



Terramark

Setting New Boundaries

**Submission on
Proposed Plan Change 1
to the
Partially Operative
Dunedin City Second Generation District Plan (2GP)**

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Form 5

*Submission on publicly notified proposal for policy statement or plan, clause 6 of First Schedule,
Resource Management Act 1991*

To: Dunedin City Council
PO Box 5045
Dunedin 9054

Via email: districtplansubmissions@dcc.govt.nz

Submission on: **Proposed Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP)**

Date: 17 December 2024

Submission by: **Terramark Limited**
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Address for service: **Terramark Limited**
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Dunedin 9016

1. Terramark Limited (Terrmark) could not gain an advantage in trade competition for this submission.
2. Please refer to the attached table for the specific provisions of the Partially Operative District Plan that our submission relates to.
3. Please refer to the attached table for the details of Terramark's submission and whether we support or oppose the specific provisions we have submitted on.
4. The decisions sought by Terramark are outlined in the table attached to this submission.
5. We wish to be heard in support of this submission. If others make a similar submission, I will consider presenting a joint case at a hearing.
6. Terramark seeks any consequential changes necessary to give effect to the relief sought in each of the individual submission points made.

Yours faithfully

For Terramark Limited



Darryl Sycamore

Planning Manager

Introduction

- 1.1 Terramark Limited (**Terramark**) welcomes the opportunity to submit on the Partially Operative Dunedin City Second Generation District Plan (**the 2GP**).
- 1.2 Terramark is a surveying, land engineering and planning business with a proud history of supporting the Otago community in a range of activities from subdivision, land use, wastewater discharge, industrial including extractive and commercial activities.
- 1.3 We have an active interest in the success of the community across the four well-beings and consider ourselves one of few local businesses that speak up for straightforward and common-sense planning documents to drive the community and success of the local economy.
- 1.4 Many regulations and recent Council interpretations of existing regulation have made what is considered a viable development overly prohibitive or come at a significant financial cost to future homeowners. Some recent interpretations are only applied within Dunedin City and place additional pressure on the sector and first home buyers.
- 1.5 Areas of discussion around stormwater management, the application of the permitted baseline, fire-fighting capacity, and general land use activities need to be carefully considered to ensure that decision making with the consideration of the impacts of council decisions economically, socially, and environmentally. Some proposed amendments include no s32 analysis to support the decision-making process. Terramark are of the view a robust s32 analysis process is required to enable decision makers to appreciate the full suite of direct and indirect consequences on private landowners and the community. Some provisions will introduce significant costs to individual landowners with no consideration in the s32 report to these consequences nor any guidance for the decision makers to understand the magnitude of those effects.
- 1.6 Terramark remains of the view that the Future Development Strategy (**FDS**) commissioned by both the DCC and Otago Regional Council should sit at the front of all decision making. Every amendment which makes development harder or less economically viable incrementally affects any chance of meeting the aspirations of the FDS. To illustrate, Council's recent interpretation of the National Environmental Standard for Contaminated Soils in relation to residual lead from historic use of paint is an outlier in how Councils across the Country applies the NES-CS. More relevant to this plan change, when applying the 70% site coverage baseline for impervious surfaces with the need to include attenuation to that level of coverage has already led to some developers relocating to districts where Councils are more supportive of developers such as Christchurch or Hamilton. This very interpretation as promoted in PC1 (as CP15) and is already applied by City Planners as a matter of assessing any subdivision with significant cost and consequences without having gone through a Schedule 1 process, any s32 consideration and is contrary to the advice of senior 3Waters staff who supported the introduction of the hard-surfacing standards at the 2GP hearings.
- 1.7 There is an expectation that Councils, when undertaking a plan review, will adopt a no-frills approach and only target what is necessary to manage and resolve any issues occurring in the district and to meet their responsibilities under the Resource Management Act 1991 (**RMA**) or Regional Policy Statement (**RPS**). This is even more imperative when the Plan Change is promoted as addressing 'minor corrections,' actively limiting scope. It is Terramark's view that this Plan Change introduces many additional provisions that have no relationship with minor corrections to the existing Plan architecture. Many are entirely new provisions, with little to no s32 assessment to assess the economic or social implications of any new standard.

Our general comments on PC1

- 2.1 In principle we support the intention of minor changes to improve the efficiency and effectiveness of the Plan.
- 2.2 Care must be taken to avoid any unnecessary duplication or overlap with the construction of private drainage infrastructure under the Building Act 2004, or where regulation is better suited with of the Regional Council. Further, any assessment of the environmental effects of stormwater management needs to be proportionate to the activity being undertaken and 'ground-truthed' rather than relying on a desktop assessment.
- 2.3 The summary states that Plan Change 1 - Minor Improvements to the Partially Operative Second Generation Dunedin City District Plan 2024 (2GP) will make targeted minor improvements to the 2GP designed to ensure the 2GP effectively and efficiently achieves its objectives.

