coastal processes including sea level rise and accordingly is inconsistent with NZCPS 3.4.4 and section 7(i) of the RMA.

Policy 3.4.5 provides that new subdivision, use and development should be so located and designed that the need for hazard protection works is avoided. The proposed change, by facilitating the development of land that is prone to erosion by inundation within the coastal environment, is inconsistent with this NZCPS policy.

The proposed standard of requiring the construction of flood protection works before the subdivision of flood prone land is permitted is also of concern and the accompanying explanation in Chapter 10 and the proposed new policy 1.7 in Chapter 16 are also considered to be inconsistent with the policy direction provided for in the NZCPS because they provide for the flood hazard to be mitigated by way of engineering works rather than avoided by retaining the rural zoning of this land.

The proposal does not have adequate regard to policies in the Marlborough Regional Policy Statement in particular policy 7.4.3.

Relief sought: 2. Delete the third paragraph of the explanatory notes at the end of section 10.2.1.1. in Chapter 10 Urban Environments commencing with the words "A new area of Sounds Residential Zone"

Submission #: 26 16.3.1.7 - New Policy 1.7 under 16.3, objective 1

Submission: The inclusion of the area within the Sounds Residential zone that has been identified in the Plan as being subject to flood hazard is contrary to Part II of the RMA, in particular section 7(i) and section 3.5 of the NZ CPS policies 3.4.4 and 3.4.5.

The proposal fails to adequately recognise that some natural features may migrate in land as the result of dynamic coastal processes including sea level rise and accordingly is inconsistent with NZCPS 3.4.4 and section 7(i) of the RMA.

Policy 3.4.5 provides that new subdivision, use and development should be so located and designed that the need for hazard protection works is avoided. The proposed change, by facilitating the development of land that is prone to erosion by inundation within the coastal environment, is inconsistent with this NZCPS policy.

The proposed standard of requiring the construction of flood protection works before the subdivision of flood prone land is permitted is also of concern and the accompanying explanation in Chapter 10 and the proposed new policy 1.7 in Chapter 16 are also considered to be inconsistent with the policy direction provided for in the NZCPS because they provide for the flood hazard to be mitigated by way of engineering works rather than avoided by retaining the rural zoning of this land.

The proposal does not have adequate regard to policies in the Marlborough Regional Policy Statement in particular policy 7.4.3.

Relief sought: Delete new policy 1.7 of section 16.3 in Chapter 16 Natural Hazards

Submission #: 28 27.2.1.1 - New Standard, Exception Oyster Bay, Port Underwood

Submission: The inclusion of the area within the Sounds Residential zone that has been identified in the Plan as being subject to flood hazard is contrary to Part II of the RMA, in particular section 7(i) and section 3.5 of the NZ CPS policies 3.4.4 and 3.4.5.

The proposal fails to adequately recognise that some natural features may migrate in land as the result of dynamic coastal processes including sea level rise and accordingly is inconsistent with NZCPS 3.4.4 and section 7(i) of the RMA.

Policy 3.4.5 provides that new subdivision, use and development should be so located and designed that the need for hazard protection works is avoided. The proposed change, by facilitating the development of land that is prone to erosion by inundation within the coastal environment, is inconsistent with this NZCPS policy.

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The proposal does not have adequate regard to policies in the Marlborough Regional Policy Statement in particular policy 7.4.3.

Relief sought: Delete proposed new standard 27.2.1.1 Exception - Oyster Bay, Port Underwood.

Submission #: 29 Map 6, 64, 66 - Zoning Maps in Volume 3

Submission: Submitter: Alastair Morrison, Director General of Conservation.

The inclusion of the area within the Sounds Residential zone that has been identified in the Plan as being subject to flood hazard is contrary to Part II of the RMA, in particular section 7(i) and section 3.5 of the NZ CPS policies 3.4.4 and 3.4.5.

The proposal fails to adequately recognise that some natural features may migrate in land as the result of dynamic coastal processes including sea level rise and accordingly is inconsistent with NZCPS 3.4.4 and section 7(i) of the RMA.

Policy 3.4.5 provides that new subdivision, use and development should be so located and designed that the need for hazard protection works is avoided. The proposed change, by facilitating the development of land that is prone to erosion by inundation within the coastal environment, is inconsistent with this NZCPS policy.

