

BEFORE THE DUNEDIN CITY COUNCIL

LUC-2016-110

IN THE MATTER

**of the Resource management Act
1991**

AND

IN THE MATTER

**A resource consent by LA & RJ
Prattley to construct two new
residential dwellings at 38
Richmond Street, Dunedin**

PLANNING EVIDENCE – CONRAD ANDERSON

DATE: 6 JULY 2016

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Contents

1	Introduction	3
2	Activity Status	3
3	Permitted Baseline	4
4	Assessment of Effects	5
5	Objectives and Policies	10
6	Other Matters	13
7	Part 2 Consideration.....	13
8	Section 104D	14
9	Conclusion	14

1 Introduction

- 1.1 My name is Conrad Anderson. I am a Director of Anderson and Co Resource Management and since mid 2012 I have been a resource management planner with Anderson and Co Resource Management.
- 1.2 I have completed the required academic papers for the Masters of Planning at the University of Otago, and I am currently completing my thesis.
- 1.3 I confirm that I have read and agree to comply with, the Code of Conduct for Expert Witnesses, as set out in the Environment Court's Consolidated Practice Note. I can confirm that this evidence is within my area of expertise.
- 1.4 I was not involved in the preparation of the resource consent application, but I have read the application, the processing planners report, the DCC department reports, the comments from the Geotechnical Engineer and the submissions received by Council, as well as conducted a site visit.
- 1.5 I will address the following matters:
 - Activity Status
 - Permitted Baseline
 - Assessment of Effects
 - Objectives and Policies
 - Other Matters
 - Part 2 Considerations
 - Section 104D
 - Conclusion

2 Activity Status

- 2.1 The Section 42A report sets out that the application is deemed to be a non-complying activity, as the proposal involves a residential activity in the form of two residential units on a site less than 600m². In addition, the proposal seeks two vehicle crossings, when only one is permitted. This is a discretionary activity.
- 2.2 I agree with that activity status assessment.
- 2.3 With regards to the non-complying activity, the proposal is 'over density' due to the District Plan measuring density based on the number of Residential Units.
- 2.4 With regards to the vehicle crossings, the Councils Transportation Planner is satisfied with regards to the effects, and recommends that if consent is to be granted, then the relevant

condition/advice note should be attached to the consent. This view is supported by the Processing Planner, and the Applicant is comfortable with the proposed condition of consent/advice note. For these reasons, there is no need to discuss the vehicle crossings in any additional detail.

- 2.5 As a non-complying activity, the application is open to the consideration of any matter. To this extent, the Processing Planner has sought input from Council's Urban Designer.
- 2.6 With regards to the Permitted Baseline, the Processing Planner is recommending to the Hearing's Committee that the Permitted Baseline be utilised when assessing effects. I see no reason not to apply the Baseline, hence I support this approach.

3 Permitted Baseline

- 3.1 Paragraph 22 of the Planners Report correctly identifies that:
"the purpose of the permitted Baseline is to identify the non-fanciful effects of permitted activities ... in order to quantify the degree of effect of the proposed activity. The Effects within the permitted Baseline can be disregarded in the effects assessment of the activity".
- 3.2 However, in the following paragraph in the Planners Report the Permitted Baseline is reduced to the existing situation/dwelling. The existing dwelling represents the current situation, not what a Permitted Baseline activity could be. A more appropriate Permitted Baseline would be a residential dwelling that complies with the conditions attached to the permitted activities.
- 3.3 With regards to the built form of a Permitted Baseline line building, the subject site is not subject to any heritage or townscape provisions, other than bulk and location standards.
- 3.4 A reasonably expected permitted development could result in one residential dwelling with a 3m front yard and 1m for other yards (complying with Rule 8.8.2(i)), have a dwelling footprint up to 219m² (complying with site coverage rule 8.8.2(iv)), a dwelling height of less than 9m which would allow for 2 level dwelling (Rule 8.8.2(iii)), as well as complying with height plane angles, Amenity Open Space and the required two onsite parks for a dwelling over 150m².
- 3.5 The resulting permitted dwelling could be suitable for a large family, as the two level dwelling with a floor area of 438m² could easily accommodate 5 to 6 bedroom and 2 bathrooms. For completeness, the roof (without allowances for overhangs) would be at least 219m².
- 3.6 In addition, the design proposed in the application, when viewed from the street could be utilised on the ground level of a non-fanciful dwelling. As noted above the site is not subject to any heritage or townscape provisions.