The DCC website states "*The proposed changes include:*

- *Changes to protect 146 more heritage buildings, over 24,000 more hectares of public land with significant biodiversity values, and 12 more significant trees.*
- *Changes to provide a more enabling rule framework for health activities.*
- *Changes to a wide range of provisions to make them easier to interpret and apply (for example, amending the definition of ground level so it is easier to identify it on sites with historical earthworks).*
- *Changes to make rules more flexible (for example, rule changes to make it easier to build garages in yards).*
- *Changes to better manage environmental effects from activities where existing provisions have been assessed as insufficient (for example, increasing the acoustic insulation requirements for new dwellings in the inner city to reduce the risk of complaints about live music noise, extending rules that manage transportation effects from activities that generate a high number of traffic movements, and requiring development to be set back from stormwater open watercourses in more locations).*
- *Minor changes to correct errors".*

- 2.4 The Summary of Changes is not a complete list of those proposed changes and overlooks a number of key points. The public, being an average ratepayer who is in reality quite disconnected from the day to day activity of Council should be able to review the summary report and determine whether the Plan Change potentially impacts their interests, and whether they need to drill further into the document to gain a fuller understanding of the proposal, or not. The public should not have to dissect every proposed change in detail to determine whether the Plan Change summary is in fact complete nor engage a consultant to do that on their behalf. I consider the summary does not offer a sufficiently broad picture to enable the public to understand the full suite of potential effects on their interests, and for some it is likely they will not submit due to that incomplete summary. This Plan Change is far more than 'minor improvements' and introduces an issue of natural justice to those parties who may have not submitted relying on the incomplete summary of changes.

Proposed District Plan provision	Submission Point	Position	Terramark submission	Relief sought
General				
Whole of PC1	1	Oppose in part	<p>Notwithstanding our concerns and suggested relief below, Terramark has an interest in the whole of the Plan Change given the interrelatedness between each provision. We reserve the right to provide a further submission on any matters raised by other submitters.</p> <p>Withdrawn submission.</p>	<p>Terramark retains an interest in providing further submissions</p>
D16	2	Support in part	<p>Healthcare has been re-defined to be a community activity which is supported. We also consider the definition should be amended such that social health agencies such as the Otepoti-Dunedin Whanau Refuge are considered a healthcare activity rather than a commercial activity. The Refuge is defined as commercial as the activity and organisation offices are unrelated to the site where the social care is provided i.e a private dwelling.</p> <p>The definition results in unnecessary and significant costs which would be better spent supporting vulnerable families.</p>	<p>That non-profit social agencies are defined as healthcare activities.</p>
PHS1 Fire-Fighting	3	Oppose in part	<p>Few residents in the City appreciate there are numerous areas where a connection to existing fire hydrants have insufficient or marginal pressure for fighting a fire. This is exacerbated by connecting to a second hydrant which further diminishes pressure. Should there be a fire in locations with insufficient pressure, there is every likelihood FENZ will have to rely on water transported in their appliances to fire fighting which is likely to be insufficient.</p> <p>As an example Appendix A, below, shows the properties along Helensburgh Road near Wakari Hospital as all being <10 L/sec flow. Pressure is further reduced when a second hydrant is connected. The FENZ GIS map at the link below highlights the issue.</p> <p>https://www.arcgis.com/apps/mapviewer/index.html?layers=77cd61cee1f140219462c9e7fbfdb7bd</p> <p>Proposed Rule 9.3.3.2 requires new residential buildings must meet one of the specified fire-fighting water supply and access requirements. Clause a requires a connection to the public water supply and be located within 135m of a fire hydrant and</p>	<p>That the new provisions are tailored for multi-unit, commercial or industrial developments only, where smaller residential developments are exempt as the costs are overly prohibitive.</p> <p>That the City assess the pressure of the</p>

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
			<p>270m of a second fire hydrant that each provide water flow of at least 12.5 Litres/second, with distance to the fire hydrants measured from the main entry of the residential building along the main access route to the fire hydrants, as shown in Figure 9.3.3A, or install sprinklers, or have a sufficiently sized tank, coupling and hardstand.</p> <p>The rule does not specify what a ‘new residential building’ constitutes. Where pressure is insufficient it seems excessive to require an applicant to install a sprinkler system or a tank/hardstand for a simple 2-lot subdivision. It is also not clear whether an extension establishing an additional habitable room would be caught in this interpretation.</p> <p>Whilst the City’s water network is an incredible feat of engineering genius by our Scottish forefathers where no pumping is required from the point of take (with the exception of maybe the Peninsula), the issue of pressure is that of the City’s to upgrade. Ratepayers are paying for a level of service that many are not receiving and the Council should provide that service.</p>	<p>network and commit to upgrading the pressure to comply with the Code within a reasonable time.</p>
<p>NU2 Earthworks Setbacks From Network Utilities</p>	<p>4</p>	<p>Oppose in part and Support in park</p>	<p>This amendment relates to Rule 5.6.2 and 5.6.2B.</p> <p>1. TerraMark seeks the inclusion of an exemption that allows earthworks to be undertaken at, or behind, a boundary line where the boundary line exists within the setback distance.</p> <p>To illustrate, if a Council sewer pipe is located in the road reserve at a distance of 1.0m from a property boundary, the owner of the adjoining land should not be required to obtain an earthworks consent when looking at undertaking earthworks on their private land up to the boundary line (in this instance the setback distance of 1.5m will technically extend over the boundary by 0.5m).</p> <p>2. TerraMark supports the element of this rule change that reduces the setback distance from 2.5m to 1.5m.</p> <p>3. The Submitter supports the proposed exemptions listed under Rule 5.6.2.y.</p>	<p>That an inclusion is included to indemnify landowners from requiring consent in their own land when a pipe is located on an adjoining property within 1.5m of the boundary.</p> <p>That the setback of 1.5m is adopted.</p>