The proposed standard of requiring the construction of flood protection works before the subdivision of flood prone land is permitted is also of concern and the accompanying explanation in Chapter 10 and the proposed new policy 1.7 in Chapter 16 are also considered to be inconsistent with the policy direction provided for in the NZCPS because they provide for the flood hazard to be mitigated by way of engineering works rather than avoided by retaining the rural zoning of this land.

The proposal does not have adequate regard to policies in the Marlborough Regional Policy Statement in particular policy 7.4.3.

Relief sought: Amend planning maps, 6, 64 and 66 to exclude from the Sounds Residential zone that part of the subject land shown on planning map 103 of the operative Marlborough Sounds Resource Management Plan as being subject to flood hazard.

Marlborough District Council -Rivers & Drainage (Brin Williman) - Participant #: 19

Submission #: 30 27.2.5.2 - Resource consent conditions

Submission: Replace "Will include conditions relating to the vesting of the bed of the river ..scheduled area" with "Will include conditions relating to the vesting of the bed of the river in the Council,

and some riparian margin land as a river control reserve so as to provide a river corridor for the free flowing carrying of flood waters and for the purposes of maintaining the flood mitigation works that protect the scheduled area."

Relief sought: Replace "Will include conditions relating to the vesting of the bed of the river ..scheduled area" with "Will include conditions relating to the vesting of the bed of the river in the Council, and some riparian margin land as a river control reserve so as to provide a river corridor for the free flowing carrying of flood waters and for the purposes of maintaining the flood mitigation works that protect the scheduled area."

Submission #: 31 Appendix J - Schedule of Specifically Identified Sites

Submission: Amend wording as follows ".The area is also subject to the requirements of rule 27.2.5.2 which provides for the vesting of the bed of the river in the Council, and some riparian margin land as a river control reserve so as to provide for a river corridor for the free flowing carrying of flood waters and for the purpose of maintaining the flood mitigation works, and an area of area of reserve.."

Relief sought: Appendix J advisory note wording adjustment ".The area is also subject to the requirements of rule 27.2.5.2 which provides for the vesting of the bed of the river in the Council, and some riparian margin land as a river control reserve so as to provide for a river corridor for the free flowing carrying of flood waters and for the purpose of maintaining the flood mitigation works, and an area of area of reserve.."

John Fielding - Participant #: 20

Submission #: 32 General - Whole plan change

Submission: Oppose the application to rezone land at Oyster Bay.

Independent reports often support the case put forward by the party who commissioned the report.

Council staff who are responsible for traffic and the maintenance should be given due consideration because their opinions are based on experience. The submitter provides in depth comments in their submission on the TDG report based on their own experience, including:

Road use varies depending on the time of year, the weather conditions, number of logging and mussel trucks, holiday periods.

Accidents and near misses not reported accurately and will increase with development.

Safety issues with commercial vehicles. Introduction of passing bays.

Acknowledges roading improvements that have been made and reduction in speed limit. The trimming of trees needs to be carried out twice a year.

Connecting route from Picton-Oyster Bay-Rarangi tourism potential.

Notes issues with existing water supply.

A decision to grant a Sounds Residential Area in Port Underwood would create a precedent.

Relief sought: 1. Make no rezone of land.
2. Council needs to seek its own expert opinion on these important issues.

Lawry Hinton and Jenny Kennedy - Participant #: 21

Submission #: 33 General - Whole plan change

Submission: Oppose the whole of the private plan change.

The proposal is contrary to the purpose and principles of the Resource Management Act 1991.

Amongst other issues the submitters have concerns about:

Roading and traffic, flooding, sewerage disposal, impact on infrastructure generally,

detraction from amenities and the suitability of the site for the proposed rezoning overall.

The adverse effects of this "proposal" are such that the rezoning cannot proceed. Various reports which purport to support or justify it are insufficient and lacking on examination.

The proposal presents detriment and costs and not benefit to the community and must be declined.

Relief sought: The proposal be declined in total.