- 3.7 In my opinion, it is appropriate for the Hearing's Committee to use the above as the Baseline, against which the proposal should be considered. As such, the Hearing's Committee should only consider the differences between the Permitted Baseline (as outlined above) and what is proposed.

4 Assessment of Effects

- 4.1 The Processing Planner gives consideration to the effects of the application from paragraph 24 to paragraph 65. That assessment uses a Permitted Baseline based on the existing dwelling. A Baseline using a non-fanciful permitted activity is preferred.
- 4.2 The key matters raised in the Planners Report in relation to effects are: infrastructure, amenity values/character and hazards/safety. Each of these, along with a brief comment on 'other effects', are discussed separately below.
- 4.3 For clarity, the following comments on effects are based on the utilisation of the Permitted Baseline, as described above.

Sustainability of the City's infrastructure:

- 4.4 The application is to construct 2 'two bedroom townhouse style dwellings' (as per the application). Each townhouse will be single level and consist of a compact living, dining and kitchen area, a bathroom and two bedrooms. The footprint for each townhouse will be just over 77m². Combined, the two dwelling footprints are about 15% less than the permitted maximum site coverage.
- 4.5 With regards to water:
- The memorandum from Water and Waste Services (dated 22 June 2016) does not raise any concerns regarding water, and notes the requirement associated with a second supply. Such conditions of consent are agreeable.
 - Further, Water and Waste encourage the installation of water saving devices. Such a condition of consent is agreeable.
- 4.6 With regards to stormwater:
- On the second page of the memorandum from Water and Waste Services (page 52 of the agenda), it notes that the proposal is "... *non-compliant to the current District Plan rules of 50% maximum site coverage...*".
 - Referring to the plans submitted with the application (page 35 of the agenda), the site coverage is calculated at 36%. This is well below the 50% maximum site coverage rule (Rule 8.8.2(iv)).
 - The assessment by Water and Waste Services has been made without reference to the Permitted Baseline. Given the Permitted Baseline is recommended by the Processing Planner, it would be beneficial to have comment from Water and Waste Services with the understanding that the Baseline is being recommended.
 - With regards to the Baseline, the roof area of the proposal (circa 155m²) is less than the roof area of a Permitted Baseline development (circa 215m²).

- As a result, the effects of the proposal on stormwater are assessed as being less than both a Permitted Baseline development and less than required under rule 8.8.2(iv). Thus the effects of the proposal on stormwater are likely to result in a positive benefit.

4.7 With regards to waste water:

- The memorandum from Water and Waste Services (dated 22 June 2016) does not support a second waste water connection, as they are concerned about an over dense development placing additional pressure on the waste water system. However, they suggest if consent is granted then they recommend an attenuation system for each dwelling.
- The applicant has experience with a development similar to what is being proposed (refer neighbouring property). The neighbouring property was redeveloped about 5 years ago with 2 two bedroom townhouses. Since the redevelopment those dwelling have been rented almost exclusively to single people.
- The past tenancies of the neighbouring property provide some comfort as to the likely tenants of the proposed site once redeveloped.
- In terms of the current District Plan, the redevelopment will result in an over dense development in terms of the number of dwellings. However, in terms of waste water flows, the proposal is more than likely to cater for a smaller number of people. The expectation is the 2 or 3 people will live in the combined development, while a Permitted Baseline development could result in a family of 5 or 6 being resident on the site. Furthermore, even if the existing house were redeveloped, the occupancy is likely to be higher than that anticipated for the proposed redevelopment.
- Again, the assessment by Water and Waste Services has been made without reference to the Permitted Baseline. Given the Permitted Baseline is recommended by the Processing Planner, it would be beneficial to have comment from Water and Waste Services with the understanding the Baseline is being recommend.
- Overall, the effects of the proposal on waste water are assessed as being less than a Permitted Baseline development, thus the effects of the proposal on waste water are likely to result in a positive benefit.

