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16 April 2014

Senior Planning Officer
City Planning
Dunedin City Council
PO Box 5045
DUNEDIN



Subdivision Resource Consent Application: 326 Factory Road, Mosgiel, Dunedin.

Applicant: *Christine Wilson.*

Please find enclosed the Resource Consent application for this 2-lot Rural subdivision application and accompanying \$1750 application fee cheque.

Please quote Job number 13037 on future correspondence.

If you have any queries regarding this application, please contact me at the above address.

Thank you.

Yours faithfully



A blue ink signature that reads "John Willems".

John Willems
(Planning and Project Management Consultant
BSc Land Planning and Development, NZCD Survey
AMNZIS)

RESOURCE CONSENT APPLICATION

for

SUBDIVISION & LAND USE



PROPERTY SITUATED AT

326 FACTORY ROAD

MOSGIEL

Prepared by: TL Survey Services Ltd.

PO Box 901

Dunedin

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APPLICATION FOR RESOURCE CONSENT

Under Section 88 of the Resource Management Act 1991

To: Senior Planner

Dunedin City Council

PO Box 5045

Dunedin

I, John Willems of TL Survey Services Ltd, PO Box 901, Dunedin, on behalf of the Applicants:

Brougham Park Trust .

apply for the following type(s) of Resource Consent: Subdivision & Land Use, as described below:

1. The names and addresses of the owners and occupier (other than the applicant) of any land to which the application relates are as follows:

Current Registered Owners: AT and CJ Wilson and Public Trust (subject to change of ownership process).

c/- TL Survey Services Ltd.

P O Box 901,

Dunedin.

2. The location of the proposed activity is as follows:

Address: 326 Factory Road,

Mosgiel

Legal Description: Lot 2 DP 12108 & Section 41, Block V, East Taieri Survey District.

Held in: CT 51980.

Valuation Number: 27841/36201 & 37300.

Map Grid reference: 2 307 105m E and 5 479 420m N

Other Relevant Information that identifies location: Refer the Planning

Application Plan annexed to this application.

3. A description of the activity to which the application relates is:

This application seeks a 2-lot Subdivision and Land Use Resource Consent on the above-described property. The subject site is currently within the Rural Zone but is subject to a rezone application under the 2GDP process.

4. The following additional resource consents are required in relation to this proposal and (have / have not) been applied for: *n/a*.

5. I attach in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

6. I attach other information (if any), required to be included in the application by the district or regional plan the Resource Management Act 1991 or any regulations made under the Act. **N/A**

- As this is an application for Subdivision and Land Use Resource Consent, the following information attached:

- ☐ (a) The position of all boundaries and areas of the proposed allotments - refer to the attached Planning Application Diagram.
- ☐ (b) Copy of the current Certificate of Title
- ☐ (c) Cheque (\$1750) for the initial stages of the Consent
- ☐ (d) Terra-view print
- ☐ (e) Various Data – refer to the Index


signature

16 / 4 / 2014

Address for Service of Applicant:

**TL Survey Services Limited,
PO Box 901,
DUNEDIN.**

Telephone: **03 477 1133**

Facsimile: **03 477 1127**

APPLICATION FOR RESOURCE CONSENT – SUBDIVISION & LAND USE

Prepared by: TL Survey Services Ltd

Applicant: Brougham Park Trust.

Address for Service: TL Survey Services Ltd
PO Box 901
DUNEDIN

APPLICATION DETAILS

Registered Owners: AT and CJ Wilson and Public Trust (subject to change of ownership including the Trustee).

Current Legal Description: Section 41, Block V, East Taieri Survey District and Lot 2 DP 12108.

Certificates of Title reference: CT 51980 (copy attached).

Locality: The site is located at 326-328 Factory Road, Mosgiel.

Site Description The site is situated at the intersection of Puddle Alley and Factory Road and east of the Mosgiel Township. The property is elongated with an entrance from Factory Road and two entrances from Puddle Alley. There is an existing dwelling on the property and numerous outbuildings including two large Hen houses. The property is an established hen farm and egg production business known as Brougham Park Egg Farm.

The property has its highest point near the existing dwelling near the Puddle Alley and Factory Road intersection and slopes down and away from this point towards the southern boundary of the property. Rural Residential style properties adjoin the property to the west and south with Factory Road adjoining the northern boundary and Puddle Alley adjoining the property's eastern boundary. To the east of the site there are mainly farming properties of a rural residential lifestyle and area, with Invermay and the Otago Venison north of the property.

DESCRIPTION OF PROPOSAL

This application seeks a **Land Use** and **Subdivision Resource Consent** – on the subject site, currently held within 1 certificate of title and within the Rural Zone. The writer has applied to Council under the 2GP District Plan process on behalf of the applicant, for a change in zoning for the site and immediate area, to that of a Rural Residential type zone with a minimum area of 2 hectares. This would mean that the zone would be more in-keeping with the existing properties in the area.

The surrounding properties have areas as follows:

Factory Road

No 324 = 2.8158 ha

No 322 = 4.0554 ha

No 308 = 4.0469 ha

No 306 = 8.2657 ha

No 290 = 2.0234 ha

No 284 = 3.1864 ha

Puddle Alley

No 95 = 2.9689 ha

No 144 = 4.0474 ha

No 108 = 5.4541 ha

No 72 = 4.0791 ha

The above list of properties demonstrates that there is a variety of property sizes in this area and this is more evident with the properties at the intersection of Puddle Alley and Gladstone Road North where rural zoned properties vary in size from 0.8 ha, 1.45ha, 2 ha, 8 ha etc.

This proposal is for a 2-lot subdivision being Lot 1 at 2.9021ha and Lot 2 at 2.1013ha – both subject to survey.

Proposed Lot 1 retains the existing dwelling and numerous large outbuildings including 1 large hen house. This allotment has two vehicle accesses, one from Factory Road and the second from Puddle Alley. Both accesses are metalled and provide access to the dwelling and those visiting the property to purchase eggs, hens etc.

Proposed Lot 2 has a single access from Puddle Alley. This access provides access to a single large hen house and the remainder of the farm. This allotment has no dwelling and at this stage none is anticipated. However this property has adequate scope to place a dwelling more so at the upper half or northern half of the property near the second hen house.

The possible benefit of the success of this proposed development and subdivision to the neighbours is that the hen and egg farm may be disestablished. It will be up to the new owners of the property and the subsequent allotments as to what is to happen to the two large hen houses mentioned above.

The Land Use is in regards an additional dwelling or residential allotment to be placed on a (currently) undersized allotment on proposed Lot 2 there already being a dwelling on proposed Lot 1. No specific dwelling type of design is anticipated or proposed at this stage.

The reason for this application is because the applicant needs to rationalise her property due to her partner's death the need to reconsider her assets and her age she also wishes to change her lifestyle which does not include the hen farm anymore and wishes to move on.



This photo shows the existing dwelling on Lot 1 as viewed passing the site along Puddle Alley in a northerly direction. (Taken April 2014)

DISTRICT PLAN REQUIREMENTS

Dunedin City District Plan (DCDP).

The subject site is zoned **Rural** within the **Dunedin City District Plan map 29**.

Rule 6.5.2 of the District Plan permits certain activities within the Rural Zone providing they comply with Rules 6.5.3 (& 16.6.1 and 16.6.2)

This Rule, of the District plan, lists the permitted activities within this Zone including the following:

- (i) Farming Activity: This occurs on the property already but at a small scale with the primary activity being that of the Brougham Park Egg Farm. There is limited animal grazing on the property.
- (ii) Forestry Activity: This does not occur on the site.
- (iii) Residential Activity: There is a dwelling on the site and this exists on proposed Lot 1 together with numerous outbuildings including a large hen houses as shown on the accompanying aerial photo Planning Application Diagram. This existing dwelling has the appearance of an unfinished project however the applicant (and her partner) have lived on the site for several years. They have operated their hen and egg production business for several years. An additional dwelling may be proposed on Lot 2. While residential activity is a permitted activity on a site of at least 15 hectares the property's existing title has an area of

5.0034 ha. The property, as it exists now, does not comply with the Zone's minimum area requirement for residential activity at 15 ha per dwelling (subject to a possible Zone change and the same is the case for the adjoining properties. The proposed boundary between the two allotments is a natural position between the proposed properties as can be seen on the attached plan. The whole property is generally screened from the adjoining carriageways by large trees and other vegetation and therefore an additional dwelling on the proposed Lot 2 will not be easily seen from Puddle Alley carriageway.

Please note the following:

- On studying the District Plan maps the property appears to be just outside an area designated as having **high-class soils** as shown on maps 75 of the District Plan.
- Only the triangular portion of the property at the intersection of Puddle Alley and Factory Road is within **Ground Water Protection Zone B** - as depicted on the District Plan Map 29.

Rule 6.5.3 CONDITIONS ATTACHING TO PERMITTED ACTIVITIES

Where relevant to this application, items under this rule are discussed below:

(i) Yard requirements 20 m front and 40 m other yards): The existing dwelling is situated 12 metres from the Puddle Alley road boundary with the sheds placed between 5 metres and 15metres from the south western boundary as shown on the attached aerial photo.

(ii) Height (maximum = 10m): the existing being a single level dwelling does not breach this requirement.

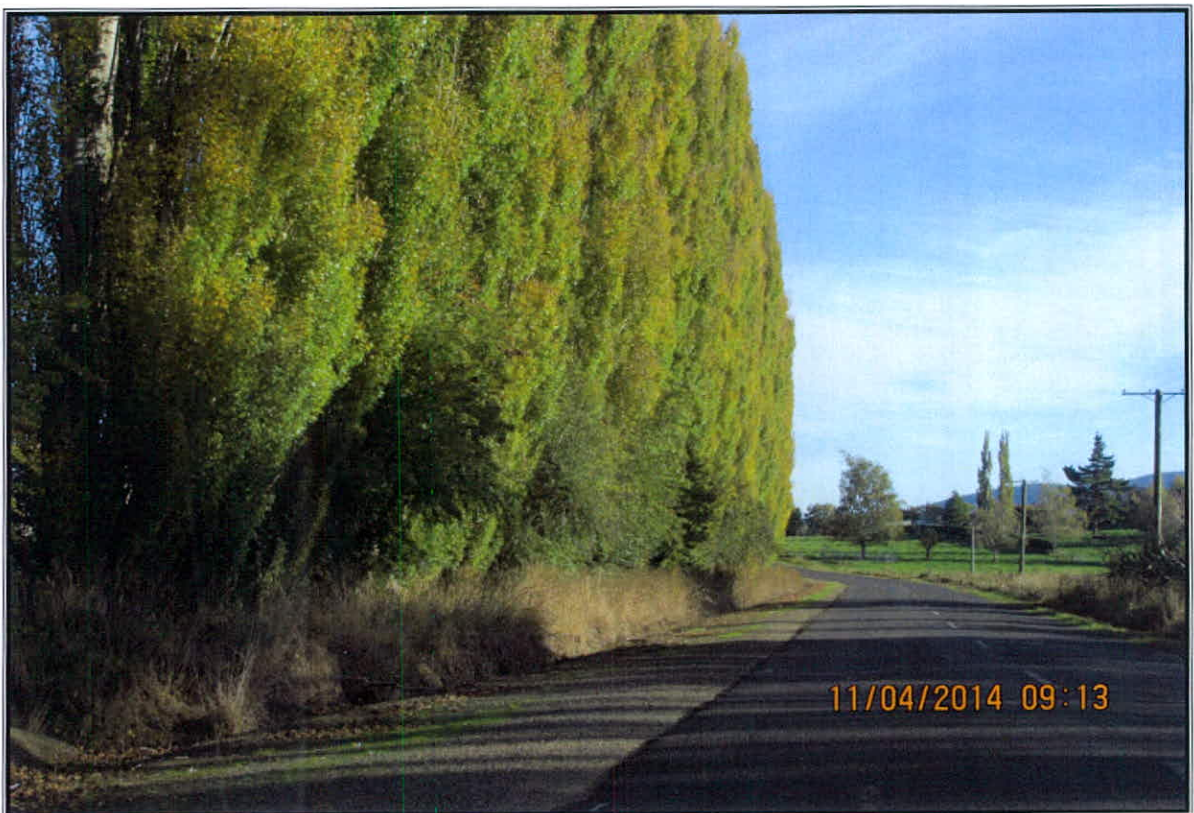
(iii) Residential Buildings within the Airport Outer Control Boundary: The site is situated at the outer extremities of the Taieri Aerodrome Approach and Take-off fan designated area D274.