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
Res13	5	Oppose	<p>The addition of Stormwater Open Watercourse (SOW) mapping is not a minor correction. It is a new provision that potentially has significant implications on private land owners.</p> <p><u>Many 'watercourses' identified are not watercourses</u></p> <p>Many of these mapped areas have not been 'ground-truthed' and demonstrate no channel, depression and some are simply a flat landscaped lawn or inside thick hedging as shown in Appendix B below. Council staff need to 'ground truth' these watercourses as many do not meet their own definition.</p> <p><u>Effects on Adjacent Landowners</u></p> <p>For some landowners, the SOW on an adjoining property will sterilise the ability to use their own land unless they seek a consent (at their cost). To illustrate, Appendix B includes the DCC Webmap image of 62 Queen Street, Dunedin. Here a SOW has been mapped through a dense hedge at Cosy Dell Tennis Club, and will impact the ability to use the 2.5m inside the Queen Street property, which is zoned ICR and has a standard yard setback of only 1.0m.</p> <p><u>There are more suitable legal tools to manage structures in a watercourse</u></p> <p>Many are not watercourses in the context of the RMA and are better aligned with other legislation or the functions of the Otago Regional Council (ORC) who controls all aspects of water management through rules in Chapters 12 and 13 of the Regional Plan: Water. This includes water in any natural waterbody (such as a river), and within an artificial channel such as an open drain including setbacks from waterbodies managed under Rule 14.4.1 of the Regional Plan: Water.</p>	<p>That the exemption list in Rule 5.6.2.y is adopted.</p> <p>1. That Council recognise the new rule provisions are not a minor error, but a new planning overlay.</p> <p>2. That the proposed SOW's are ground-truthed to ensure they meet the definition of a watercourse, or be discarded, and where a SOW meets the definition of a watercourse as accepted in case law, that the setbacks for Rule 10.3.3.W are reduced from 20m to 7m and for Rule 10.3.3.X the setbacks are reduced from 5.0m to 3.0m.</p> <p>3. Allow other activities as permitted</p>

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
			<p>The proposed 5m setback is a further impediment to development and growth, and includes a disproportionate to each side limiting development. The Land Drainage Act 1908 (LDA) is the most useful piece of legislation for enforcing full watercourse maintenance (for both channels and structures). There, the definition of ‘watercourse’ includes all rivers, streams, and channels through which water flows. Again, many of the proposed SOW’s do not meet this definition.</p> <p>The Local Government Act 1974 (LGA) also provides appropriate levels of protection in s511- Removal of obstructions from drainage channel or watercourse ‘Where in the opinion of the council the free flow of water in any drainage channel or in any watercourse that is not under the control of any other local authority—</p> <p>(a) is impeded by any obstruction, and that obstruction is likely to cause loss of life, injury, or damage to property in the district or to obstruct navigation; or</p> <p>(b) is likely to be impeded by any such obstruction,—</p> <p>the council may, by notice in writing, require the occupier or, if there is no occupier, the owner of the land on the banks of the drainage channel or watercourse within the district to remove the obstruction from the drainage channel or watercourse and from the banks of the drainage channel or watercourse to a distance <u>not exceeding 3 metres</u> (my emphasis) from the nearest margin of the drainage channel or watercourse.</p> <p>In addition, Section 62 of the LDA also enables a District Authority to order removal of obstruction from watercourse or drain, and reads</p> <p><i>(1) Where there is any watercourse or drain ... and its obstruction, in the opinion of the local authority, is likely to cause damage to any property ... may order the occupier (or, if there is no occupier, the owner) of any land on the banks of such watercourse or drain ... to remove from such watercourse or drain, and ... to a distance not exceeding 3 metres (my emphasis) from the nearest margin, all obstructions of any kind calculated to impede the free flow of water</i></p>	<p>that have the same effects on the ‘watercourse’ as the permitted exemptions do.</p>

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
			<p>Here the key phrase is ‘likely to cause damage’, and of course whether the ‘watercourse’ identified in PC1 even qualify as a watercourse. Both sets of legislation only manages obstacles to 3m from the margin of the watercourse, whereas it is proposed the setback is 5m. That is excessive and without any logical foundation.</p> <p><u>Effects on Landowners and Illogical Exclusions which introduce greater effects</u></p> <p>The implications of this new rule will hinder a landowner seeking to building on their land. For some wanting to build a deck that does not breach the side yard boundaries, they will still require a resource consent for the 5m setback this new provision imposes unnecessarily.</p> <p>Rule 10.3.3.6 provides for a suite of exemptions that may be sited physically within the “watercourse” within a urban site without consent including jetties, maimai, navigational aids, bird viewing structures or a hydroelectric generator, however a new deck sited 4.5m from the mapped SOW will still require consent. This is approach is illogical, and the provision should be deleted from PC1 with functions deferred to the ORC, the LDA or LGA should the City have any concerns about obstacles in a watercourse, that is, when it actually meets the definition of one.</p>	
CP15 Permitted Baseline Rules	6	Oppose	<p>The introduction to applying the permitted baseline in s104(2) effects assessments is a new addition. This has significant flow-on effects on development in the City, yet has not been identified in the summary. This affects every subdivision in the City, yet there is no s32 analysis of the economic or social implications to private landowners.</p> <p>There is no ‘error’ in the current Plan requiring correction given the current Plan reads as it was promoted when the 2GP was first introduced- that is the permitted baseline is not applied to developments where impervious surface rules are met and in these situations attenuation should not be required unless there is a non-compliance.</p> <p>The consequence of applying the baseline at the time of the s104(2) assessment is that even a small 500m² must be treated as if any development and hard surfacing will take up 70% of the site. 3Waters</p>	<ol style="list-style-type: none"> 1. That this provision is rejected. 2. That Council provide a robust s32 analysis of the direct and indirect effects associated with this policy provision.