4.8 Notwithstanding that the current District Plan measures density via the number of dwellings, in practical terms, the proposed two units, will result in fewer bedrooms and less roof cover, than a Permitted Baseline development. As such, the proposal is likely to result in less effects on water, storm water and waste water than what is permitted.

4.9 The proposal, should in fact been seen as being beneficial to infrastructure.

4.10 For completeness, it is noted that the 2GP proposes to move away from measuring density by the number of dwellings, by measuring density by the number of habitable rooms. In the 2GP, the proposed density for the subject site is one habitable room per 60m², thus allowing up to 7 habitable rooms. While it is acknowledge that most rules of the 2GP is are not yet operative, the move to measuring density via habitable rooms, not dwellings, and the setting

of the proposed density indicates that the proposed development will not have an effect that is more than anticipated for the site.

- 4.11 In summary, the Permitted Baseline allows for more residents to be on-site than anticipated by the development. While no weight can be placed on the non-operative rules of the 2GP, the 2GP proposes to move the measurement of density for the subject site from dwellings to habitable rooms, with the proposed density rules allowing almost double the number of habitable rooms than proposed.
- 4.12 As a result, the effect of the proposal on infrastructure is assessed as being less than a Permitted Baseline development.

Amenity Values/Character:

- 4.13 A complying development can be built on the site without regard to amenity values, character or streetscape. If the proposal was split by developing the front unit first, followed by a resource consent application for the rear unit, the first unit could be built as designed.
- 4.14 Further, the existing building and the wider streetscape is not protected in the current District Plan. In addition, the proposed District Plan (the 2GP) does not seek to protect the subject building nor the wider streetscape.
- 4.15 The lack of protection in the current and proposed District Plans indicates that the amenity values and character/streetscape associated with this site are not significant. If they were significant they would have been included in either the current or proposed plan, or both.
- 4.16 A streetscape that does not warrant inclusion and protection via the District Plan, must be of limited significance to amenity values. As a result, the alteration of such streetscapes must have effects that are no more than minor.
- 4.17 The proposal was publically notified in the ODT on 7 May 2016. I understand the surrounding neighbours were aware of the notification via a public notice on the property and via direct discussions with the owner. The notification process resulted in no submissions from the local residents. This indicates no local concern regarding the proposed change to the streetscape.
- 4.18 With regards to Council's Urban Designers report (page 54 of the agenda), he describes the subject site as (para 31):

"... it has reduced architectural merit yet stills makes a positive contribution to the streetscape".

- 4.19 As noted earlier, the subject site is currently uninhabitable. In addition, rot in the weatherboards is obvious from the street, and the property is flanked by two buildings that the Council's Urban Designer notes as *"not adding to the streetscape"*. In response to this situation, the Urban Designer believes if the proposal is built, then the cumulative effect of

the three front units in a row would have negative effects on amenity and streetscape values. However, the Council's Urban Designer does NOT state that the effects would be more than minor.

- 4.20 In summary, the existing dwelling is uninhabitable, flanked by existing units (one set owned by Council), is not protected, is not in a townscape precinct, and its demolition and redevelopment raised no submissions from the local community. Further, the proposed front unit could be established without consideration of streetscape and amenity. In addition, a Permitted Baseline building could have the same frontage as proposed, and the use of the Baseline, results in any effects on streetscape and amenity needing not to be considered. Finally, while the Council's Urban Designer does not support the proposal, he has NOT stated that the effects of the development would be more than minor in terms of streetscape and amenity. For these reasons, I conclude that the proposal has no more than a minor effect on amenity values and character.