(iv) Car parking, Loading and Access (b) Residential Activity: Although the District Plan does not stipulate on-site car parking the subject site can provide this facility quite easily. There are no loading requirements for residential activities. However the existing business adequately meets any car parking requirement necessary for operating the current activity on the site.

(v) Trees Associated with Forestry Activity and Shelterbelts: A shelter belt of trees exists along the length of the Puddle Alley roadside boundary and shelters and screens the whole site to the south of this carriageway. A selection of vegetation screens the property along its northern boundary and corner of the property meaning traffic coming along the Factory Road carriageway from the north generally will not see most of the property. A mixture of vegetation exists along the property's southern boundary which assists in screening the property and the hen houses for the properties south of the site.



This photo shows the vegetation and poplars acting as a shelterbelt for the property which is situated to the right of the vegetation. The view is towards Wingatui. (Taken April 2014)



This photo shows the row of poplars acting as a shelterbelt for the property which is situated to the left of the trees. The view is towards Invermay. (Taken April 2014)

(vi) Riparian Protection: Not applicable.

(vii) Mineral Prospecting and Exploration: Not applicable.

(viii) High Class soils: On viewing Council's High Class soils maps it appears that the site is generally outside such an allocated area.

(ix) Signs: Not applicable.

(x) Concept Plan: Not applicable.

This proposed subdivision proposal seeks a rationalisation of the property and the removal of the existing activity on the site that being the housing of several hundred hens and the selling of their eggs. There are some large outbuildings 2 of which are large hen houses and one dwelling which we believe may be retained at this stage.

This proposal does not comply with the current density requirements of the zone. The site has sufficient area within which to dispose of effluent from any additional dwelling on Lot 2 without imposing on the existing dwelling, the disposal areas being kept separate.

An application has been made to council under the 2GDP being the revision of the current District Plan to address the current area anomaly of the properties in the immediate area – none of which comply with the current Rural District Plan minimum area requirement and subject to due process.

AFFECTED PERSONS

Section 94(2) of the Resource Management Act 1991 provides Council with the option of processing a resource consent application as a non-notified application where the written approval has been obtained from persons considered to be adversely affected by the granting of the consent.

This application proposes a 2-lot subdivision of the subject site currently consisting of a single dwelling, numerous outbuildings and large hen houses. Most of the activity on the property occurs on proposed Lot 1 although Lot 2 does have a single hen house with access via proposed Lot 1 as well as directly from Puddle Alley.

The existing hen raising activities and the associated noise and occasional odours emanating from this activity have existed for some years and the activity is well-established in this area/property. Those property owners surrounding the site have known of the activity and this proposal offers those surrounding the site should this subdivision application be granted the strong possibility that the hen raising activities may cease. This proposal will / may mean the addition of one dwelling on proposed Lot 2 sometime in the future.

The applicant has contacted the neighbours immediately adjoining the property and their signed consent forms are attached to this application. We have sought their approval for the proposed subdivision which will mean the addition of one dwelling and the creation of

2 (currently) undersized allotments. However the positive aspect of this application may be the removal of the hen raising and egg laying activities and business.

It has been noted elsewhere in this application that most of the properties in the immediate area do not comply with the minimum Rural Zone area requirement. The most recent subdivision having been granted consent on a property near the site was **324 Factory Road being RMA 2002-0797 and LUC 2002-0810**. Note there are 2 dates on some of the forms this is because initially only the forms were signed and no details as to the owner's names and addresses similarly the aerial photo diagrams/plans were not signed, all plans have been signed on the face of the plans – on the aerial photo image. Those property owners that we have sought consent from are as follows

1. 324 Factory Road; AY and SE Carruthers approved 14-4-2014
2. 308 Factory Road; GJ Turnbull approved 14-04-2014.
3. 108 Puddle Alley; A & D Reeve 14-04-2014.
4. 144 Puddle Alley; RT & HA Urquhart 15-04-2014

The applicants through their agent, also contacted another adjoining property owner of 95 Puddle Alley being KP and JD Meehan. Some interest was shown by these neighbours in Lot 2 and it is hoped that they may wish to purchase this property and add it to their land holdings. However these negotiations have still not been resolved. These property owners do not have an issue with this proposal – unfortunately they have not provided their written consent at this stage.

We believe that there are no other significant adverse effects on any other adjoining affected parties – however we await Council's decision on this issue.

ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

Section 104 (1) of the Resource Management Act 1991 requires that the consent authority have *regard* to any actual or potential effects on the environment of allowing the activity. Also Sec 88 (2) (b) of the RMA requires that every application for resource consent is to include an assessment of environmental effects in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment.

The following is an assessment of the effects corresponding to the scale and significance that this application is deemed to have on the environment.

Sustainability (6.7.1) RMA Sec.5 (2)

Comment: The Sustainability section of the District Plan seeks to enhance amenity values of Dunedin, to sustainably manage infrastructure and avoid mixing incompatible land uses. The proposal will not require an uneconomic extension of services, as both the existing (on Lot 1) and proposed dwelling (on Lot 2) will be self sufficient as far as potable water and effluent disposal servicing is concerned, accept that Lot 1 is supplied town water supply. Access will be separate as well for each allotment. The site and surrounding area comprises properties used for general lifestyle farming / rural style activities, although an additional dwelling may be proposed on Lot 2, we anticipate that the future activities on the two allotments may be more in keeping with the surrounding properties.

We are not aware of any natural resources being compromised by this application.

The property is self-sufficient as far as, foul sewerage and storm water services are concerned, therefore no additional connection to the council owned services are anticipated.

The site in its current form and area is similar to the surrounding properties, none of which comply with the rural zone minimum area requirements. There is an existing dwelling on the site and this proposal reduces its land area I believe the change in rural character is already marginal (or even less than marginal) will not be significant when taking into consideration the whole area and surrounding environment.

The residential use of the site is not expected to be incompatible with the existing land uses in the area; there are other residential activities on undersized sites within the immediate vicinity as mentioned above.

The site is just inside the Taieri Aerodrome Approach and Take-off fan as depicted on the District Plan map of the area. We believe that the possible additional dwelling will not be expected to have any adverse effects on this designation and on the rural amenity that could be considered more than minor and that this proposal is not considered to be 'unsustainable'.

The construction of any proposed dwelling on the property will be subject to Council's Building Consent processes. No significant alteration is envisaged to the site's existing vegetation and dwelling.

The existing accesses will be utilised at this stage for both the existing and proposed dwelling – refer to Transportation section below.

Amenity Values and Character and Visual Impact (6.7.3) [Sec 7(c) RMA]

Comment: The RMA describes ***amenity values*** under ***Sec 2*** as, "*natural or physical qualities and characteristics of an area contributing to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes*". This definition is discussed below as it applies to this application.

The District Plan maintains the amenity of an area through the density requirement of the relevant Zone. However this proposal is for an additional residential activity within a site which, under the current rural zone rules, does not allow for 2 residences on the existing property.

The result of granting this application will mean the possible end of the existing hen framing business and its associated activities on the subject site. Vehicle movements will also decrease with the conversion of the site from that of the egg farm business to that of general Rural-residential lifestyle activities.

The existing dwelling is set well back from Puddle Alley carriageway and is screened somewhat by the trees and other vegetation along this boundary. The vegetation along the Puddle Alley and Factory Road carriageways will screen the activities on both allotments.

The land is not recognised as a Landscape Management Area in the District Plan – there also being no such designated areas within close proximity. There will be no physical adverse effects on the land and we believe that no productive land is fragmented or lost.

Currently when travelling past the property it would be difficult to view any obvious changes to the site, this could include the addition of the second dwelling dependant on its location on proposed Lot 2.

Activities including farming of animals, areas of vegetation – pasture & forestry; noises and smells; narrow, unsealed roads and lack of urban infrastructure occur within the rural environment. As discussed above, the land is currently used for the housing and raising of hens for egg production and some general animal grazing at times. These activities already occur on a significantly undersized properties – this proposal to virtually halve the property would not be a significant adverse effect on the local environment or rural area in general. The Raising of horses and their subsequent activities occur in this area of the Taieri and these activities could occur on each of the proposed allotments if that is being considered by a possible future land owner. We believe that the existing residential activities on the property on Lot 1 will continue in its current well established form.

The properties in the area vary considerably in area and generally do not comply with the rural zone's minimum area requirement of 15 ha as mentioned elsewhere within this application.

It is anticipated that the property's current residential and proposed residential activities are such that rural-based activities could be accommodated, however their economic viability is not known.

We do not anticipate that the amenity values of the area will be adversely affected by the addition of a second dwelling which could result from the success of this application.

Cumulative Effect (6.7.4)

The cumulative effect of the activity on the natural and physical resources of the City including, but not limited to, cumulative adverse effects in relation to:

- (i) Amenity values,*
- (ii) Rural character,*
- (iii) Natural hazards,*
- (iv) The provision of infrastructure,*
- (v) Roading, traffic and safety, or*
- (vi) Landscape Management Areas or Areas of Significant Conservation Values.*

Comment: In considering the above items, most of which are discussed separately within the application, this application does not appear to introduce any adverse cumulative effects either too the site or surrounding environment. The area is within a well-established rural residential lifestyle community. The properties surrounding are also of a variety of sizes and land uses. The property already has an existing dwelling and numerous outbuildings with the current activities being the housing of hens and other general farming nature.

The site has not sufficient area for 2 residencies under the current District Plan Rural zone permitted activities and rules. However the unique feature of this proposal is that the surrounding properties are similar in that they are all 'under-sized' properties and used for Rural-residential lifestyle activities.

While we believe that no significant cumulative or precedent effects are envisaged from this proposal on the City's amenity, roading or infrastructure provisions, the fact that 2 residencies are proposed on a rural zoned property with only 5.0034 ha will be construed as a non-complying activity. As a result we have tried to obtain all the immediate surrounding neighbours' consents as discussed above under Affected Persons – 4 owners have signed the appropriate forms.

The current activities on the property could be seen as imposing more of an adverse effect on the surrounding environment and properties than that which may occur in the future.

Intensity of Activities (6.7.5)

The hours of the operation and the frequency of the activity in terms of its effect on the amenities of the surrounding environment.

Comment: This proposal is for an additional 'residential' allotment on an already undersized property not complying with the current Rural zone rules. The fragmentation of the property while being non-compliant could be seen as enhancing the use of the property with the possible removal of the current hen housing and associated activities to the perceived betterment to the surrounding properties and environment.

It is anticipated that the use of both allotments will be more in-keeping with the surrounding properties therefore no adverse effects are envisaged on the surrounding area.

Glare and Lighting (6.7.7)

Comment: Not applicable at this stage.

Noise (6.7.6) & Odour (6.7.8)

Comment: The existing hen housing business activities on the property induce their own 'style' of noise and odour which have been established over several years. However as mentioned above the success of this proposed 2-lot development may mean that the existing activities may cease and the proposed activities are anticipated as being more in keeping with those existing in the area.

Bulk and Location (of Buildings or Structures) (6.7.9)

Comment: This Subdivision and Land Use consent application is for the subdivision of the subject site into 2 allotments. While there is an existing dwelling on Lot 1 (discussed above) which will remain at this stage no additional dwelling is proposed at this stage for Lot 2.

This application is for a possible additional dwelling on a site which under the current zone rules does not have sufficient area for 1 dwelling. No specific design of dwelling has been considered at this stage with the applicant wishing to seek approval for this proposal before actively marketing the property.

A dwelling on Lot 2 would have its own access from Puddle Alley and will need to be independently serviced. The position of a dwelling on Lot 2 could be positioned to comply with the District Plan set back requirements – this is a matter that will be addressed at the time of Building Consent.

The existing dwelling is already serviced with its water supply being from the town supply which passes through the property and along Factory Road from the pumping station east of Puddle Alley and the subject site.