Transpower New Zealand Limited (Yana Bosseva) - Participant #: 22

Submission #: 34 27.2.1.1 - New Standard, Exception Oyster Bay, Port Underwood

Submission: In order to ensure protection of the Benmore-Haywards A high voltage transmission line, and public safety Transpower seeks additional requirements under 27.2.1.1.

The eastern edge of the proposed area adjacent to the seashore is traversed by the Benmore-Haywards A 350 kV high voltage transmission line on towers. The line is not protected by an easement. This means it is difficult to protect this line from the proposed flood mitigation works, and to ensure public safety around it. These are the main issues for Transpower.

The flood mitigation works could have the following adverse effects:

Contact and or flashovers with the conductors (wires) caused by structures.

Earthworks undermining of the transmission line support structures and or raising of ground levels to reduce separation distances.

Dust and particulate matter depositions on conductors, insulators, and tower steel, may lead to flashovers, equipment failure and or accelerated corrosion.

An explanation of the issues are discussed in the submission.

Relief sought: In order to ensure protection of the Benmore-Haywards A high voltage transmission line and public safety, Transpower seeks that:

1. The following subsection is added to proposed standard 27.2.1.1 as follows:

27.2.1.1 Exception - Oyster Bay, Port Underwood

c) The works above are designed and completed in accordance with the minimum safe separation distances outlined in the New Zealand Code of Practice for Electrical Safety Distances 34:2001 (NZECP 34:2001).

d) The works above are designed and completed in accordance with a Dust Management Plan, ensuring that there are no adverse effects on the Benmore-Haywards A high voltage transmission line.

2. Any consequential changes required as a result of the above change.

New Zealand Marine Farming Association (Gascoigne & Wicks) - Participant #: 23

Submission #: 35 27.2.5.2 - Resource consent conditions

Submission: There are existing commercial facilities in the area but these are fully utilised for that purpose and it is an important ingredient of the planned residential development that the effects of demand on such an infrastructure as addressed and provided for.

Suggestion for inclusion of conditions of resource consent to require contributions for shared facilities. It is unreasonable and inappropriate that such development proceeds in the absence of such planning or that reliance is placed on using existing facilities which are fully utilised by commercial operators and are required as part of the underlying commercial activity within the Port Underwood area

Relief sought: 1. That the rules, policies, objectives and plan provisions provide for the inclusion of infrastructure not limited to parking, but including jetties, slipways and other facilities required, or likely to be required by the subdivision as part of the requirements for development.

2. Condition attaching to the subdivision to ensure that adequate contributions are made to

shared facilities or that such facilities are planned as part of the development.

3. Modification to the rules by way of additional rules and or policies and objectives are required. This includes the mandatory, rather than discretionary requirement for the purpose of providing vehicles and boat trailers, but also the mandatory rather than discretionary, requirement for the provision of slipways, jetties and other facilities of, and incidental to, the potential for residential development in the area.

Submission #: 36 General - Whole plan change

Submission: That the plan provisions in a more general sense address the issue of reverse sensitivity. That by reason of the proposed rezoning of this area, and consequential amendments to the objectives and policies, there is likelihood of further residential development in close proximity to the working coastal marine environment. To that extent the question of addressing and identifying further areas for subdivision, and approving such subdivisions, should be addressed by way of appropriate policies and objectives, and/or methods, and rules that recognise and provide for the ability of Council and submitters to have the potential for reserve sensitivity acknowledged. Example, the plan should anticipate the use, where appropriate, of reverse sensitivity covenants which record for the subsequent owners the existence of commercial activity, including marine farming and other relevant commercial activities within the coastal marine area and that that is anticipated and expected outcome of the plan and accordingly something which the owners of land adjoining the coastal marine area should anticipate as part of the range of experiences. That these activities include from time to time noise, visual impacts and other consequences associated with commercial activities needs to be acknowledged by landowners so as to avoid reverse sensitivity issues where possible.

Relief sought: The plan needs to provide for specific objectives, policies, rules and assessment criteria to avoid, where possible, conflicts between residential and non-residential activities to recognise and provide for marine farming and aquaculture within the Marlborough Sounds.