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
			<p>and City Planners then require attenuation to address that hypothetical 70% coverage, when in reality most sites are <50% which is a permitted activity.</p> <p><u>Why apply the baseline for this permitted activity rule, but no other?</u></p> <p>No mitigation should be required for an activity which meets the permitted activity performance standards. For other ‘development’ activities such as building height (15.6.1), height (15.6.6) or setbacks (15.6.13) should a proposal comply with these standards then no mitigation is required. Yet for impervious surface assessments, Council requires mitigation for even the smallest dwelling, and on sites where there is no network at risk of being compromised.</p> <p>We submit, for any development that meets the performance standard for hard-surfacing and impervious surfaces, no mitigation is required.</p> <p><u>The proposed approach is contrary to the expert Council input to the original drafted rule.</u></p> <p>The technical memorandum (See Appendix C) presented in the 2GP hearings by Water & Waste Team Leader Tom Dyer stated to the Panel that any activity that occurs within the performance standards of the impervious surface rules do not require any mitigation. Mr Dyer states “each resource consent and building consent application should demonstrate compliance, or provide acceptable options for mitigation of any non-compliance. This could be achieved by either; an additional financial contribution to the stormwater network, or the implementation of an infrastructure solution such as a holding tank or detention area”.</p> <p>No additional Council expert input has set out why this should change.</p> <p><u>There is no s32 consideration to the impacts of adopting this approach</u></p>	<p>3. That the permitted baseline is not applied.</p> <p>4. That a guidance note is included in the 2GP stating that site coverage up to the permitted threshold is permitted without the need to apply mitigation i.e attenuation as promoted in the Tom Dyer report which was the subject of a s32 assessment, submissions and a Schedule 1 process.</p>

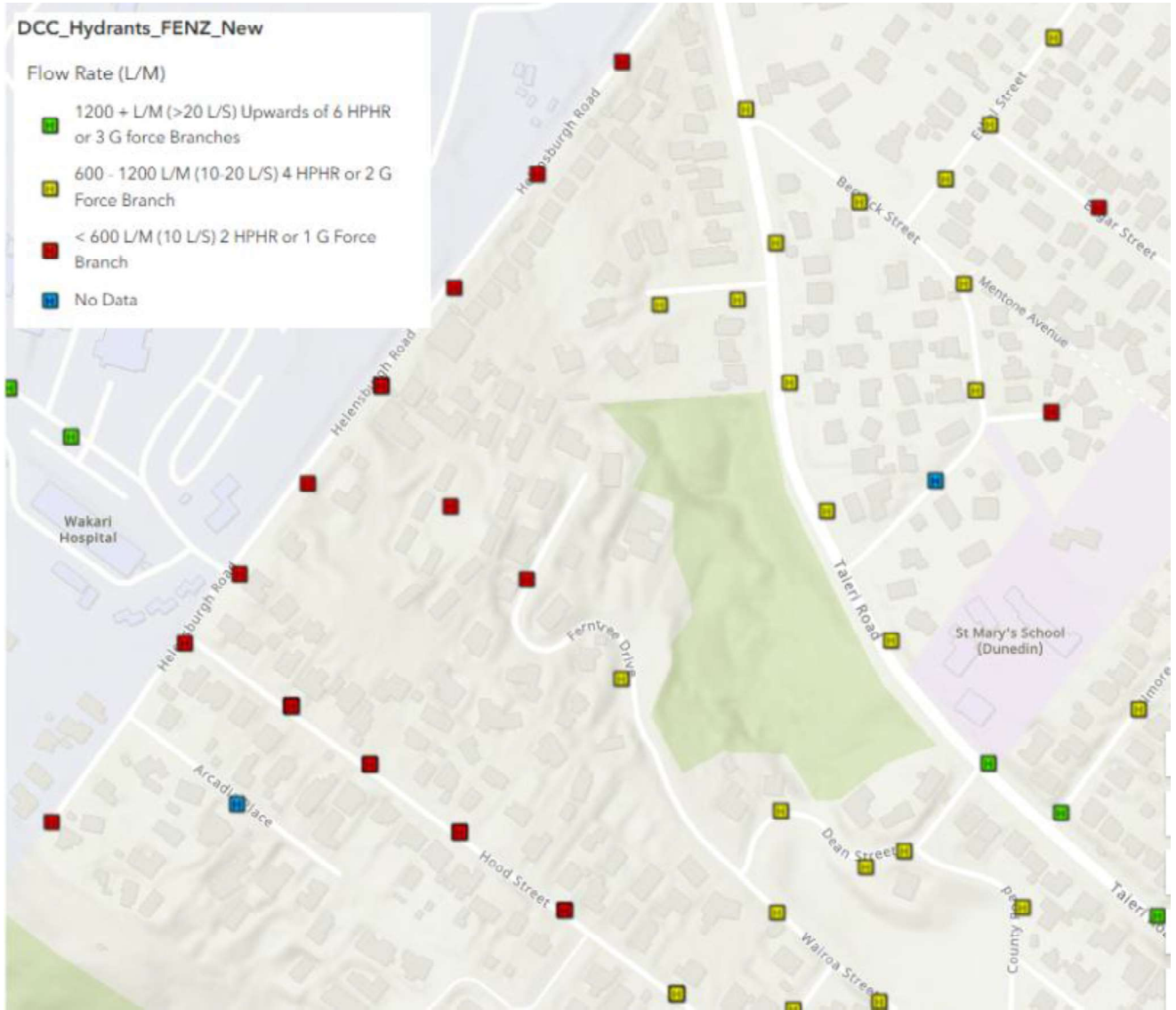
Proposed District Plan provision	Submission Point	Position	Terramark submission	Relief sought
			<p>Turning to the s32 assessment for this provision. No s32 assessment has been made, nor any consideration of the consequences to landowners by this interpretation. It is here where the consequences of this interpretation become evident. Despite Rule 9.9.3 (special provisions for stormwater management) in (1) stating that a Stormwater Management Plan (SWMP) is only required in a Newly Developed Mapped Area (NDMA), and for sites outside a NDMA a consent application only need to provide “details of how stormwater will be managed in accordance with Clause 7 of Rule 9.9.3”, Council planners force applicants to prepare a Stormwater Management Plan for either situation. Council planners then apply the baseline as now promoted in CP15 of PC1, such that the site has 70% site coverage irrespective of whether it does or not. The SWMP must then attenuate for that 70% coverage being the baseline. The consequence of this is, a new 500m² site may require a 5,000L or 8,000L tank for a 130m² dwelling when a 1,000L tank will more than ensure post-development flows are less than pre-development flows. Irrespective of the cost, the new owner is forced to live with a large tank in their yard in perpetuity for no actual reason.</p> <p>We oppose the application of the baseline in the s104(2) assessment as it forces applicants to assess stormwater as if the site is at maximum site coverage and then attenuate to that level. Mitigation i.e attenuation should only be required as described in the Tom Dyer report, when the permitted standard is exceeded i.e >70%.</p>	
Res22	7	Support	<p>Terramark would have concerns if the exemption offered under proposed Rule 15.5.2.X was to be removed as a consequence of the PC1 submission process.</p> <p>The Submitter supports proposed Rule 15.5.2.X and seeks that this provision is retained in the decision for PC1.</p>	Retain Rule 15.5.2.X
Res7 Definition 1.4.1	8	Support in part/ Oppose in part	<p>Terramark seeks the amendment of the proposed definition of ‘Building’ so that this excludes movable homes and caravans where these structures/vehicles are not being actively used for residential housing.</p> <p>It is common practice for homeowners to store caravans on their property, for use as holiday accommodation. These owners should not be required to obtain a resource consent, or otherwise</p>	Amend definition to exclude storage of holiday accommodation vehicles.