Hazards / Safety:

- 4.21 The hazards/safety section of the Planners Report starts at paragraph 41 and concludes at paragraph 53. Within those paragraphs a number of non-statutory documents are referred to, along with matters which are best suited for consideration at the building consent stage.
- 4.22 With regards to the hazards/safety effects, the Planners Report refers to the submission from the Otago Regional Council, who suggests that *"an increase in density would expose more people to risk..."* (para 46).
- 4.23 As discussed above, the proposal is more than likely to limit the number of people on the site, when compared to the Permitted Baseline. This is because the proposed increased DWELLING density does not result in increased PERSON density.
- 4.24 Paragraph 47 notes that the application was forwarded to the Council's consultant engineer for an assessment in respect to natural hazard risk. Paragraph 50 notes the engineer recommends a minimum floor level. The 2GP proposed a minimum floor level of 102.60 meters above Otago Metric Datum, while the engineer suggests (subject to confirmation from Building Control) that the minimum floor level is 200mm above any local ponding level. The applicant is willing to accept a condition that requires a minimum floor level.
- 4.25 The hazards/safety section in the Planners Report concluded a paragraph 53 stating:

"...any decision to increase density, beyond that which is anticipated by the operative District Plan, will need to be mindful of the potential risks posed by natural hazards"

Commenting on the above:

- As explained above, the density of people will more than likely reduce under the proposal, when compared to the operative District Plan. Therefore, under the proposal the risk is decreased.

- If the above comment regarding density is more concerned about the density of building and the risk to those buildings, then, it is prudent to consider the proposed buildings against a Permitted building. The proposed buildings are single level with a combined floor area of 154m², while a permitted dwelling to be 2 levels and up to 438m². Therefore, under the proposal there is less dwelling at risk, resulting in the proposal having lower risk, than a Baseline building.

4.26 The remainder of the concluding hazards/safety paragraph (paragraph 53) states:

"If the Committee is of a mind to grant consent then they may wish to consider mitigation options such as minimum floor levels, relocatable dwellings, geotechnical testing and specific foundation design"

4.27 Commenting on each of these:

- Minimum floor levels: The Applicant is agreeable to such a condition of consent.
- Relocatable dwellings: The Applicant has a preference for the construction to include a concrete floor, timber framing and brick cladding. Such a design is considered to be a 'low maintenance design'. Experience from Christchurch shows that dwellings on concrete foundations are relocatable.
- Geotechnical testing: If required, this could be included as an advice note, alternatively, it could be considered at the building consent stage.
- Specific foundation design: If required, this could be included as an advice note, alternatively, it could be considered at the building consent stage.

Other Effects:

4.28 Transportation: Refer comments above.

4.29 Archaeological: The recommended Advice Notes is agreeable to the Applicant.

4.30 Positive Effects: The proposal will generate positive effects in that it will provide additional accommodation, which is well suited to Dunedin's aging population, in an area that is well suited for Dunedin's older residents. In addition, the proposal will result in the existing house, which has flood damage and considered uninhabitable in its present state to be removed. This will enhance the local amenity, and reduce risks associated with a vacant building, such as fire and vandalism.

4.31 Cumulative Effects (Streetscape): The site has a location between two existing properties that the Urban Designer believes do not add to the streetscape. This allows the subject property to be redeveloped, without setting a precedent to cause cumulative effects. Further, as noted earlier there is no protection for the streetscape and no submissions were received from local residents. In reality, the entire street could be redeveloped with permitted dwellings, thus entirely changing the current streetscape.

4.32 Cumulative Effects (hazards): Input from the Council's engineer has identified a path for resource consent to be considered which assists in mitigating risk. Thus, it follows that any cumulative effects are also mitigated.

Effects Summary:

- 4.33 Overall, the proposal is not considered to generate effects that are more than minor, when considered in the context of the Permitted Baseline.

5 Objectives and Policies

- 5.1 The Processing Planners report refers to the Objectives and Policies associated with Sustainability, Residential, Hazards and Transportation. Dealing with each of these:

Sustainability:

- 5.2 Objective 4.2.1 / Policy 4.3.1 (Amenity Values): The proposal will result in the removal of an uninhabitable dwelling with new purpose built units. Council's Urban Designer believes the proposal will have a negative effect on amenity. This view is in terms of urban design that is not supported by either District Plans, and must be balanced against the positive amenity effects of removing an uninhabitable dwelling, and the potential for further reduction in amenity via vandalism or arson.