This photo shows the row of poplars acting as a shelterbelt for the property which is situated to the left of the trees. The view is towards Invermay. (Taken April 2014)

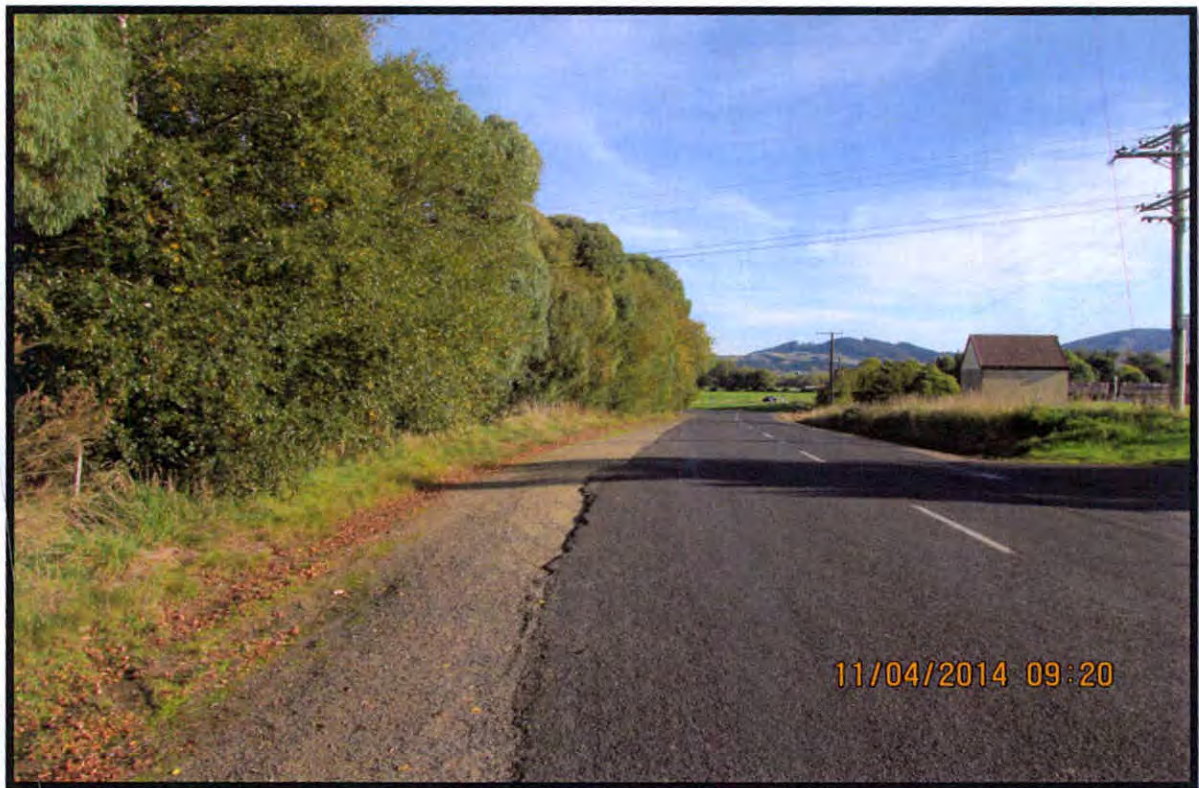
Water and Effluent Disposal (6.7.10)

Comment: The existing dwelling on Lot 1 is fully serviced which included site specific water storage and effluent disposal on site, with its water supply being from the town water supply (metred) which passes through the property and then along Factory Road and provides metred potable water supply to the properties west of the subject site. The site has a septic tank which is wholly situated within this allotment's boundary – no seepage will occur on the additional allotment's property.

The proposed dwelling will require site specific water storage and effluent disposal separate to those existing for the applicant's current dwelling. This proposed dwelling will

be subject to DCC's and Otago Regional Council's requirements in regards to onsite effluent disposal and water retention for potable water. Proposed Lot 2 is just outside council's water supply area situated just north of the common Lot 1 and 2's boundary.

The proposed dwelling will also require power and telephone services - both of these services are available overhead within the Puddle Alley carriageway corridor east of the site.



This photo shows the vegetation near the Stop sign on the Factory Rd-Puddle Alley intersection, the water pumping station mentioned in the application and the overhead power lines which also pass through the property. (Taken April 2014)

Easements.

Council may require easements for the water supply and the stormwater ditch near the corner as shown in the above photo. An easement for the power lines may also be required by the supply authority – although this may be covered by legislation.

Land Disturbance (6.7.11)

Comment: It is not anticipated that this application will introduce any significant physical 'disturbance' to the property. There is an existing dwelling on the site which will be retained as part of this application. No second dwelling is being proposed at this stage on Lot 2. The only land disturbance could be in regards the construction of a boundary fence between Lots 1 and 2.

Visual Impact and Landscape Effects (6.7.13 & 6.7.25) (Avoid, remedy...on the amenity of adjoining properties.

The District Plan does not show the subject site as being within a Landscape Management Zone. The single dwelling on the site is well – established and quite well screened from the adjoining carriageways by poplars along Puddle Alley and a selection of vegetation at the corner of Puddle Alley and Factory Road. A number of out buildings also exist on the property but most are used as part of the egg farm business.

This application proposes two allotments on the property which may mean an additional dwelling on Lot 2 in the future. The additional dwelling will not remove any significant areas of land from productive use.

The large poplar trees along the Puddle Alley carriageway help screen the property therefore we believe that anyone travelling along this road, in either direction, would not see any 'unexpected elements' or structures in this locality. The set back from the carriageway and the partial screening by existing vegetation will ensure that any visual impact that the additional dwelling may have, would be considered minimal. As such no adverse effects are envisaged on the character and quality of the surrounding landscape.

Although no additional specific dwelling or building is proposed at this stage, its construction and placement on the allotment will be subject to due council building consent processes.



This photo shows the view of the site as one approaches from the north on Factory Road with Puddle Alley branching off to the left of this view. The vegetation in the middle of this view screens the whole property. (Image date: November 2012)



This photo shows the view of the the northern part of Lot 2 with the boundary position being the tall grass just behind the poplar at the right of this view and to the right of the end of the large hen shed. (Image date: August 2013)



This photo shows the view of the access road from Puddle Alley into Lot 2, to the southern part of the hen house and hopper to the left of the access. This view was taken in a gap between the poplars along Puddle Alley. (Image date: August 2013)

Forestry and Shelterbelts (6.7.14)

Comment: A shelter belt exists alongside the Puddle Alley carriageway which is within the road reserve and along the boundary fenceline; therefore we anticipate that the trees will stay. There is no large scale forestry on the site. The vegetation at the intersection of Puddle Alley and Factory Road is to be retained at this stage therefore this will continue acting as a screen between the existing activities on the site and the passing traffic.

Residential units (6.7.15)

Comment: This subdivision application is for a 2-lot subdivision on the property with the possibility of an additional dwelling on the near vacant Lot 2, with Lot 1 retaining the existing dwelling currently owned and occupied by the applicant. The possible additional dwelling on Lot 2, while not permitted as of right, should not introduce any reverse sensitivity issues in the location or to the surrounding environment. Any dwelling would be positioned near the site's existing access and possibly near the existing large shed since the southern parts of the allotment are low-lying and not conducive to the placement of a dwelling.

The effects on the amenity and economic wellbeing of neighbouring properties is seen as inconsequential since the existing egg farming business will most probably cease on approval of this consent application and as a result this would also mean the elimination of the cause of any odour and noise issues. The proposed allotments' areas are similar to some of the neighbouring properties. There will be some soil covered by hard surfaces (dwelling) but this would be a low percentage of the overall allotment area.

The existing productive potential of the whole property is not significant due to its relatively small physical size and the possible addition of an another dwelling and the 2-lot subdivision will also not significantly adversely affect the productive potential of the property, which is marginal in its current form.

Development in the Rural Residential Zones & (6.7.16) Activities within the Airport... (6.7.18), Otago Harbour Islands (6.7.19)

Comment: While the site is zoned Rural an application has been made to Council as part of the 2GDP revision process and have proposed that the area be zoned appropriate to the size of the existing properties. This physical size is similar to the current Rural- residential type zoning at 2 hectares. The site is just within the fanned area designated 'Taieri Aerodrome Approach and Take-off Fans'. The existing structures do not appear to have an adverse effect on this designation since the existing hen houses and hopper would be higher than any single or even 2-levelled dwellings.

Clearance of Vegetation (6.7.17)

Comment: No clearance of vegetation is anticipated at this time.

Archaeological Sites (6.7.20)

Comment: We have not been made aware of any archaeological sites or activities on the site or within the immediate vicinity.

Trees (6.7.21, Indigenous Vegetation and Habitats (6.7.22 & Sec 6 (c) RMA)

Comment: While there is vegetation on the property there are no known indigenous vegetation and habitats existing on the site. Therefore, **Sec 6 (c)** of the RMA is not envisaged as being compromised by this application.

Hazards (6.7.23)

Comment: We have not been made aware of any natural or technological hazards known to exist on the subject site. The applicant is not aware of the existing dwelling, or any part of the property being subject to any recent significant inundation by flood waters. No specific hazard report has been completed for this property. Parts of the site are low-lying but it is anticipated that any additional dwelling will be placed somewhere near the existing entrance for Lot 2 from Puddle Alley. To our knowledge it appears that the subject site was not subject to any previous flooding issues.

With all consent applications now, council require a HAIL assessment of the subject site. A request for such a report has not been made with Council since it is anticipated that the attached LIM report will include the necessary information and thus satisfy Council's requirement under the HAIL report requirements.

The attached LIM report includes the following in regards hazards:

The property is within Zone 1 of the Otago Regional Council Lower Taieri Floodplain hazards report (September 2006). Protection to 100 year standard. Floors to be 200mm above flood level.

ORC report 2007 – Otago Alluvial Fans Hazard: Active alluvial fans Floodwater Dominant.

This area has been identified as lying within a zone susceptible to amplified shaking in an earthquake.

In regards Contaminated Site, Hazardous Substances and Dangerous Goods Information – there is no information.

As part of the existing use of the property as an Egg Farm there have been some Environmental health issues. These issues and complaints from neighbours have included smell and fly accumulation from site activities, the last of these complaints was made in March 2012 – we are not aware of any complaints since this date.

Transportation and Access (6.7.24)

Comment: The subject site is situated at 326 Factory Road Mosgiel. **Factory Road** is a wide, two lanes, sealed carriageway, with a grass verge on both sides - it is categorised as a **District Road** on Council's Roading Hierarchy maps. This carriageway carries a large volume of traffic between Mosgiel and Dunedin. **Puddle Alley** is also generally 2-lane width with wide grass verges on both sides of the road – it is categorised as a **Collector Road** on Council's Roading Hierarchy maps. This carriageway carries traffic generally from

the Wingatui residential area and possibly some traffic wishing to bypass Mosgiel as well as a lot of horse floats travelling to and from the Wingatui Racecourse. The traffic volume from this carriageway is considered lighter than that over Factory Road. Both carriageways have an 80km/h speed limit.

The property has 1 vehicle access from Factory Road and 2 from Puddle Alley as shown on the photos below. The single Factory Road and the northern most of the Puddle Alley vehicle access will provide the access to proposed Lot 1. The remaining and southern Puddle Alley access will provide access to Lot 2.



This photo shows the Factory Road entrance to the site and proposed Lot 1. A large part of this access is over road reserve and is used as access to the properties on the right being nos 322 and 324 Factory Road. (Image date: November 2012)



This photo shows the Puddle Alley entrance to the site and proposed Lot 1. This access goes directly to the dwelling and the cool house and the northern most hen house. (Image date: November 2012)



This photo shows the view to the north along Puddle Alley towards the Factory Road intersection – the sight distance here is about 150 metres to the crest of the rise. (Image date: November 2012)



This photo shows the view to the south along Puddle Alley towards Wingatui – the sight distance here is about 150 metres to the middle of the curve. (Image date: November 2012)



This photo shows the Puddle Alley entrance to the site and proposed Lot 2. This access goes directly to the southern hen house as well as providing access to the southern part of the property. (Image date: November 2012)



This photo shows the view from the proposed Lot 2 entrance to the south along Puddle Alley towards Wingatui – the sight distance here is over 200 metres. (Image date: November 2012)



This photo shows the view from the entrance to Lot 2 to the north along Puddle Alley towards the Factory Road intersection – the sight distance here is about 150 metres to the end of the visible part of the curve. (Image date: November 2012)

At this stage no additional vehicle crossings are proposed or anticipated as part of this 2-lot proposal. The addition of a dwelling on the southern part of the property will bring with it additional vehicle movements. However these additional movements may be no greater to that which exists presently taking into consideration the current usage of the site. As a result we believe that these proposed movements will not create an undue burden on the existing transportation infrastructure. There are good sightlines north and south from the property's entranceway along Puddle Alley as well as from the Factory Road access.

No significant adverse effects are anticipated to the general flow of traffic and vehicle movements over these two carriageways.