Proposed District Plan provision	Submission Point	Position	TerraMark submission	Relief sought
			<p>relocate their caravan in order to comply with a new rule. It is suggested that a minor change to the proposed definition could be implemented to exclude storage of movable homes and caravans.</p>	
Tree2	9	Oppose	<p>PC1 identifies the group of Scheduled Trees G014 are incorrectly located in the current plan being within Bedford Road reserve. This is shown in Appendix D below. Change Tree2 seeks to locate these trees on the boundary R Bedford Street and 89 Bedford Street.</p> <p>This is incorrect and has not been ground-true. It is our assessment the root-shoot interface and bulk of the dripline is within road reserve and approximately 3m from the boundary with 89 Bedford Street.</p>	<p>That the group of Scheduled Trees remains as it is, located within the road reserve and the Panel reject the proposed amendment.</p>
New Zoning Change 12 McKinlay Road	10	Support	<p>City Development stresses the point that PC1 is not 'a rezoning plan change', yet there are a number of sites being promoted for a change of zoning.</p> <p>The land at 12 McKinlay Road is split-zoned Residential 1 and Hill Slopes Rural and is shown in Appendix E below. The rural portion was subject to a recent consent application to create a number of new additional residential sites, and was promoted as exceptional given a 16m road formation adjoins the frontage, and will be served by Council water and wastewater connections. That consent was declined on the basis of the 'avoid' Policy 16.2.1.5 which relates with creating sites that contravene the minimum site size.</p> <p>The split zoning on this land was an error (according to DCC GIS staff) and discussions with Council have been ongoing since 2015 regarding the split land zoning. At the time City Development met with Council Planners to introduce the 2GP (as a replacement to the 2005 District Plan) City Development, Council's GIS Manager attended that meeting with a A4 page of the Operative Plan maps showing the #12 McKinlay Road site. He promoted the benefits of the 2GP as correcting these split zoned anomalies. Oddly, that very site presented to DCC planners was not included for correcting the split zoned issues as part of creating the 2GP maps. Terramark for the landowner then presented the site as a logical inclusion to the Variation 2 Plan Change. Again, it was not adopted and remained split zoned. Consent was then sought to develop the rural part of the site into the wider development, which was declined on the basis of the avoid policy being interpreted as 'prohibit'. Both the</p>	<p>That City Development acknowledge PC1 is a rezoning plan change.</p> <p>That 12 McKinlay Road is incorporated into PC1 for rezoning to GR1.</p>