Irene Ross - Participant #: 24

Submission #: 37 General - Whole plan change

Submission: Oppose the change of zoning. If granted it will create a possible 80 sections effectively a town half the size of Seddon will be created in an area which has no services from the Council for sewerage and rubbish disposal. This change in population will bring with the attendant people problems - noise, pollution, rubbish, roaming dogs, motorbikes etc. This already exists in Hakahaka Bay.

Flat land in the Sounds area could be up for grabs for development, ruining the environment which is particularly close to the hearts of the existing Sound people. Existing land owners with nearby sub dividable land will face declining values of their own properties.

Port Underwood is a food producing area. Not only are mussels commercially harvested by trawlers and recreational gatherers. Keeping pollutants from this development from the marine environment impossible given the high rainfall. Additional large numbers of people will have an impact on the marine environment as recreational fishers and gatherers. One of the attractions of the area is the opportunity to catch fish, this proposal will lead to more noisy water vehicles disregarding boating and fishing regulation and a decline in marine species.

Port Underwood Road is already carrying sufficient traffic for which it was not designed. Parts of the road are not wide enough to legally allow a four wheeled vehicle to travel on the road. Is the Council prepared to improve the road if the plan change proceeds? I suspect not?

Relief sought: Oppose all parts and wish the Council to decline the application.

Marie C Saul - Participant #: 25

Submission #: 38 General - Whole plan change

Submission: Strongly oppose the proposed private plan change. The rezoning to residential conflicts with the objectives of the plan and therefore we strongly object to the proposed rezoning for the following reasons:

Increased water costs - including the need in the plan to add a storage tank on current allotments

Water contamination and availability

Sewerage in peak times when batches may house as many as 20 people

Noise pollution

Light pollution

Rubbish - collection required

Effects on marine environment

Silt and soil contamination into the sea bed and oyster beds

Visual pollution

Lack of parking along the road by the wharf

Smoke pollution in the winter

Rural character will be eroded

Conflict between commercial and an increase in residential users

Most boat owners try and park as close to the wharf as possible and this does cause congestion

Preserving sites of historical interest.

The submitter asks whether a septic system can be designed and maintained given the flood history in Oyster Bay. Will the plan change set a precedent for high density housing in Port Underwood and the cumulative effects resulting from increased population in the area? Will the road be able to cope? Also the affects on the character and values of Port Underwood

The Port Underwood is a unique area that is highly valued by the small but slowly growing community.

The submitter does not object to progress of the Port and over the last 25 years have witnessed significant positive progress in the area including the mussel industry, the wharf development, increased tourism activities and batch owners. It is their opinion that these have not significantly altered the amenity value for the current and traditional users of the area. The proposed development would severely affect the amenity value of the area and adversely change their families enjoyment of the area. The proposed change brings no benefits to Oyster Bay and the surrounding Port Underwood Sounds.

Relief sought: Strongly oppose the proposed private change.

New Zealand Fire Service Commission (Sean Grace) - Participant #: 26

Submission #: 39 27.2.1.1 - New Standard, Exception Oyster Bay, Port Underwood

Submission: Future development of the land subject to the Plan Change should take into account the operational requirements of the Commission to adequately provide for fire-fighting activities within a subdivision in a safe, effective and efficient manner as required by the Fire Service Act 1975.

The submission outlines two options from the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003 (the code) to ensure that adequate water supply for fire fighting purposes is provided on a new allotment.

The Commission considers that compliance with the Code should be provided for as a permitted activity standard within the plan.

Relief sought: Include the following:

27.2.1.1 Exception - Oyster Bay, Port Underwood

Subdivision as a controlled activity cannot be applied for, for any part of the land area identified in Appendix J, 3. Oyster Bay, Port Underwood, unless:

a) Flood mitigation works to at least a 2% Annual Exceedance Probability (AEP) [that is, to at least a 1 in 50 year return period standard] have been completed for the entire area identified

in Appendix J, 3.: and

- b) The above works have been completed to the satisfaction of the Council's Rivers Engineer
- c) Water supply to the proposed lots is installed to comply with SNZ PAS 4509:2003, the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice.