Conflict and Reverse Sensitivity (6.7.26):

(i) The extent to which the proposed activity may adversely affect the ability of existing rural activities to continue to operate.

(ii) The extent to which the proposed activity may result in conflict with existing rural activities.

Comment: Reverse Sensitivity involves the need to consider existing activities and land uses when assessing the effects of a new and potentially conflicting activity into the environment.

This proposal is for an additional allotment and, possibly another dwelling on proposed Lot 2 being the southern half of the property. Upon approval of the subdivision, it is anticipated that the existing Egg Farm will be disestablished, thereby removing a possible nuisance activity, from the area as far as some of the neighbouring properties and their owners are concerned. The existing activity could be replaced with a Rural-Residential lifestyle activity more in keeping with both surrounding environment and the surrounding properties.

In this particular case I believe that the opposite of Reverse Sensitivity will in fact occur in that the possible ceasing of the current activities on the site and its replacement with something more of a residential nature will actually enhance the site and area. **Therefore reverse sensitivity is not expected to be an issue with this application in fact a Reverse – reverse sensitivity is more the case – i.e. a positive effect will occur.**

SECTION 104D REQUIREMENTS

This section of the RMA requires that a consenting authority not give approval to a non-complying activity unless the application can meet one of two limbs:

- a. That the adverse effects on the environment will be no more than minor; or*
- b. That the application is for an activity, which will not be contrary to the objectives and policies of the Dunedin City District Plan.*

Comment: This 2-lot subdivision proposes an additional property on an already undersized, currently zoned Rural property - subject to an application under Council's

2GDP process. This application may also create an additional dwelling on the southern part of the property and the probable removal of the existing hen/egg Farm.

Thus this application proposes yet another allotment within an already non-complying property and to this end the applicant has obtained approvals from 4 of the affected and adjoining property owners. I believe that the adjoining property owners see this 2-lot proposal as positive step especially with the proposed removal or ceasing of the current activities on the subject site.

While the additional residential activity is not permitted, within the current District Plan, the extenuating circumstances with this particular proposal as discussed above, make this application unique, especially since none of the immediate surrounding properties comply with the current District Plan requirements.

The placement and location of the additional dwelling will generally be in-keeping with the existing activities and dwellings within the immediate area and especially if the trees along the Puddle Alley carriageway are retained.

At this stage no additional vehicle crossings are required. While the proposed activity is not listed as a permitted activity it is considered that the site is proposed to be used for an activity suited to the environment with the second dwelling occupying an area not used for the productive activities of the property. Therefore I ask that Council look favourably at this unique proposal.

BASELINE CONSIDERATION & INTEGRITY OF THE DISTRICT PLAN

Under sections 94A (a) & 104(2) of the Resource Management Act 1991: *'Council may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect. An application can therefore be assessed by comparing it to the lawfully established activity on the site and development that could take place as of right, without resource consent - but excluding development that is fanciful'.*

The environment Court directs councils to be wary of consenting to non-complying activities and to consider that the activity may adversely affect the integrity of the plan. Also could such an activity introduce an undesirable precedent compromising the district plan's integrity or could such an activity be seen as a true exception.

As far as precedent is considered this aspect is already in existence when one looks at all the immediately surrounding properties none of which comply with the current District Plan Rules.

From the above discussion I believe that this application does offer a true exception and that it does not introduce a precedent effect - which is already in place.

Although the property does not have the area allowing 2 separate dwellings on site, the fact that most of the immediate adjoining owners have given approval demonstrates that those immediately affected do not see this proposal as a significant issue.

I therefore believe that this application is not considered fanciful and that it will not adversely affect the integrity of the Plan- especially since council are considering changing the existing zoning of the area.

SECTION 106 OF THE RESOURCE MANAGEMENT ACT 1991

Under Sec 106 of the RMA, Council has the power to decline a subdivision Consent where:

- 1) *The land or structure is subject to erosion, falling debris, subsidence, slippage or inundation.*

Comment: We are not aware that any of these items, occurs or are anticipated to occur, on the subject site already or as the as a result from this application. Inundation by flood waters whilst it does occur in the Taieri Plains area has not affected the subject site or the land within the immediate vicinity.

- 2) *The proposed use of the land may accelerate, worsen or result in material damage to that land, other land or structure by the above mentioned items unless these effects are avoided, remedied or mitigated by conditions etc to Council satisfaction*

Comment: Although the title area does not allow for 2 dwellings on the property the placement of 1 additional dwelling and the physical size of the property could easily accommodate an additional dwelling. We offer that since there will be no alteration to the existing land use on the subject site however the current use of the property as an Egg Farm is anticipated to cease on approval of the application - Sec 106 of the RMA is not applicable to this proposal.

Assessment Matters for all Subdivision Activities Rule 18.6.1

Comments on matters not discussed in the text above

Activity	Assessment Matter	Comment
(a)	When considering applications in the Townscape.....; Schedule 25.1.....; Airport.....	Not applicable Discussed above.
(b)	The objectives, policies and Rules of the following sections of the District Plan: Sustainability, Manawhenua, Trees. Hazards	Discussed in application above. No Maori cultural or traditional significance are known to exist on or near the subject site or within the immediate surrounding area. There are several trees on and along the site all will remain as part of the amenity value of this development. No registered 'significant' trees exist on site. Discussed above.

(c)	The objectives, Policies and assessment matters of the Transportation Section.	Discussed within the Transportation section above.
(d)	Whether any extension of services will be rational and orderly and contribute towards the sustainable management of the environment	Refer to the Services section above.
(e)(j)	The integration of new infrastructure with existing or possible expansions of infrastructure networks.	Refer to Services section above.
(f)	The cumulative effect of the incremental loss or modification of areas of indigenous vegetation...	There are no areas of indigenous vegetation on the site.
(g)	The appropriateness of retaining amenity planting or planting trees etc	Refer (f) and (b) above.
(h)	The appropriateness of any building platform etc	No additional building platform has been identified at this time.
(i)	Any easements that may be required on or off the site etc	Easements will be considered at the time of survey – if required.
(k)	The extent to which any allotment to be created by the subdivision has physical limitations which would render it unsuitable for future use.	Refer above (Hazards) for discussion.
(l)	Delegated functions from other consent authorities	At this stage we believe that no other consent is required from other authorities.
(m)	Property access to and within the subdivision...	Refer to Transportation Section above.
(n)	Water supply to and within Subdivision Activities...	Refer to the Services section above - proposed services plans have been attached to this application.
(o)	Storm water disposal from and within Subdivision Activities...	Refer to the Services section above.
(p)	Foul effluent Disposal from within Subdivision Activities...	Refer to the Services section above – Site specific effluent disposal will be required for the additional allotment.
(q)	Lot size and dimensions...	This matter has been discussed above in the application – neither allotment complies with the Rural Zone's minimum area requirement.
(r)	Development in Rural Residential Zones	Discussed above in the application.
(s)	Natural Character and Heritage Values...	Not applicable.
(t)	Hazards	Refer to the Hazards Section above.
(u - w)	Esplanade Reserves etc	Not applicable.
(x)	Public or Private Network Utility Services.	Refer to Services Section above.
(y)	The matters contained within the Code of Subdivision.	Where applicable these have been discussed above and those that have not will be considered at the time of subdivision and will form part of the Sec 224c requirements of the consent.

CONCLUSION

Under the District Plan and the Rural Zone this proposal is a **Non-Complying activity** pursuant to **Rule 6.5.2(iii)** – insufficient area for 2 dwellings.

It is considered that this application is consistent with Part II of the RMA in particular, Sec.5(2)(c) "Avoiding remedying or mitigating any adverse effects of the activities on the environment", Section 7(c) "The maintenance and enhancement of the amenity values" and Section 7(f) "The maintenance and enhancement of the quality of the environment". We believe that this proposal is unique and does not introduce significant adverse effects that need to be avoided, remedied or mitigated with regard to the environment. These issues have been discussed above within the various sections of this application.

Under Sec.104 (1)(a) and 104D of the RMA 1991 the actual and potential adverse effects of this proposal, **if any**, as discussed above, are confined to the property and we believe should be considered to be no more than minor.

We ask that Council process this application for a 2-lot **Subdivision** and **Land Use Consent** for a non-complying activity on a **non-notified basis** in consideration of the above discussions and the attached adjoining property owner's approvals.

I believe that from the above discussions that this application meets both limbs as specified under **Sec 104D** of the RMA, in that any adverse effects on the environment will be no more than minor and that the application is not for an activity contrary to the objectives and policies of the DCDP. Therefore I ask Council to exercise its discretion under **Sec 104D** and grant consent for this activity on a non-notified basis.

I believe that any adverse effects, from this application, for a **non-complying activity** for the proposed additional residential activity on an undersized property, should be considered no more than minor.

POINT OF CONTACT

Should you wish to further discuss any item of this proposal please contact the undersigned.

I ask that this application be considered as a Category A non-notified Subdivision Resource Consent Application and accordingly attach a \$1750 cheque, being the deposit for a Resource Consent application under a non-notified basis. We await council's view on this application.

Application prepared by:



John Willems
(Planning and Project Management Consultant
NZCD Survey & BSc Land Planning and Development
AMNZIS).

Subdivision and Land Use Consent – Puddle Alley and Factory Rds. 13037

APPENDIX 1



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952




R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 51980
Land Registration District Otago
Date Issued 02 September 2002

Prior References
OT10C/260 OT4B/773

Estate Fee Simple
Area 5.0034 hectares more or less
Legal Description Section 41 Block V East Taieri Survey
District and Lot 2 Deposited Plan 12108

Proprietors
Arthur Thomas Wilson, Christina June Wilson and Public Trust

Interests
Fencing Provision in Transfer 359238 - 18.8.1970 at 2.30 pm (affects Lot 2)
Subject to Section 345(2A)(a) and (b) Local Government Act 1974
Land Covenant in Easement Instrument 5659671.4 - 16.7.2003 at 9:00 am
7112636.4 Mortgage to ANZ National Bank Limited - 14.11.2006 at 9:00 am

APPENDIX 2

Dunedin City Council Land Information Memorandum

69696

**Issued in accordance with Section 44A of the Local Government Official
Information and Meetings Act 1987**

**Should you require further clarification of any of the information listed
in this report, please phone our Customer Services Agency on
03 477 4000.**

This Land Information Memoranda (LIM) has been prepared in accordance with Section 44A of the Local Government Official Information and Meetings Act 1987. It contains only information obtained from the records held by the Dunedin City Council as at the date of issue, (the Print date below).

The Dunedin City Council has not carried out an inspection of the land and/or buildings for the purposes of preparing this LIM. The Dunedin City Council records may not show illegal or unauthorised buildings or works on the land. Accordingly this report may not necessarily reflect the current status of the property. Examples of situations which affect the property but are not recorded in this report include: unauthorised work not known to Council and breaches of Consents or Licences that are not the subject of a formal Requisition or Notice.

The applicant is solely responsible for ensuring that the land or any building or works on the land is suitable for a particular purpose. The applicant should check the Certificate of Title as it may contain obligations relating to the land.

Further information about this property may be available from the Otago Regional Council, Otago Citigas, Telecom New Zealand or Delta Utility Services Limited.

326 Factory Road Mosgiel

LIM Applicant
Print Date

Arthur Thomas Wilson and Christine June Wilson
12-Mar-2013

Property Details
Rates Details
Building, Plumbing and Drainage
Site Hazards
Hazardous Substances
Environmental Health
Licensing
City Planning
Roading
Water
Waste
Appendix

PROPERTY DETAILS

Property ID 5118416
Address 326 Factory Road Mosgiel
Parcels SEC 41 BLK V SO 19133 EAST TAIERI SD, LOT 2 DP 12108

Rubbish Day Thursday

RATE ACCOUNT DETAILS

Rate Account 4024914
Address 326 Factory Road Mosgiel
Valuation Number 27841-37301

Latest Valuation Details

Capital Value \$655,000
Land Value \$390,000
Value of Improvements \$265,000
Area (Hectares) 5.003HA
Units of Use 1

Current Rates

Current Rating Year Starting 01-Jul-2012
Dunedin City Council Rates \$0.00

Rates Outstanding for Year \$0.00

This property has a water account that is assessed separately.

Water Account 4002273
Outstanding Balance \$252.65

For further explanation on the rate account, or to enquire about information referred to on this page, please contact Rates Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

Public Sewer sheets.