Proposed District Plan provision	Submission Point	Position	Terramark submission	Relief sought
			<p>applicant and Terramark have been in further discussions with Council with the intention of addressing the split zone issues, yet again it was not carried into PC1 which was anticipated.</p> <p>This is a drafting error, and the rural zoning has no relationship with the site nor does it have any rural values given the 4,080m² rural land is squeezed between a 18-lot residential development carried out by the landowner, and the Grandvista development to the south-east. This is the ideal site for a ‘minor correction’ in terms of the split zoning, with no external parties considered potentially affected by rezoning.</p>	
<p>New Zoning Change 300 Hillside Road The former Managers Residence on the KiwiRail site</p>	<p>11</p>		<p>The former managers residence is shown in Appendix F below. It has been the subject of ongoing discussions with the Southern Heritage Trust, Architect Gary Todd, Councillor Sophie Barker, MP Ingrid Leary and the Council about how this building can be saved from demolition. The intention is to carry out significant repairs and re-use the site ensuring the heritage contribution to the City is retained. A number of articles in the ODT praise the efforts of these parties to save the iconic heritage building for the City. Terramark has been working with the heritage advocates providing planning input.</p> <p>The site is zoned Industrial, has no formal protections under the 2GP nor is it listed in the Heritage New Zealand register. An arrangement between KiwiRail and the heritage advocates has provided a pathway for the adaptive re-use provided key milestones are met. If they cannot be achieved, there is an inevitability the building will be demolished.</p> <p>Meetings have been held with senior planners and policy staff about how the Council can assist with securing consent in 2025 to meet the conditions of that agreement. The heritage advocates have meet with Council staff since mid-2023 and had sought for the site to be rezoned via PC1. They were advised PC1 is not a zoning Plan Change and therefore there is no opportunity for the heritage building to be included, although there may be scope in the next plan change. Council were advised the timelines associated with the agreement with KiwiRail would lapse in the interim period.</p> <p>Senior planners have reviewed the site against the current 2GP provisions and have advised the Industrial zone includes an ‘avoid’ policy which is interpreted as a prohibition. Their advice is any consent application will go to the Hearings Panel and the recommendation will be to decline consent.</p>	<p>That City Development acknowledge PC1 is a ‘zone change’ plan process.</p> <p>Terramark and the heritage advocates associated with preserving this building seek the site and curtilage be carried into PC1 for rezoning as a Commercial and Mixed Use zoned site.</p>

Proposed District Plan provision	Submission Point	Position	Terramark submission	Relief sought
			<p>Further discussions have been held with City Development staff about the possibility for the heritage advocates to seek a 'spot zone' change via a Private Plan Change. City Development indicated they would not support such an application as 'spot zoning' is a poor planning practice.</p> <p>We now submit that PC1 is a zoning Plan Change, and seek that the site at 300 Hillside Road is carried into this process. The PC1 process remains the only credible pathway available for the heritage advocates to save this significant heritage building for future generations.</p>	
SHB3	12	Oppose	<p>The existing dwelling at 62 Queen Street (BX069) is identified for additional heritage protections. This dwelling was the subject of land use consent LUC-2024-366 for the demolition of this dwelling and the replacement with a new dwelling. This now forms the existing environment and as a result the proposed heritage overlay associated with the dwelling identified for demolition should not apply to this site.</p>	That SHB3 should not apply to this site.
D16	13	Oppose in part	<p>Table A6.2.5 sets out the Class 5 oxidising substances, including nitrous oxide. The rule allows for up to 30 8-gram cannisters for catering purposes only, except for hospitals or healthcare providers which then must comply with the HASNO requirements.</p> <p>Nitrous oxide is used in the industrial and automotive industry, and provided they also comply with the HASNO standards, they should be able to store some without the need to seek consent. Nitrous oxide is also a prescription medicine, and when used in a private dwelling the rule will require a patient to obtain resource consent prior to fulfilling their prescription.</p>	That this rule is redrafted to avoid the need to obtain an unnecessary resource consents.

APPENDIX A- EXAMPLE OF DCC HYDRANT PRESSURE FOR FIRE-FIGHTING

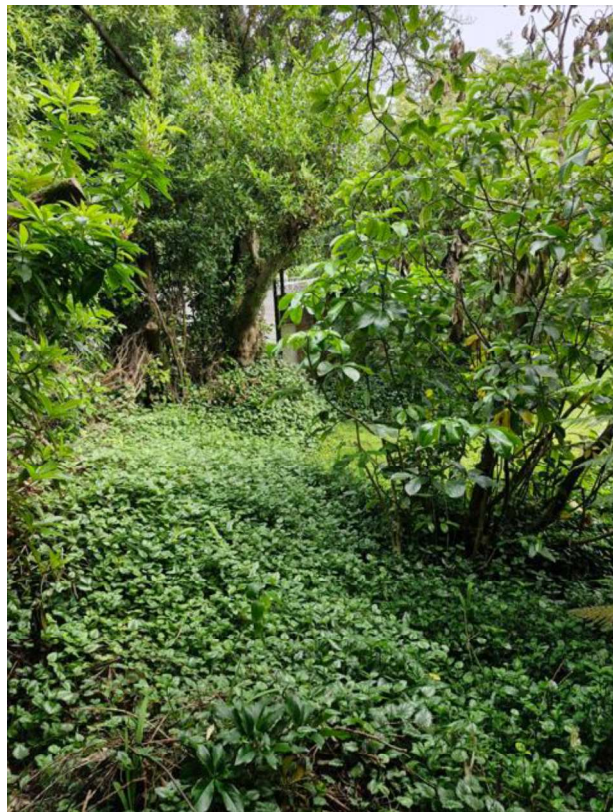


APPENDIX B - IMPLICATIONS OF PROPOSED STORMWATER OPEN WATERCOURSE





Proposed Stormwater Open Watercourse on 11A Lynwood Avenue



Photograph of Standing in Proposed Stormwater Open Watercourse at 11A Lynwood Avenue