Matene Love - Participant #: 27

Submission #: 40 General - Whole plan change

Submission: Oppose the proposed plan change because:

1. Concern how the character of Port Underwood would be affected by such an increase in the density of population
2. Precedent it will create for other such projects
3. Detrimental to the roading system which is already under stress.
4. Concern with the sewerage system and the flooding history in Oyster Bay and its cumulative effects.
5. Effect the visual aspects of Oyster Bay
6. Concern with the water supply run off effects, slope stability.
7. The wharf and launching area will not cope with increased users.

Relief sought: Decline the application

Bruce & Jill Hearn - Participant #: 28

Submission #: 41 General - Whole plan change

Submission: Concern with the size of any subdivision which has the potential for 80 sections in a small area. The submitters do not oppose small subdivisions which do not alter the character and values of Port Underwood, 80 sections would affect those values.

Concern with the precedent effect and also with the conflict that may result between established commercial users of Oyster Bay and a large number of residential users.

Relief sought: None specified.

Jeremy & Annie Ward - Participant #: 29

Submission #: 42 General - Whole plan change

Submission: Oppose the plan change in full for the following reasons:

1. The number of residential sections such a plan change will allow changes the total amenity values of the area. The existing plan allows limited subdivision which more than caters for the existing market demand, this protects such important amenity values.
2. Sets a precedent for the future and where is the line to be drawn?
3. Sewerage. The septic tank systems would not be able to adequately cope with the number of possible dwellings and consequently could effect and pollute surrounding land and water.

4. Recreational values, fishing and boating. The area has seen a dramatic drop off in fish life in the Port in recent years and such a big development will put pressure on this resource.

Private benefit only. There are a number of sections for sale - supply and demand balanced. The Port does not need added demand on limited amenities.

Relief sought: The proposed plan change be declined in full.

David Taylor - Participant #: 30

Submission #: 43 General - Whole plan change

Submission: Oppose.

The Council created the Marlborough Sounds Resource Management Plan to protect and preserve this valuable resource (Marlborough Sounds). The application is a request to revert back to the previous rules of rezoning. Approval of this application in its current format will allow numerous future subdivisions in the Marlborough Sounds to proceed, which defeats the purpose of the Marlborough Sounds Resource Management Plan.

There is no reference to any investigation having been carried out to determine any adverse effects of possible substantial increase of sewerage run-off into Oyster Bay. Port Underwood is a significant mussel farming area and there is no reference in the s32 report regarding effects either positive or negative on the aquaculture industry in Port Underwood.

Relief sought: 1 The Council consider creating a new zoning, situated between Rural 1 and Sounds Residential, with a minimum land area of approx 20,000m² which allows a subdivision such as this to proceed but minimises the effects of traffic, sewerage, visual etc.

2. Council request such a report [sewerage runoff and effects on the aquaculture industry] before any decision is made regarding this proposed plan change.

Michael John Milligan - Participant #: 31

Submission #: 44 General - Whole plan change

Submission: Opposed to the application because:

Purchased the property because of quiet seclusion and limited development of the Port area. Concerned about the possibility of 30-40 sections being proposed.

Minor development is inevitable, this is a mass development that would have huge effects on the Port Underwood area and Oyster Bay.

Landscape would be changed forever, along with the environment, ecology and amenity values all compromised.

Visual effects - Cluster housing instead of natural landscape

Landscape effect - Changing the look of this precious area forever.

Environmental effects - Sediment from over 40 sewer filtration systems, into what, a clay base which will end up in Oyster Bay marine system which in time will effect the marine life.

Water supply - Totally insufficient supply and along with potable water in regular dry rainfall times makes it totally inadequate.

Ecology effects - Birdlife is endangered along with many wildlife species leaving the area.

Flooding has also been recorded in heavy down pours.

Traffic movements - 40 sections means 60-80 more car movements on already congested holiday period times.

Private benefit only to the developers.

Port Underwood is one of the few remaining peaceful tranquil areas left and we all have a

duty to see it remains this way for future generations.

Relief sought: 1. Decline the decision outright.

2. Strong deterrents be put in place to not allow future zoning changes like this which test communities and devalue marine areas to satisfy a few.

Martin Elliot Loach - Participant #: 32

Submission #: 45 General - Whole plan change

Submission: Concerned about sewerage disposal. The area has soil and substrate that won't absorb water and may pollute the bay.

Concerned that so many new sections will spoil the existing tranquil environment.