WARNING. Please note that public sewer reticulation sheets are scaled in either Imperial feet or Metric metres. Please check with the Duty Drainage Inspector if in doubt.

Dunedin City Council Private Drainage plans incomplete.

WARNING. The Dunedin City Council's private drainage records (plans) prior to 1 January 1993 may be incomplete or not clearly recorded. Owners therefore are advised to carry out work with due care to avoid damage to any private drain not detailed because of the lack of information filed in the Council's records.

Drainage Information

Septic Tank and Effluent Disposal

This property has onsite Septic Tank and Effluent Disposal

Private Foul Drains servicing existing buildings

There are Private Foul drains servicing existing buildings on this land.

Private Storm Water Drains servicing existing buildings

There are Private Storm Water drains servicing existing buildings on this land.

Building and Drainage Consents

The following consents are recorded for this property:

Status Key:	BC - Building Consent Issued
	CCC - Code Compliance Certificate Issued
Archived -	In accordance with section 93(2)(b) of the Building Act, the consent was reviewed for code compliance after two years. Compliance with the Building Code could not be established and therefore the Code Compliance Certificate has been refused.
Lapsed -	Work has not commenced and no extension of time applied for within 12 months of date of consent issue. Consent is of no further effect

NOTE: This is not a comprehensive list of all building consent statuses

ABA-2007-315586 Building Consent Only Lodgement - Erect Farm Shed

Lodgement Date 12-Apr-2007
 Decision Granted
 Decision Date 22-May-2007
 Current Status **BC Issued**

ABA-2011-1326 Building Consent Only Lodgement - Erect a Strongbuilt Kitset Shed

Lodgement Date 06-Jul-2011
 Decision Granted
 Decision Date 08-Aug-2011
 Current Status **CCC Issued**

Building and Drainage Permits

Building Permits were issued prior to the introduction of the Building Act 1992. Code Compliance Certificates were not required or issued for permits.

H-1984-284039 AAS19840428

C009190 - Erect dwelling, install septic tank, plan (Wilson). The permit was lodged on 31-Aug-1984.

H-1983-282920 AAS19830246

B053114 - glasshouse, plan (Wilson). The permit was lodged on 31-Dec-1983.

H-1979-279838 AAS19790310

I046090 - Highrise laying shed, no plan (Wilson). The permit was lodged on 31-Oct-1979.

H-1976-277616 AAS19760252

H40704 - Laying shed extension plan (Wilson). The permit was lodged on 13-Dec-1976.

H-1975-276828 AAS19750201

2528 - Plumbing & drainage, no plan (Wilson). The permit was lodged on 07-Feb-1975.

H-1975-276827 AAS19750200

G53804 - Erect Residence - permit expired, see now C009190 (Wilson). The permit was lodged on 07-Feb-1975.

H-1973-275612 AAS19730102

F28466 - Egg cool room, plan (Wilson). The permit was lodged on 13-Aug-1973.

H-1973-275613 AAS19730103

2263 - Plumbing & drainage for Egg Cool Store, no plan (Wilson). The permit was lodged on 08-Aug-1973.

H-1972-275230 AAS19720090

C028974 - Laying shed extend, no plan (Wilson). The permit was lodged on 06-Mar-1972.

For further explanation on the current status of any consent, or to enquire about information referred to on this page, please contact Building Control Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

HAZARDS

SOIL HAZARDS

Taieri Flood Zone I

This property is within Zone I of the Otago Regional Council Lower Taieri Floodplain Flood Hazards report (September 2006). Protection to 100 year standard. Floors to be 200mm above flood level.

Otago Regional Council Report 2007- Otago Alluvial Fans Hazard: ACTIVE alluvial fans Floodwater-Dominant

This area has been identified as lying within a zone susceptible to amplified shaking in an earthquake.

Otago Regional Council - Natural Hazards Database

The characteristics of general natural hazards in the vicinity of the land concerned are also available on the Otago Regional Council's Natural Hazards Database.

<http://www.orc.govt.nz/Information-and-Services/Natural-Hazards/hazards/>

ENVIRONMENTAL HEALTH COMMENTS

WARNING – Change in legislation and management of hazardous substances

On 1 April 2004, all Dunedin City Council Dangerous Goods Licences expired. From this date they became the responsibility of the Environmental Protection Agency (EPA) under the Hazardous Substances and New Organisms Act 1996. All new licences for hazardous substances are now issued by Independent Test Certifiers approved by the EPA. The Council no longer holds current information on the use of hazardous substances at these premises and hazardous substances may be present without the Council's knowledge.

If you have any questions, please contact ERMA New Zealand on free phone 0800 ERMADG (0800 376 234) or email dqinfo@ermanz.govt.nz.

Contaminated Site, Hazardous Substances and Dangerous Goods Information

No Information

ENVIRONMENTAL HEALTH COMMENTS

Unknown Water Supply

Council has no information on the water supply for this property. If there is a water supply tank on the property testing and monitoring is not required under the Drinking Water Standards 2005. Maintenance information can be found on the City of Dunedin Website, Environmental Health Factsheet *Caring for your Rainwater Supply*.

Environmental Health Comments

A large scale egg manufacturer is situated on the property which holds a Risk Management Plan in accordance with the Animal Products Act 1999.

In the past there have been complaints from neighbouring residents about nuisance from smell and an accumulation of flies allegedly from activities on this property.

Environmental Health carried out an investigation and visited the property in January 2012. There was a large number of flies observed on the property. There was also a strong smell detected around the site.

Flies were reported to be a Lesser Fly which breed in manure. There was an accumulation of manure bags throughout the property.

Owners were advised to remove bags of manure on a more regular basis and to clean out the manure in sheds on a more regularly to abate the nuisance.

Complaint was passed onto Ministry of Agriculture and Fisheries who regulate and audit this operation.

The last complaint regarding flies from neighbouring residents was lodged in March 2012.

Health Licensing

Health Licensing

There are no records of any Health Licences for this property.

Liquor Licensing

There are no records of any Liquor Licences for this property.

Accuracy of Boundaries

Accuracy of Boundaries

Knowing the true location of the property boundaries on the ground is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. Please note that the Council's aerial photographs may not accurately depict the extent of the property. The Certificate of Title for the site should be checked in the first instance. A surveyor may need to be consulted to establish the true location of the title boundaries on the ground.

Access to Site

The legality of any access to the site is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. It is recommended that the Certificate of Title and/or a lawyer be consulted regarding the legality of any legal and/or physical access to the site (and the maintenance thereof).

Historic Places Act 1993

The Historic Places Act 1993 applies in addition to any protection provided to a building or site by the District Plan. The Historic Places Act 1993 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site, whether or not the land on which the site is located is designated, or a resource or building consent has been issued, without the prior authority of the New Zealand Historic Places Trust. The Historic Places Act 1993 defines an archaeological site as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. Pre-1900 buildings are considered archaeological sites under the Historic Places Act 1993 and are also often associated with subsurface archaeological remains that provide evidence of pre-existing use of the site. Council records may not necessarily identify the precise date upon which an existing building was constructed.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 came into force on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. (The current edition of the HAIL is available on the Ministry for the Environment website at www.mfe.govt.nz.) Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent. (The Otago Regional Council should also be consulted for any rules it might have in regards to the use or development of contaminated sites.)

If a person wishes to establish whether a piece of land has had hazardous activities or Industries conducted on it, and thus whether activities on that land are controlled by the National Environmental Standard, then the person must pay for a review of the information about the land held by the Council, or pay for a suitably qualified and experienced practitioner to undertake a preliminary site inspection. Formal confirmation from the Council that resource consent is not required under the National Environmental Standard can only be given through a certificate of compliance application.

Consent Notices

There are no Consent Notices recorded for this property. It is recommended that the applicant check the Certificate of Title for any notices or covenants that may affect the property.

District Plan Information

This Planning information refers to the Dunedin City District Plan. This plan may affect the development potential of the property referred to in this LIM. The operative District Plan must be considered concurrently with any Council-initiated plan changes where any rules in those plan changes have legal effect. The planning information contained herein is applicable at the date this LIM is issued, however the provisions of the District Plan are subject to change from time to time.

The information provided with this LIM on District Plan requirements and resource consents has been verified by City Planning in relation to the subject property only. All information included in relation to other land surrounding the site is indicative. The provisions of the District Plan or a resource consent may be subject to change.

Copies of the District Plan are available at all Dunedin City Council service centres, libraries and the Council website at <http://www.dunedin.govt.nz/services/planning/district-plan>

District Plan Information for 326 Factory Road Mosgiel (5118416)

Zoning

This property is zoned as follows in the District Plan.

<i>Zone</i>	<i>Subzone</i>	<i>Name</i>
RURAL		

Indigenous Vegetation and Fauna - Interim Rule 16.6.2

Rule 16.6.2 applies in the Rural and Rural Residential zones, but not in any Urban Landscape Conservation Area. The rule imposes controls on the clearance or modification of indigenous vegetation, and on earthworks in respect of coastal habitat, wetland, skink habitat and indigenous vegetation. Also refer to Planning Map 79.

Type

0.5ha

Groundwater Protection Zone

Some or all of this property is located within a Groundwater Protection Zone in the Dunedin City District Plan. Refer to Section 17.7 of the District Plan regarding controls on earthworks within the Groundwater Protection Zone. The Otago Regional Council also has its own Groundwater Protection Zones defined with the Regional Plan: Water for Otago. Please contact the Otago Regional Council regarding the Regional Plan: Water for Otago.

Zone Type

Description

B

Lower Taieri Aquifer

High Class Soils

This property contains some high class soils. Refer to Rule 6.5.3(viii) and Planning Maps 75-77 (inclusive).

Noise

This property is located in a Noise Area where the noise limits outlined below apply. Rule 21.5.1(i)(b) also specifies a maximum noise limit of 75 dBA Lmax between 9.00 pm on any night and 7.00 am the following day measured at the boundary of the site or within any other site. Note that some activities have a resource consent or existing use rights that allow these limits to be exceeded. Some activities are also exempted from noise limits. Furthermore, the actual limits that apply will also depend on whether this site adjoins a Noise Area Boundary and whether there are Special Audible Characteristics. Refer to Section 21.5 of the District Plan for further details. Every occupier of land is also under a general duty to adopt the best practicable option to ensure that the emission of noise from land does not exceed a reasonable level.

Noise Zone

55 Dt/40Nt dBA within 50m of a residence

Designation 274 - Dunedin International Airport Approach and Land Use Controls

This property is within or partly within the designated take-off and approach fan for the Dunedin International Airport (Designation 274). Refer to Planning Map 72 for the land use controls that apply in relation to this designation.

Form Air

Height Restriction

Approach Fan

Road Hierarchy

The roads listed below adjoining this property are classified as either Collector, District Regional or National Roads in the District Plan Roadling Hierarchy. All other roads adjoining this property but not listed here are classified as Local Roads. Refer to Section 20 of the District Plan for more information.

Type

NZTA Control

COLLECTOR

DISTRICT

Resource Consents

The following Resource Consents are recorded for this property.

<u>RMA-1980-354139</u>	Resource Management Act (Historical Data)
Description	ERECT A NEW DWG Ownr:AG AND JK WILSON / App: AG AND JK WILSON PUDDLE ALLEY RD,TAIERI
Lodgement Date	21-Oct-1980
Decision	Granted
Decision Date	11-Nov-1980
Current Status	Consent Issued

RESOURCE CONSENTS WITHIN 50 METRES OF 326 FACTORY ROAD MOSGIEL

5049129 326 Factory Road Mosgiel

RMA-1980-354139 Resource Management Act (Historical Data) ERECT A NEW DWG (Notified - Non Complying). The outcome was Granted on 11/11/1980.

5049131 108 Puddle Alley Wingatui

LUC-2011-177 Land Use Consent establish, operate and maintain dog kennels and cattery. The outcome was Granted on 16/08/2012.

LUC-2007-454 Land Use Consent Erect a utility shed on an undersized rural site. The outcome was Granted on 18/10/2007.

5066212 324 Factory Road Mosgiel

RMA-2002-366135 Resource Management Act (Historical Data) RESIDENTIAL ACTIVITY ON UNDERSIZED RURAL LOTS (Notified - Non Complying). The outcome was Granted on 14/02/2003.

RMA-2002-366122 Resource Management Act (Historical Data) SUBDIVISION OF A 5.7865 HECTARE PROPERTY INTO TWO LOTS (Notified - Non Complying). The outcome was Granted on 14/02/2003.