(note tennis court at 69A Pacific Street in background)

APPENDIX C –

2GP MEMORANDUM FROM WATER & WASTE SERVICES SETTING OUT CONTEXT TO SUPPORTING THE MAXIMUM SITE COVERAGE AND IMPERVIOUS SURFACES RULE 15.6.11



Memorandum

TO: City Development
FROM: Asset Planning Team Leader, Water and Waste Services
DATE: 11 August 2015
SUBJECT: **MAXIMUM SITE COVERAGE & IMPERMEABLE SURFACES – RULE 15.6.11 (SECOND GENERATION DISTRICT PLAN)**

BACKGROUND

Water and Waste Services (WWS) are responsible for the collection and discharge of stormwater from urban run-off. This is carried out through the operation of a network of pipelines and pump stations known collectively as the Stormwater Network. Managing site coverage with impermeable surfaces is necessary to ensure that the amount of stormwater run-off can be quantified, to ensure there is sufficient capacity within the Stormwater Network. Rules in the District Plan, which manages land use and associated development, are considered to be the best approach for achieving this.

SUPPORT FOR PROPOSED RULES

Stormwater run-off intensity and volume is directly related to the permeability of the catchment area. As a general principle, for a given rainfall event the greater the area of impermeable surfaces within the catchment, the greater the network capacity required to convey those stormwater flows. This means that as impermeable surfaces in a catchment increase, larger pipelines and pump stations are required to manage the run-off, which comes at greater cost to Council. Ultimately, WWS would prefer low coverage of impermeable surface to reduce total run-off, and high surface roughness to reduce the intensity of the run-off. In reality, the nature of modern urban development results in a prevalence of smooth impermeable surfaces.

Zone		i. Maximum site coverage: buildings and structures with a footprint greater than 10m ² (% of site)	ii. Maximum site coverage: buildings and structures and any impermeable surfaces (% of site)
a.	General residential 1 zone	40%	70%
b.	General residential 2 zone	50%	80%
c.	Inner city residential zones	60%	80%
d.	Low density residential zone	35%	65%
e.	Large lot residential 1 and 2 zones	30%	50%
f.	Township and settlement zone	40%	70%
g.	Townships and settlement zone in a non-reticulated wastewater mapped area	30%	50%

WWS consider the levels proposed in the Second Generation District Plan (2GP) to reflect a fair balance between urban land use needs, existing site coverage trends and manageable stormwater volume and intensity.

In industrial and commercial areas, 100% site coverage is enabled through the District Plan, and therefore anticipated and acceptable to WWS for stormwater management.

WWS strongly recommend city wide application of the maximum site impermeable surface rules that are proposed, rather than applying the rules only where stormwater problems exist. Failure to manage stormwater in one area can also result in issues in other areas that share the same network e.g. surface flooding, surcharging etc. Proactive management of additional run-off volume enables prevention of future problems developing when a given area is developed and/or redeveloped. Stormwater assets are typically in service for 100 to 200 years; which is significantly longer than typical land development and redevelopment cycles. A city wide approach provides a baseline from which to design stormwater networks that are more likely to be in service throughout their full intended useful life, resulting in a more cost effective stormwater service.

Application of the proposed rule when designing future stormwater infrastructure will provide a greater level of confidence in future design flow estimates. In the absence of design confidence the community is typically burdened with the additional costs associated with conservative engineering design, or re-design.

APPLICATION AND ENFORCEMENT

To give the proposed rules effect, enforcement across several council departments is required.

Currently the impact of subdivisions and non-complying developments on the stormwater system is assessed through the resource consent process by a condition of consent requiring a Stormwater Management Plan; the content of which is assessed by WWS. Building consents are currently assessed for building site coverage, but not for impermeable surfaces. In many cases hard-surfacing does not require a building consent and therefore may not come to Council's immediate attention.

As a minimum, to give reasonable effect to the Impermeable surface rules in the 2GP, each resource consent and building consent application should demonstrate compliance, or provide acceptable options for mitigation of the effects of any non-compliance. This could be achieved by either; an additional financial contribution to the stormwater network or, the implementation of an infrastructure solution such as a holding tank or detention area. The mechanics of this would need to be worked through with affected departments and documented as a clear business process.

WWS will investigate additional powers of enforcement aligned with this rule during the development of a proposed Stormwater Bylaw. The Stormwater Bylaw, scheduled for development in 2015/16 will cover all aspects of urban stormwater management.

Furthermore, modern tools such as Lidar (Light Detection And Ranging) and Geographic Information Systems could feasibly provide an opportunity for a "blue sky" approach to managing Dunedin's runoff. These could be utilised to determine current physical baselines and compare them with future change. An imperviousness level for each property could be derived, and compared against zoning to determine compliance. Both of these tools are widely used by Council for other mapping and engineering purposes. This approach would however require significant compliance resource. It is not clear whether this type of an approach would provide value in a Dunedin context.