Questions the need for more sections. Existing sections have been for sale for a long period of time in Port Underwood.

Relief sought: None specified.

Benmorven Estate Family Trust (A C & S D Hayward) - Participant #: 33

Submission #: 46 General - Whole plan change

Submission: Oppose the entire plan change because:

The applicants have not shown any proof of a need for more residential zoned land in the Marlborough Sounds, nor have they shown Oyster Bay is the most appropriate location if there was proof the MSRMP requires more land zoned sounds residential.

The s32 report is biased towards the applicants. Private benefit only. The economic benefits appendix to the application is flawed. It does not compare the applicants specific proposal to the possibility of future development already permissible under the existing plan.

Major roading constraints already obvious on the Port Underwood Road.

Relief sought: Not to approve the request for plan change 15.

Neville Saul - Participant #: 34

Submission #: 47 General - Whole plan change

Submission: Totally against the proposed private plan to Oyster Bay.

Small holdings of houses in bays in keeping with the plan, large numbers of dwellings and street lights damaging to the Marlborough Sounds.

Traffic from Picton combined with logging and mussel trucks is already an issue.

Water contamination from silt would be a problem and damaging to marine life in Oyster Bay.

Lack of boat trailer parking space at peak times
Smoke pollution in winter and fire danger in summer would increase.

Rubbish dumping - the four drums at the wharf are often overflowing now.

Effects on the marine environment with such a delicate balance would be a major consideration.

Flooding of the creek and surrounding areas from the big catchments above. How would this be controlled?

Drinking water has not been a problem. Will this stay the same? How could this be guaranteed?

Historical sites exist in Oyster Bay. Will these sites be destroyed forever?

Precedent of opening up other developments with disastrous effect.

Relief sought: Against the proposed private plan to Oyster Bay.

Ngati Rarua Iwi Trust (Tracey Williams) - Participant #: 35

Submission #: 48 General - Whole plan change

Submission: Oppose the amendments to the plan change.

Ngati Rarua regard this area of Port Underwood as a site of great significance with a pre European occupation of this area already documented by Michael Trotter.

Under the Marlborough Regional Policy Statement, policies 7.3 (cultural and heritage), 7.3.3 (cultural and heritage features), 7.3.4 (methods), 7.3.6 (iwi consultation) and 7.3.7 (methods) have not been adhered to.

Relief sought: 1. Oppose to amendments to the Plan Change

2. Marlborough District Council and the applicant call a consultation hui where Ngati Rarua's views and values can be identified and maintained.

Mr Denny - Participant #: 36

Submission #: 49 General - Whole plan change

Submission: Oppose the application.

It will change the essential nature of the isolation and low density development of the area from that which was the reason the submitters purchased in the area.

Sets a dangerous precedent.

Places pressures on the environment of the immediate area.

Relief sought: Turn down the application

Port Underwood Association Inc (Eric Jorgensen) - Participant #: 37

Submission #: 50 General - Whole plan change

Submission: Oppose the application in its entirety because:

If the application is successful the impact on the general Port Underwood environs of the subsequent developments and the associated increase in residences, people, traffic, parking, boats, noise and pressure on resources cannot be mitigated. The only mitigation is not to allow it to occur in the first instance.

The application is contrary to the intent, requirements and policy of the Resource Management Act.

With reference to the Marlborough Sounds Resource Management Plan:

The application goes against the principles and intent of the Plan.

Approval will have negative impacts which cannot be mitigated on the natural character of the area, landscape, rural environment and land transport.

Concerns regarding disposal of waste to land.

High density residential development will have an adverse cumulative effect upon aquatic life associated with fishing and diving. Current resources are under pressure.

Regional Policy Statement

Approval of the application will have a negative impact on water ecosystems, community wellbeing, visual features.

The members consider that Plan Change 15 will bring significant adverse effects to the existing community and environment.

Private benefit only.

The Marlborough Sounds Resource Management Plan recognises the value of rural amenities and resources. Decisions to deviate from the plan itself must show similar respect for these values.

Reports highly selective and do not stand up to close scrutiny.

Not all adverse effects have been identified in the application.

Relief sought: Decline Private Plan Change 15 in its entirety.