5066634 185 Puddle Alley Wingatui

RMA-1998-361737 Resource Management Act (Historical Data) ADDITION TO EXISTING ISOLATION UNIT (Non-Notified - Non Complying). This consent has since Lapsed.

RMA-1997-361066 Resource Management Act (Historical Data) OUTLINE PLANS FOR APPROVAL (Converted - Ended). The outcome was Granted on 18/03/1997.

RMA-1988-354553 Resource Management Act (Historical Data) COMMERCL USE OF RESEARCH ABATTOIR FACILI (Notified - Non Complying). The outcome was Granted on 10/08/1988.

5066635 176 Puddle Alley Wingatui

RMA-2000-364334 Resource Management Act (Historical Data) ERECT A FREE STANDING SIGN (Non-Notified - Restricted Discretionary). The outcome was Granted on 16/10/2000.

RMA-1997-361606 Resource Management Act (Historical Data) TELECOMMUNICATIONS SITE (Non-Notified - Non Complying). The outcome was Granted on 26/01/1998.

5103033 183 Puddle Alley Wingatui

LUC-2008-648 Land Use Consent enlarge the chiller room and add a loading dock. The outcome was Granted on 20/01/2009.

RMA-1999-363530 Resource Management Act (Historical Data) TO CONSTRUCT AN ADDITIONAL CHILLER AND UPGRADE AN EXISTING CHILLER AND REFRIGERATION PLANT. (Non-Notified - Non Complying). The outcome was Granted on 08/11/1999.

RMA-2001-364987 Resource Management Act (Historical Data) ADDITION OF BONING ROOM TO VENISON PROCESSING PLANT (Non-Notified - Non Complying). The outcome was Granted on 29/08/2001.

5103686 141 Friends Hill Road Wingatui

RMA-1997-361606 Resource Management Act (Historical Data) TELECOMMUNICATIONS SITE (Non-Notified - Non Complying). The outcome was Granted on 26/01/1998.

5104888 176 Puddle Alley Wingatui

LUC-2012-348 Land Use Consent undertake rock removal on a rural site. The outcome was Granted on 10/09/2012.

LUC-2008-576 Land Use Consent extend the height of existing chimney stack to 18.5 metres. The outcome was Granted on 12/11/2008.

LUC-2007-320 Land Use Consent Construct accessory buildings at the Agresearch Invermay Agricultural Centre. These buildings include laboratories/offices, animal facilities and yards, a possum facility, plant and garages. The outcome was Granted on 13/07/2007.

LUC-2007-224 Land Use Consent Install fuel storage tanks. The outcome was Granted on 12/07/2007.

RMA-2000-364334 Resource Management Act (Historical Data) ERECT A FREE STANDING SIGN (Non-Notified - Restricted Discretionary). The outcome was Granted on 16/10/2000.

RMA-1998-361737 Resource Management Act (Historical Data) ADDITION TO EXISTING ISOLATION UNIT (Non-Notified - Non Complying). This consent has since Lapsed.

RMA-1997-361066 Resource Management Act (Historical Data) OUTLINE PLANS FOR APPROVAL (Converted - Ended). The outcome was Granted on 18/03/1997.

RMA-1999-363530 Resource Management Act (Historical Data) TO CONSTRUCT AN ADDITIONAL CHILLER AND UPGRADE AN EXISTING CHILLER AND REFRIGERATION PLANT. (Non-Notified - Non Complying). The outcome was Granted on 08/11/1999.

RMA-2001-364987 Resource Management Act (Historical Data) ADDITION OF BONING ROOM TO VENISON PROCESSING PLANT (Non-Notified - Non Complying). The outcome was Granted on 29/08/2001.

RMA-1988-354553 Resource Management Act (Historical Data) COMMERCIAL USE OF RESEARCH ABATTOIR FACILITY (Notified - Non Complying). The outcome was Granted on 10/08/1988.

If you would like a copy of any Resource Consent decision or advice on the current status and relevance of any planning matter referred to in the LIM, enquiries may be made at the Planning Enquiries desk on the Ground Floor of the Civic Centre, 50 The Octagon, or by phoning 477 4000 and asking for the Duty Planner. Planners are available at the Planning Enquiries desk to answer your enquiries between 8:30am and 5:00pm weekdays.

ROADWORK

The Roading Department has carried out a visual inspection at this property and found the following problems;

Non-compliant entrance crossing.

To meet current Council standards all vehicle entrances would be required to be sealed from the edge of the road to the five metres within the property. Council accepts this situation but accepts no liability, and points out that maintenance is the responsibility of the Property Owner.

The Roading Department has carried out a visual inspection at this property and found the following problems;

Vegetation

Council does not accept this situation and requires remedial action by the Property Owner. The tree near the Intersection on the Puddle Alley Road frontage is required to be trimmed back clear of the road.

WATER and WASTE

WATER

Restrictions on Work near Water Mains

All Dunedin City Council-owned water mains and service pipes and associated fittings are to be located on-site and, if necessary, protected by the applicant prior to any works commencing.

No structure shall be constructed within 2.5 metres of the centreline of any Council-owned water main without the written approval of the Water and Waste Services Business Unit.

The Dunedin City Council requires 5 metre wide easements for the conveyance of water to protect Council-owned water mains in new land subdivisions.

Property owners are requested to check the relevant deposited plans, certificates of title and memoranda of transfer at the Lands and Deeds Office for information relating to these easements so that they can be accurately drawn on site plans for Building Consent Applications.

Outside Urban and Rural Water Supply Areas

The property is located partially outside the Urban and Rural Water Supply Areas as shown in Appendix A and B of the *Dunedin City Council Water Bylaw 2011*. In accordance with the *Dunedin City Council Water Bylaw 2011*, existing water connections located outside the Urban and Rural Water Supply Areas may be maintained. No new connections will be permitted to properties located lying outside the Urban and Rural Water Supply Areas as shown in Appendix A and B of the *Dunedin City Council Water Bylaw 2011*.

Water Reticulation Plans

A copy of the water reticulation plans in the vicinity of the subject site is attached. These show the location of the water main in the road. It may or may not show the water service to the property. It is recommended that the applicant check the site.

No building or structure shall be constructed within 2.5 metres of the centreline of any Council-owned water main. The Dunedin City Council requires 5 metre wide easements for the conveyance of water to protect Council-owned water mains in new land subdivisions.

Flow and Pressure Tests

Details of water flow and pressure available to the property may be obtained from the Dunedin City Council's Water and Waste Services Business Unit.

Terms and Conditions of Supply

All new and existing connections to the Dunedin City Council's water supply schemes are subject to the terms and conditions of the *Dunedin City Council Water Bylaw 2011*. A copy of this document is available to the applicant upon request or for download from the Dunedin City Council website www.dunedin.govt.nz.

Urban Water Supply - Connected

According to the Dunedin City Council's GIS records and the rates database, this property is connected to the Dunedin City Council's Urban Water Supply. It is recommended that the applicant check the site for location and suitability of service.

Backflow Prevention

Any site provided with a Council water supply intended for Non-Domestic Purposes as defined by the *Dunedin City Council Water Bylaw 2011* shall be fitted with a backflow prevention device at the Point of Supply.

The backflow prevention device is to be of a type approved under the *Health (Drinking Water) Amendment Act 2007*, the *Dunedin City Council Water Bylaw 2011* and the *Backflow Prevention for Drinking Water Suppliers Code of Practice 2006* or subsequent versions published by Water New Zealand.

Water Meters

Any site provided with a Council water supply intended for Non-Domestic Purposes as defined by the *Dunedin City Council Water Bylaw 2011* shall be fitted with a water meter at the Point of Supply.

WWS/NS/11/1

No Services Available

A review of the Dunedin City Council's GIS records indicates no Dunedin City Council-owned stormwater or foul sewer services are available for connection at the subject property.

Information Regarding Watercourses

The controlling authority for all waterways in Dunedin City is the Otago Regional Council and their requirements are set out in their Regional Plan: Water.

1. What is a watercourse?

A watercourse is any natural, modified or artificial channel through which water flows or collects, either continually or intermittently, or has the potential to do so, and includes rivers, streams, gullies, natural depressions, ditches, and drainage channels. This includes any culvert or stormwater pipe that replaces a natural channel.

2. How do I know I have a watercourse on my property?

A watercourse is defined as above; if any of those conditions exist then yes you will have a watercourse on your property.

3. Who owns the watercourse?

A watercourse is owned by the property owner through which the watercourse passes from the point of entry to the exit point on the property boundary.

4. What are my responsibilities as owner of the watercourse?

You are responsible for:

- Ensuring that there are no obstructions or impediments in the watercourse which may inhibit the flow of water.
- Ensuring that any grates or outlets within your property are kept clear of debris at all times.

5. Can I pipe my watercourse?

Yes, you can pipe any open watercourse within the confines of your property subject to the following requirements:

- Approval is given by the Otago Regional Council.
- A Building Consent is obtained from the Dunedin City Council
- Any existing discharges to the watercourse are catered for.

Allowance for secondary flow paths must be part of the design. All costs associated with the piping and maintenance of a watercourse are to be met by the property owner.

6. Can I divert my open or piped watercourse?

Yes, you can divert your open or piped watercourse within your property providing you

- Have obtained permission from the Otago Regional Council.
- Obtain a Building Consent from the Dunedin City Council (for piping only).
- An earthworks permit will be required if more than 10m² of material is to be excavated

Allowance for secondary flow must be part of the design. All costs associated with the diversion of an existing watercourse or a piped watercourse are to be met by the property owner.

7. Can I discharge my stormwater to the watercourse?

Yes, you may discharge your stormwater to the watercourse or piped watercourse within your property providing it is within the watercourse catchment area and you comply with any Building Consent requirements and you comply with the Otago Regional Council's Regional Plan: Water for Otago.

8. Can anybody else discharge stormwater to the watercourse?

Yes, any private property owner may discharge water to a watercourse within their property or through an adjoining property with written consent of the adjoining owner and the discharge is within the watercourse catchment area providing they comply with any Building Consent requirements and the Otago Regional Council's Regional Plan: Water for Otago, Discharge of Stormwater.

9. Can the Local Authority dispose of its water from road channels to the watercourse?

Yes, the Local Authority can discharge stormwater from the roading network etc to a watercourse within the watercourse catchment area providing they comply with any Building Consent requirements, and the Otago Regional Council's Regional Plan: Water. The fact that the local authority discharges stormwater to a watercourse does not imply that the authority owns or maintains the watercourse downstream of the discharge point.

Any further questions regarding watercourse should be directed to the Otago Regional Council on 474 0827.

APPENDIX

Glossary of terms and abbreviations

The following are abbreviations and terms that may appear as a part of a LIM.