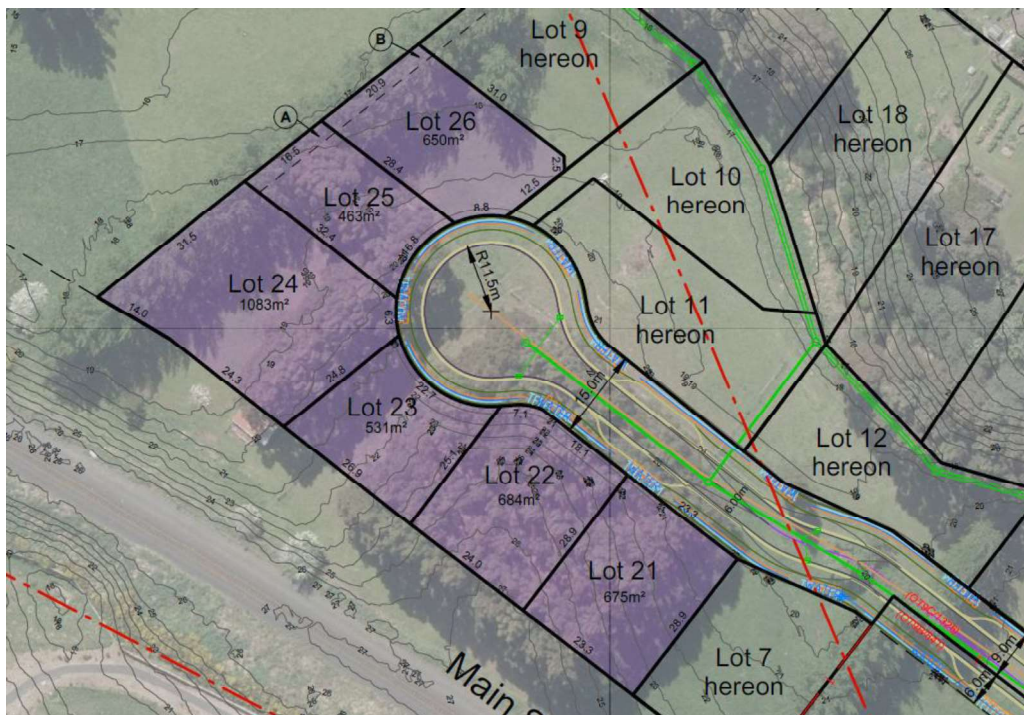
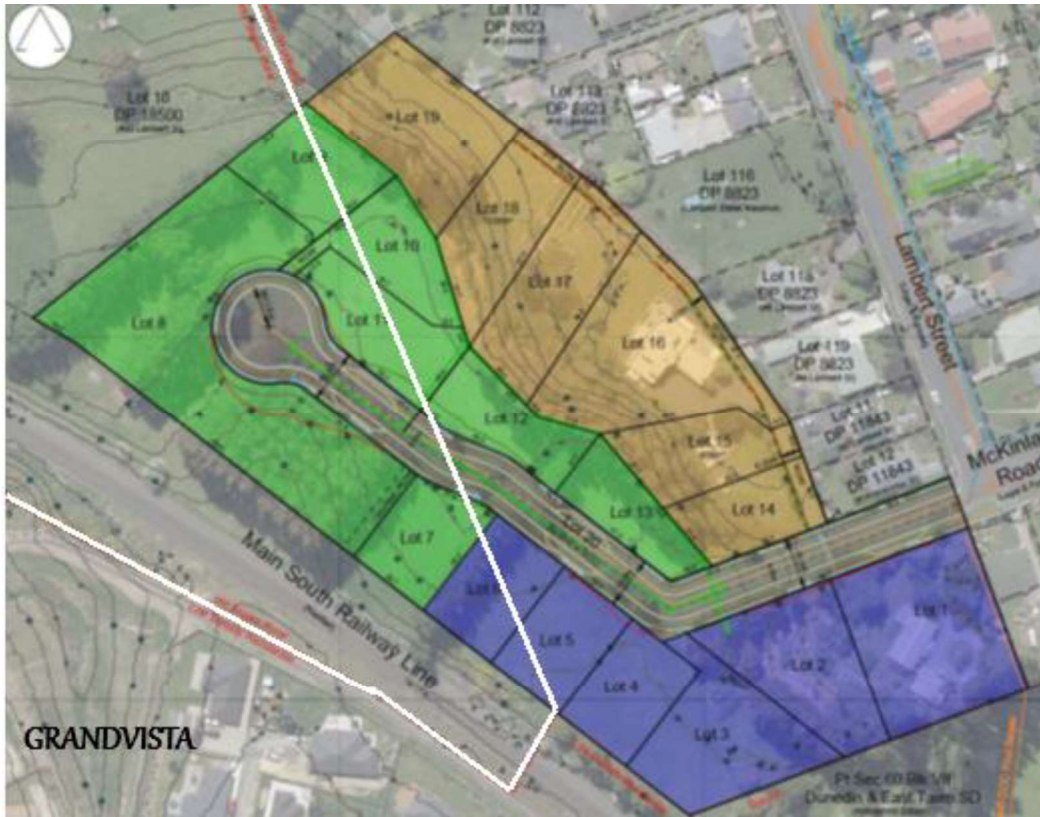


Tom Dyer
ASSET PLANNING TEAM LEADER

APPENDIX D - LOCATION OF GROUP OF SCHEDULED TREES (G014)



APPENDIX E – SITE FOR REZONING 12 MCKINLAY ROAD



APPENDIX F – SITE FOR REZONING 300 HILLSIDE ROAD