- 5.3 Objective 4.2.3 / Policy 4.3.5 (Infrastructure): As discussed above, the additional unit density is unlikely to result in an increase in people density beyond what is permitted. Ultimately it is people who use the infrastructure, not buildings.

Residential:

- 5.4 Objective 8.2.1 / Policy 8.3.1 (Amenity Values): as above.
- 5.5 Policy 8.3.4 (Infrastructure): as above.

Hazards:

- 5.6 Objective 17.2.1: Seeks to ensure the effects of hazards are avoided, remedied or mitigated. Mitigation of flood risk is via acceptance of a consent condition regarding minimum floor level. Mitigation of liquidation risk is via a reinforced concrete slab (at building consent stage), and/or verification the site is 'good ground' (at building consent stage).
- 5.7 Policy 17.3.3: Seeks to control development in areas prone to the effects of flooding. The explanation associated with this Policy states control is required so risks can be mitigated via the setting of floor levels for new buildings. As per above, the Applicant is willing to accept a consent condition regarding minimum floor level.

Transportation:

- 5.8 The Planners Report concludes the proposal is consistent with the relevant Objectives and Policies of the Transportation section.
- 5.9 In addition to the relevant Objectives and Policies in the operative District Plan, the Planners Report considers the relevant Objectives and Policies of the 2GP. These are comments on below:

2GP Transportation:

- 5.10 The Planners Report concludes the proposal is consistent with the relevant 2GP Objectives and Policies of the Transportation section.

2GP Hazards:

- 5.11 The 2GP provides guidance in regards to 'risk'. Section 11.1.2 notes:
- The key priority in managing the risks from natural hazards is the protection of people including loss of life, injury, the risk of being cut off from Civil Defence assistance...
 - After this, the focus is on risk to property, such as loss of, or damage to, buildings.
- 5.12 Further, the 2GP notes that risk refers to the likelihood of a natural hazard event occurring, in combination with the potential adverse consequences of that event.
- 5.13 The subject site is identified in the 2GP maps as being Hazard 3, or "Low" risk.
- 5.14 Objective 11.2.1: Seeks to minimise risk from natural hazards in the short to long term. The site is identified as being low risk. Mitigation is explained above. In practical terms flooding is unlikely to result in a key priority event, such as loss of life, injury, the risk of being cut off from Civil Defence assistance. Further, with an appropriate floor level, flooding is unlikely to result in a secondary priority event (damage to buildings).
- 5.15 Policy 11.2.1.8: Seeks a minimum floor level. Is this an acceptable condition of consent.
- 5.16 Policy 11.2.1.9: Seeks to have new buildings in the Hazard 3 – Coastal zone relocatable. The proposal involves two units with footprints of 77m² each, measuring approximately 10m x 8.5m. The Applicants intends to construct the dwelling using a concrete pad, timber framing and brick exterior, thus providing a tidy low maintain building. Such buildings can be relocated, via the removal of the exterior bricks, and with the use of supporting beams the units can be lifted from the concrete pad.

2GP Residential:

- 5.17 The Planners Report identifies the following as being either contrary or inconsistent:
- 5.18 Objective 15.2.4: Seeks to maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the **neighbourhood**. (emphasis added). With regards to maintaining or enhancing the amenity of the streetscape, the proposal to remove a uninhabitable dwelling and replace it with a new dwelling, is considered to at least maintain the streetscape, with the Council's Urban Designer viewing the new building as being a negative. I have assessed the removal of an uninhabitable building is a positive. Balancing these attributes results in a situation that at least maintains the amenity streetscape, but in a form different to the current situation. With regards to the second part of the Objective, to reflect the current or intended future character of the **neighbourhood**. This is an 'or' statement, and the neighbourhood has no intended future character, as the

2GP provides no guidance in terms of precincts, design guidelines, nor protection for the neighbourhood.