Consent, Permit, Licence & Complaint types

- AAB DCC Building permit
- AAD DCC Drainage permit
- AAG Green Island drainage permit
- AAH Hyde permit
- AAK St Kilda permit
- AAM Mosgiel permit
- AAP Port Chalmers permit
- AAS Silverpeaks permit
- AAT Maniototo permit
- ABA Application Building Act 1991
- BCC Building Compliance Certificate - Sale of Liquor Act
- BCM Building Complaint
- DGL Dangerous Goods Licensing
- ENV Health complaint
- HTH Health licence
- LIQ Liquor licence
- NTR Notice to Rectify
- POL Planning Other Legislation
- RMA Resource Management Act - Resource consent
- RMC Resource consent complaint
- WOF Building Warrant of Fitness

Terms used in Permits & Consents

- ALT Alteration
- ADD Addition
- BD D/C Board drain in common
- BLD Building
- BLDNG Building
- BT Boundary trap
- B/T Boiler tube
- CCC Code Compliance Certificate
- DAP Drainage from adjacent property
- DGE Drainage
- DIC Drain in common
- DR Drainage
- DWG Dwelling
- FS Foul sewer
- HEA Heater
- ICC Interim Code Compliance
- MH Manhole
- PL Plumbing
- PLB Plumbing
- PTE Private
- SIS Sewer in section
- WC Water course
- WT Water table
- SW Stormwater

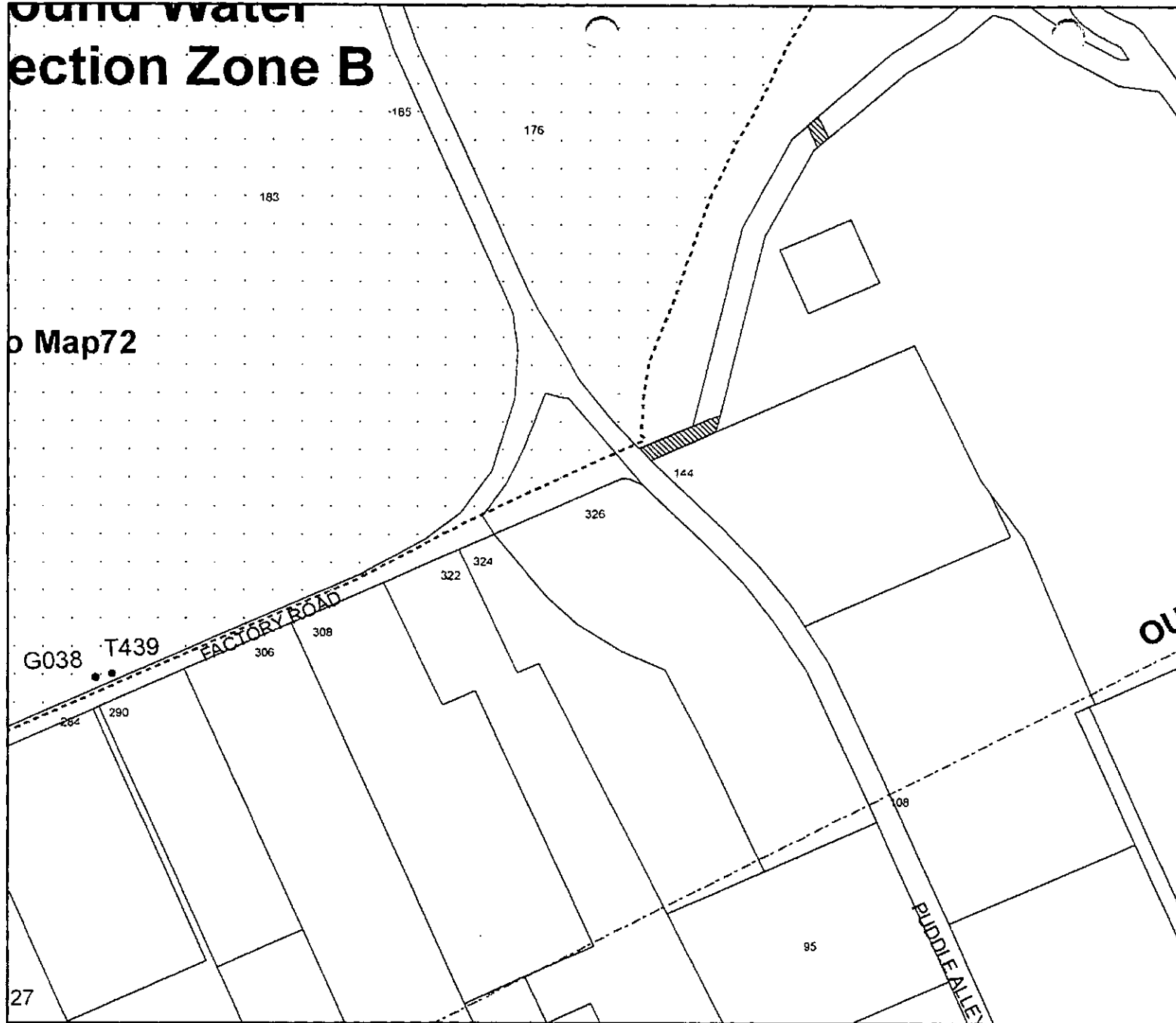
General terms

- RDMS Records and Document Management System



Ground Water Protection Zone B

Map72



Legend

- Significant Trees
- Transport Structure
- Transport Lines
- Heritage Structure
- Heritage Facade
- ✕ DP Archaeological Sites
- Airport Fan Deagulation 214 bdy
- Port Height Restrictions
- DP Designations
- Urban Landscape Conservation Area
- DP Titled Airspace
- Restricted Water Supply Area
- Ground Water Protection Zone A
- Ground Water Protection Zone B
- Public Roads not Legal
- ▨ Unformed Legal Road

Zones

- R1 - Residential 1 Zone
- R2 - Residential 2 Zone
- R3 - Residential 3 Zone
- R4 - Residential 4 Zone
- R5 - Residential 5 Zone
- R6 - Residential 6 Zone
- RMA
- Campus Zone
- Airport Zone
- Suburban Zone
- CA - Central Activity Zone
- LGR - Large Scale Retail Zone
- LA1 - Local Activity Zone 1
- LA2 - Local Activity Zone 2
- I1 - Industrial 1 Zone
- I2 or I3 - Industrial 2 or Special Development Zone
- Port 1 Zone
- Port 2 Zone
- RR - Rural Residential Zone
- Rural Zone
- H - Harbourside

Port & Airport Noise

- XXXX Air Noise Boundary
- XXXX Airport Outer Control Boundary
- XXXX Outer Port Control Boundary
- XXXX Port Noise Boundary

Esplanade Requirement

- Esplanade Reserve Required
- Esplanade Strip Required

Landscape Management Boundary

- outside boundary
- boundary between areas
- proximity boundary

Townscape

- Townscape and Heritage Precinct Boundary - Internal
- Townscape and Heritage Precinct Boundary

Pedestrian Frontage

- Identified Pedestrian Crossing
- Veranda Required

Areas of Significant Conservation Value boundary

- ASCV Boundary
- ASCV Boundary - Internal
- Areas of Significant Conservation Value (Estuarine edge)
- Areas of Significant Conservation Value (Wetland)

Most detail not shown at scales smaller than 1:25,000

Optimal scale range is 1:2000 - 1:5000

This Planning Map is indicative.

The official Planning Maps are compiled within the District Plan (Volume 2). This map is a representation of the official maps. However, due to the ability to display these maps at different scales, and the dynamic nature of the underlying cadastre, some inconsistencies or misalignment of data may be depicted which is not visible on the official maps. Consult Dunedin City Council for any clarification.



**DUNEDIN CITY****COUNCIL***Kaunihera-a-rohe o Otago*

50 The Octagon, PO Box 5045, Moray Place

Dunedin 9058, New Zealand

Telephone: 03 477 4000, Fax: 03 474 3488

Email: dcc@dcc.govt.nz

www.dunedin.govt.nz

CODE COMPLIANCE CERTIFICATE**COPY**

Section 95, Building Act 2004

CCC NO:	ABA-2011-1326	Telephone No:	03 477 4000
APPLICANT		PROJECT	
A T Wilson and C J Wilson 326 Factory Road RD 2 Mosgiel 9092		Work Type: New Construction Intended Use/Description of Work: Erect a Strongbuilt Kitset Shed Intended Life: Indefinite, not less than 50 years.	
PROJECT LOCATION		This CCC also applies to the following Amended Consents: N/A	
326 Factory Road Mosgiel			
LEGAL DESCRIPTION			
Legal Description: LOT 2 DP 12108 Valuation Roll No: 27841-37300 Building Name: N/A			

The Building Consent Authority named above is satisfied, on reasonable grounds, that:

- (a) The building work complies with the Building Consent, and
- (b) The specified systems in the building are capable of performing to the performance standards set out in the Building Consent.

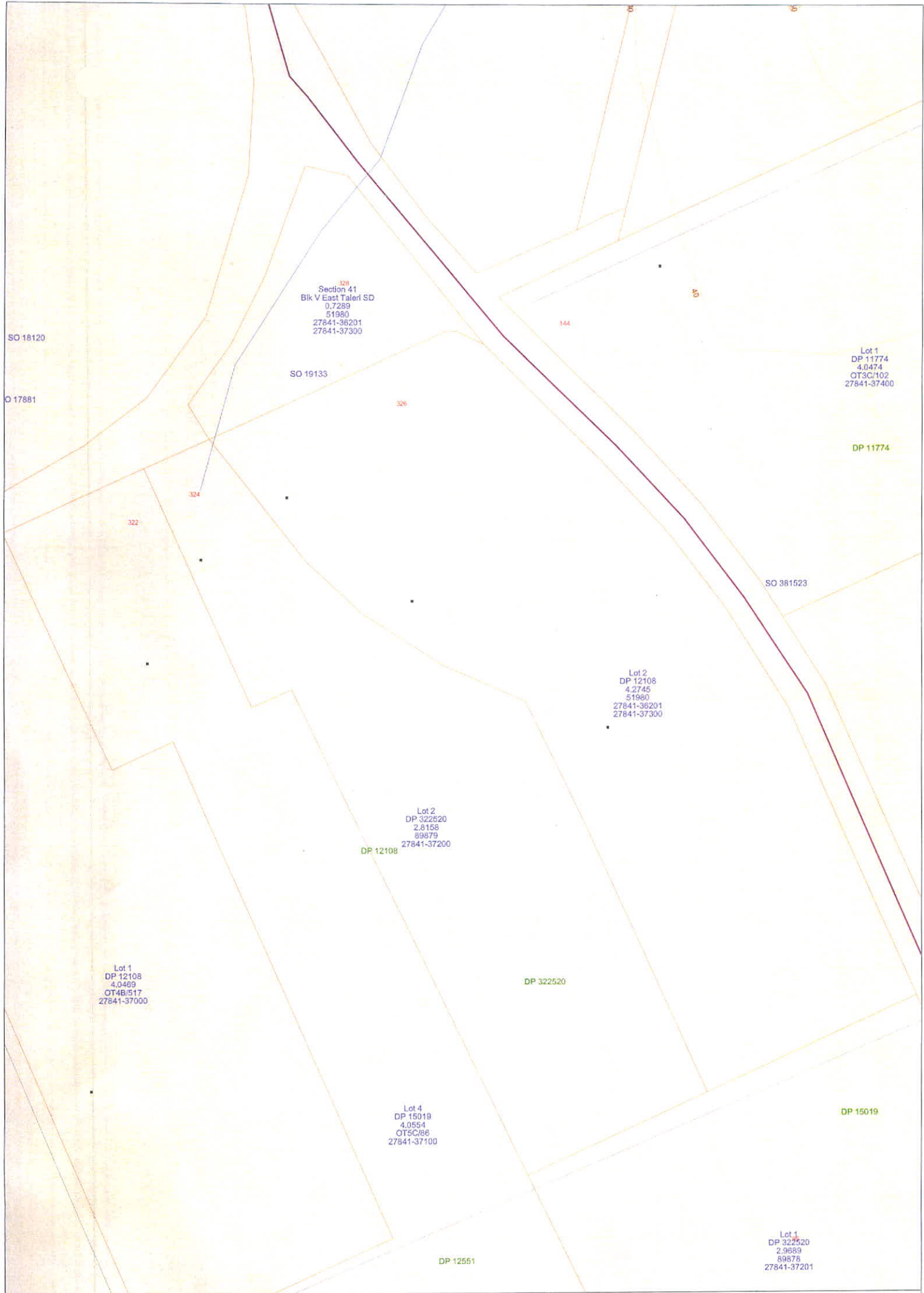
☐ Compliance Schedule attached

Signed for and on behalf of the Council:

TEAM LEADER INSPECTIONS

Date: 8 February 2012

APPENDIX 3



SO 18120

O 17881

Section 41
Bik V East Talerl SD
0.7289
51980
27841-36201
27841-37300

SO 19133

144

Lot 1
DP 11774
4.0474
OT3C/102
27841-37400

DP 11774

322

324

326

SO 381523

Lot 2
DP 12108
4.2745
51980
27841-36201
27841-37300

Lot 2
DP 322520
2.8158
89879
27841-37200
DP 12108

Lot 1
DP 12108
4.0469
OT4B/517
27841-37000

DP 322520

Lot 4
DP 15019
4.0554
OT5C/86
27841-37100

DP 15019

DP 12551

Lot 1
DP 322520
2.9689
89878
27841-37201

APPENDIX 4



Affected Person(s) Consent Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): ANDREW Y CARRUTHERS

being the: ☐ Owner ☒ Occupier ☒ Owner and Occupier

of the property situated at (address and/or legal description of **your** property):

Rapid 324; Factory Rd; Mosgiel

have read and understand the information on the reverse side of this page and consent to the proposal by (name of applicant(s)):

Christine Wilson

to (description of proposed activity):

Subdivide her property at 326 Factory Road Mosgiel into 2 allotments as indicated on the attached 'Planning Application Diagram'

on the following property (address of **application site**):

326 Factory Road Mosgiel

as outlined in the application submitted and on the associated plans and other relevant documentation signed by me/us.

Signed: [Signature]

Date: 6/1/2014

Telephone: 4892974

14/4/14

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
Facsimile: 474 3451
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Consent of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your consent required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your consent it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons consent process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s consent form on the reverse side of this page and sign a copy of the associated plans. If you wish to consent to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your consent is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.
5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed;
- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) consent form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before consenting to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

If you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

For further information

Read the Council's "Written Approvals of Affected Persons – What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.

APPENDIX 7

John Willems

From: John Willems
Sent: Thursday, 4 April 2013 10:19 a.m.
To: districtplan@dcc.govt.nz
Subject: Proposed re-zoning - Mosgiel
Attachments: img-404091525-0001.pdf; img-404091538-0001.pdf

Hi Michael

Please find attached a proposed re-zoning request form on behalf of a client.

Regards
John

TL Survey Services Ltd

 John Willems
Planning and Graphics Consultant

www.tlsurvey.co.nz

Postal Address

P O Box 901

Dunedin 9054

New Zealand

Physical Address

4th Floor

Queens Building

109 Princes Street

Dunedin 9016

New Zealand

Phone: +64 3 477 1133

Fax: +64 3 477 1127

This message and any accompanying data may contain information that is confidential and subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination or copying of this message or data is prohibited. If you have received this message in error, please notify us immediately and erase all copies of this message and attachments.

Dunedin City Second Generation District Plan Rezoning Request Form

Send the completed form to:

Attention: Planning Administrator - City Development

City Planning

Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

Or email to: districtplan@dcc.govt.nz

Your Name: John Willems

Contact Address: c/- TL SURVEY SERVICES LTD, PO BOX 901, DUNEDIN 9054

Contact Telephone: 03 477 1133

Contact Email: john@tlsurvey.co.nz

Address of property to which rezoning request applies: 326 Puddle Alley, Mosgiel, being Lot 2 DP 12108, CT 51980

Are you the current owner of this property?

Yes ☐ No ☒

What is the current zoning of the property?

(Choose one from the list)

Rural

What would you like the property to be zoned for?

(Choose one from the list)

Rural Residential

Residential 1	Rural Residential	Special
Residential 2	Central Activity	Development
Residential 3	Large Scale Retail	Campus
Residential 4	Local Activity 1	Port 1
Residential 5	Local Activity 2	Port 2
Residential 6	Industrial 1	Harbourside
Rural	Industrial 2	

Does your request apply to all or part of the property (please specify extent): ALL - refer below for full explanation.

Does the property contain a dwelling or other buildings?

Yes ☒ No ☐

If yes, please specify the buildings situated on the property:

1 residence and 2 large outbuildings and smaller sheds.

How is the property currently used?

Domestic purposes, general farm grazing and Poultry farm (barn based)

How do you intend to use the property if it is rezoned?

General rural residential purposes with one additional dwelling proposed on the vacant portion of the property.

At this stage the future of the poultry business being unknown.

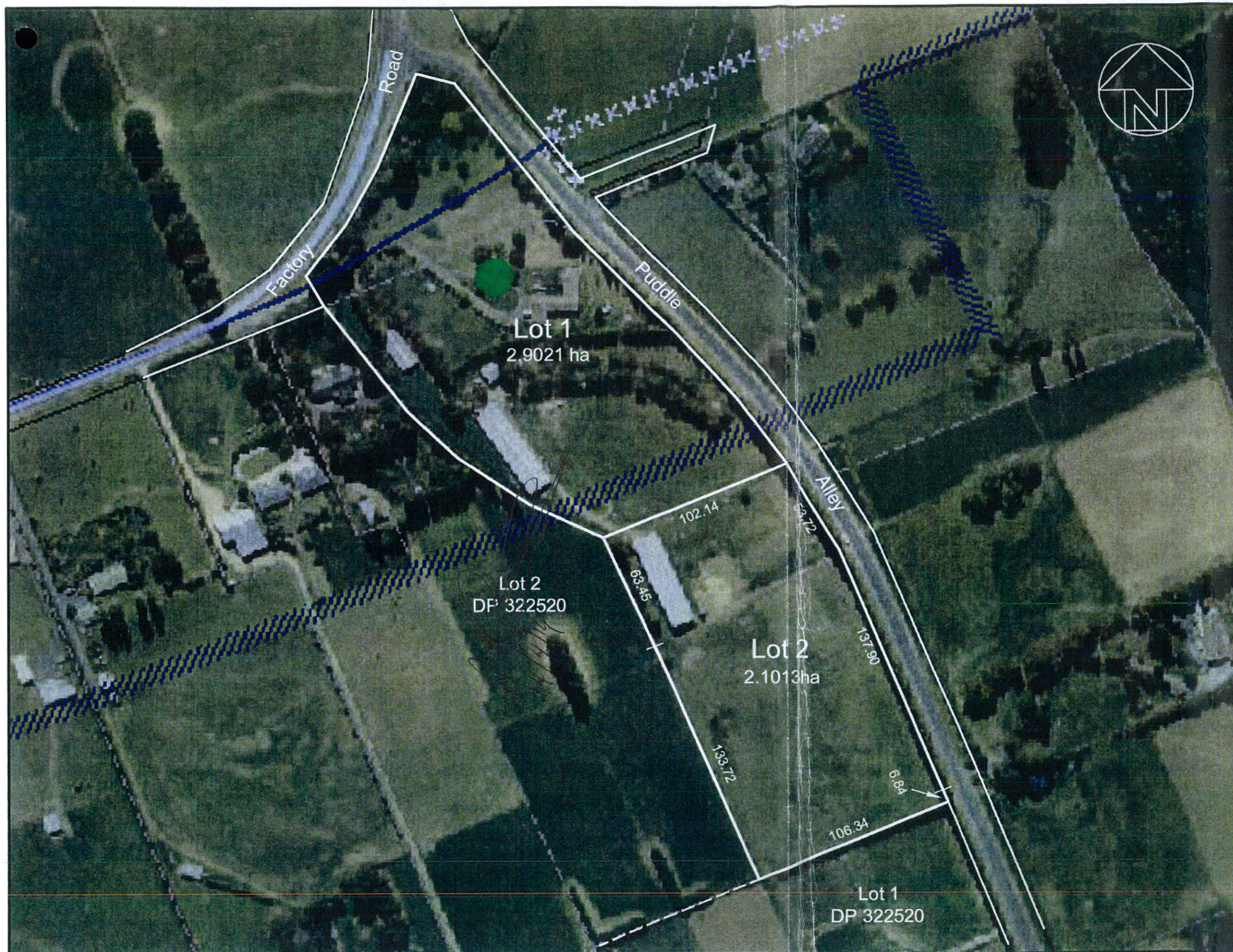
Please describe in full why you believe the property should be rezoned:

The neighbouring properties vary in area from 5.4541 ha (108 Puddle Alley) to 2.0234ha (290 Factory Rd) -

refer to attached Terraview prints. Most of the neighbouring properties are Rural Residential in nature and

use. A similar situation exists near the corner of Friends Hill Rd, Gladstone Road North and Puddle Alley with

some properties having areas below 2 ha. Re-zoning the area edged pink (Map 29 attached) is suggested.



Prepared For:	
Christine Wilson	
NOTE:	
this plan is for Resource Consent Purposes Only. All boundary dimensions and allotment areas are subject to final survey.	
Each allotment to be self sufficient with regard to effluent disposal.	
Approved	
Drawing Title: Proposed Subdivision of Lot 2 DP 12108 and Sec 41 Blk V East Taieri SD Address 326 Factory Road	
Total Area 5.0034ha	
Comprised in CT 51980	
 Survey Services TL Survey Services Limited 4th Floor Queens Building - 109 Princes St. P.O. Box 901 DUNEDIN 9054 Phone (03) 477 1133 Fax (03) 477 1127 Surveying Consultants	
LAND DISTRICT OTAGO ZONING : RURAL	TERRITORIAL AUTHORITY DUNEDIN CITY Prepared by TL SURVEY SERVICES LTD Scale 1 : 2000 Date December 2013
Drawing File 326 Factory Road CAD TL Job Number 13037	



Affected Person(s) Consent Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names):

Joanne John Turnbull

being the: ☒ Owner ☐ Occupier ☐ Owner and Occupier

of the property situated at (address and/or legal description of **your** property):

308 factory road mosgiel

have read and understand the information on the reverse side of this page and consent to the proposal by (name of applicant(s)):

Christine Wilson

to (description of proposed activity):

Subdivide her property at 326 Factory Road mosgiel into 2 allotments as indicated on the attached 'Planning Application Diagram'

on the following property (address of **application site**):

326 Factory Road Mosgiel

as outlined in the application submitted and on the associated plans and other relevant documentation signed by me/us.

Signed:

G.J. Turnbull

G.J. Turnbull

14-4-2014

Date:

6-1-2014

Telephone:

4898778

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team

City Planning Department

Dunedin City Council

Telephone: 477 4000

Facsimile: 474 3451

PO Box 5045, Moray Place, Dunedin 9058

www.dunedin.govt.nz

Consent of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

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Why is your consent required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your consent it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons consent process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s consent form on the reverse side of this page and sign a copy of the associated plans. If you wish to consent to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your consent is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.
5. Return all documentation to your neighbour (or their representative).

Please note that:

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- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) consent form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before consenting to it.

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If you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

For further information

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Prepared For:	Christine Wilson
NOTE:	this plan is for Resource Consent Purposes Only. All boundary dimensions and allotment areas are subject to final survey. Each allotment to be self sufficient with regard to effluent disposal.
Approved	
Drawing Title:	Proposed Subdivision of Lot 2 DP 12108 and Sec 41 Blk V East Taieri SD Address 326 Factory Road
Total Area	5.0034ha
Comprised in	CT 51980
 Surveying Consultants TL Survey Services Limited 4th Floor Queens Building - 109 Princes St. P.O. Box 901 DUNEDIN 9054 Phone (03) 477 1133 Fax (03) 477 1127	
Drawing File	326 Factory Road CAD
TL Job Number	13037



Affected Person(s) Consent Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): Andy + Denise Roscoe

being the: ☒ Owner ☐ Occupier ☐ Owner and Occupier

of the property situated at (address and/or legal description of **your** property):

108 Puddle Alley RD2
Mosgiel 9092

have read and understand the information on the reverse side of this page and consent to the proposal by (name of applicant(s)):

Christine Wilson

to (description of proposed activity):

Subdivide her property at 326 Factory Road
Mosgiel into 2 allotments as indicated
on the attached 'Planning Application Diagram'

on the following property (address of **application site**):

326 Factory Road Mosgiel

as outlined in the application submitted and on the associated plans and other relevant documentation signed by me/us.

Signed:

ANDY

Denise

Date:

6/1/2014 14/4/2014

Telephone:

489 5678

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
Facsimile: 474 3451
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Consent of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your consent required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
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What should you do?

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To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): R.T & H.A. URBQUHART

being the: ☒ Owner ☐ Occupier ☐ Owner and Occupier

of the property situated at (address and/or legal description of **your** property):

144 PUDDLE ALLEY, RD2 MOSGIEL

have read and understand the information on the reverse side of this page and consent to the proposal by (name of applicant(s)):

Christine Wilson

to (description of proposed activity):

Subdivide her property at 326 Factory Road Mosgiel into 2 allotments as indicated on the attached 'Planning Application Diagram'

on the following property (address of **application site**):

326 Factory Road Mosgiel

as outlined in the application submitted and on the associated plans and other relevant documentation signed by me/us.

Signed: *[Signature]* R.T. URBQUHART

Date: 6/1/14 15.4.14 Telephone: 484 7536

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

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Prepared For: Christine Wilson
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-----/-----/----- Approved
Drawing Title: Proposed Subdivision of Lot 2 DP 12108 and Sec 41 Blk V East Taieri SD Address 326 Factory Road
Total Area 5.0034ha
Comprised in CT 51980
 Surveying Consultants TL Survey Services Limited 4th Floor Queens Building - 109 Princes St. P.O. Box 901 DUNEDIN 9054 Phone (03) 477 1133 Fax (03) 477 1127
LAND DISTRICT OTAGO ZONING : RURAL
PLANNING APPLICATION DIAGRAM
TERRITORIAL AUTHORITY DUNEDIN CITY Prepared by TL SURVEY SERVICES LTD Scale 1 : 2000 Date December 2013
Drawing File 326 Factory Road CAD TL Job Number 13037

APPENDIX 5

APPENDIX 6



Dunedin City Council