5.19 Policy 15.2.4.2: As above.

5.20 Policy 15.2.4.4: Seeks fences to be of a height and design that contributes the neighbourhood. The plans attached to the application identify no fences.

2GP: Objective and Policy Summary:

5.21 Referring to the Planners report and the above assessment of 2GP Objectives and Policies that the Planners Report identified as being either contrary or inconsistent, no identified 2GP Objective or Policy is assessed as being contrary.

Regional Policy Statement (RPS) Objective and Policies:

5.22 With regards to the RPS, the submission from the Otago Regional Council raises Policy 11.5.3 (note the submission refers to Policy 11.53 in error), while the Planners Report raised Objective 11.4.2, Policy 11.5.2 and Policy 11.5.3. Each of these are commented on below:

5.23 RPS Objective 11.4.2: Seeks to avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels. The Objective is not solely associated with avoiding such risk. The subject site is considered a “low” risk on the 2GP planning maps. The minimum floor height assists to mitigate flooding risks, while building design considerations (at the building consent stage) assist to mitigate liquefaction risks. The explanation to the Objective states that “*Wherever practicable, natural hazards should be avoided or mitigated to levels acceptable to Otago’s communities*”. The application was publically notified, and part from the ORC submission, the community made no submission regarding risk.

5.24 RPS Policy 11.5.2: Seeks to take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on: (a) Human life; and (b) Infrastructure and property; and (c) Otago’s natural environment; and (d) Otago’s heritage sites. Again, the Policy is not solely avoid. Mitigation measures have already been explained.

5.25 RPS Policy 11.5.3: Seeks to restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided. The 2GP identifies the site as “low” risk, thus removing the site from being subject to this Policy. It is noted that the explanation associated with this Policy states: “... *adequately informed land owners can choose to accept responsibility for the natural hazard at their own risk.*” The Applicant is fully aware of the risks, and has chosen to proceed with the development.

5.26 In addition, the Planners Report notes that an increased development of the site beyond what is current anticipated results in the application being generally inconsistent with the relevant objectives and policies of the RPS. For clarity, the site could be developed as of right, with a single dwelling of a larger footprint that what is proposed. The proposal results in a decreased amount of buildings at risk when compared to the Permitted Baseline, and in

a similar vein, the expected number of people on site is anticipated to be less than what could be resident as of right. Decreasing the amount of people at risk when compared to the Permitted Baseline.

- 5.27 With regards to the proposed RPS, as per the Planners Report, this should be afforded little weight.

6 Other Matters

- 6.1 Within the Other Matters assessment in the Planners Report, para 91 to 95 a number of matter are commented on, to which the following is noted:
- 6.2 Precedent set at 36 Richmond Street: The Processing Planners report suggests that the successful redevelopment of 36 Richmond Street should not be accepted as a precedent as not all conditions have been implemented. However, the underlying use of the site by two townhouse units is relevant.
- 6.3 Paragraph 93 suggests that since the resource consent for 36 Richmond Street was granted, additional hazard information is now available. Putting aside the matters associated with hazards/safety, that decision is relevant in terms of amenity and infrastructure.
- 6.4 Paragraph 94 raises the mater of setting an undesirable precedent. This assessment has determined that the application will not have effects that a more than minor, and not contrary to the identified Objectives and Policies. Therefore if a precedent is set, it will not be undesirable.
- 6.5 Notwithstanding the comments in the paragraph above, with regards to streetscape the site is a true exception due to its location between two buildings that is considered by the Council's Urban Designer not to add to the streetscape.
- 6.6 Paragraph 95 of the Planners report concludes that granting consent would set an undesirable precedent. However, the proposal is assessed as resulting in fewer people usually resident on site (hazards/safety & infrastructure), the removal of an uninhabitable building (amenity), and the construction of new, purposes built units that are fit for purpose of Dunedin's growing aging population.

7 Part 2 Consideration

- 7.1 With regards to Section 5, the Planners Report (paragraph 77) states that when the proposal is considered in the context of the receiving environment and the residential provisions, the proposal is inconsistent with the purpose of the Act, particularly avoiding, remedy or mitigate adverse effects of activities on the environment. These have been discussed above, with the proposal being assessed as being consistent with the purpose of the Act. Granting consent will enable the owners to provide for their economic well-being and future tenants social well-being, along with their health and safety, while mitigating adverse effects on the environment.

- 7.2 With regards to Section 6 the only matter of relevance is historic heritage. The submission from Heritage New Zealand Pouhere Taongawas natural on the proposal, and a suitable condition of consent regarding archaeological authority for the demolition of the existing dwelling and required earthworks is acceptable.
- 7.3 With regards to Section 7, the following is relevant:
- (c) Amenity Values: Discussed above. With regards to the subject site, these are not currently protected in the District Plan, nor does the 2GP seek to protect them. Allowance should be given for removing an uninhabitable dwelling that currently diminishes amenity due to its current state, and poses an additional future risk to amenity values.
 - (f) Quality of the Environment: As above.
 - (i) Climate change: Agreement to a minimum floor level, and knowledge that the units are relocatable.

8 Section 104D

- 8.1 As a non-complying activity the proposal needs to meet at least one limb of the 104D test.
- 8.2 Applying the Permitted Baseline, fully appreciating the effect of the existing situation on amenity (the existing building on the site is in a poor state of repair), balancing the positive contribution the proposal has on effects by removing an uninhabitable building (along with the removing the possible future effects if it remains in its current state, such as vandalism or arson), the proposed mitigation measures (minimum floor height), the existing lack of streetscape protection, and the proposed lack of protection in the 2GP, results in the proposal being assessed as having a no more than minor effect on the environment.
- 8.3 With regards to the Objectives and Policies assessment, against the Permitted Baseline allows a person density greater than anticipated by the proposal, and the proposed 2GP also allows for a person density greater than anticipated. Mitigation associated with flood, liquefaction and transportability) have been agreed to or are anticipated at the building consent stage. The 2GP risk assessment of the site is “low”. As a result the application is considered not to be contrary to any identified Objective or Policy.
- 8.4 With regards to the setting of an undesirable precedent, the application is assessed as not being undesirable, as risks have been mitigated, and no protection provided in the operative District Plan nor the 2GP is placed at risk. In addition, the sites location is unique due to its placement between two non-streetscape adding buildings. As such a similar application is unlikely to be received by Council.

9 Conclusion

- 9.1 I support the consent be granted, with conditions of consent noted above, along with the advice note requested from Heritage New Zealand.

9.2 However, if the Hearing's Committee were of a mind to decline consent, then the following is noted:

- Any rationale for declining the application based on streetscape is limited, due to the lack of existing protection, the lack of proposed protection via the 2GP, the fact the Urban Designer has not stated the effects would be more than minor, no submissions were received from local residents seeking that the application be declined, the front unit could be built as of right (forms part of the Baseline), and the neighbouring buildings provided a unique point of difference.
- Any rationale for declining the application based density is limited. Two dwellings on the site is a non-complying activity, not a prohibited activity. When compared to the Permitted Baseline, the proposal will result in dwellings with a smaller footprint and fewer residents. The resulting effects are less hard surfaces and less waste water, resulting in a net positive effect on infrastructure.
- Any rationale for declining the application based on risk is limited. Flood risk has been mitigated via minimum floor height. Long term risk is mitigated via the design (small footprint, single level) of the building, which allows allow them to be relocated from the site. Liquefaction risk has been mitigated via the use of a reinforced concrete floor.
- Any rationale for declining the application based on setting an undesirable precedent is limited. Notwithstanding the effects of the proposal have been assessed as being less than minor, the site is unique in terms of its setting.

9.3 Dunedin's population is skewed to the older age brackets, as well as having an aging population. This proposal will replace an uninhabitable building with in two purpose built, warm, and inviting townhouses. Which are located in a flat neighbourhood, enhancing accessibility and mobility for future residents. Such homes are, and likely to continue to be, in demand by a growing sector of our community. This proposal adds to the stock of homes, that Dunedin needs now and in the years to come.

Conrad Anderson
6 July 2016