

Lorna Jackson

From: Steve Stewart <yourtradiesdunners@gmail.com>
Sent: Friday, 3 November 2017 06:35 p.m.
To: Lorna Jackson
Subject: Re: Submission on a resource consent application - confirmation required

Hi Lorna.
 My apologies .I confirm that I wish to be heard at the hearing.
 Thanks Steve

Steve Stewart
 Director/Project Manager
 Your Tradies

On 3/11/2017, at 10:21 AM, Lorna Jackson <Lorna.Jackson@dcc.govt.nz> wrote:

Good morning Steve and Sheryl

I note that your submission letter states that you wish to be heard at the hearing and your Submission form 13 states that you do not wish to be heard at the hearing.

Please confirm whether you do or do not wish to be heard at the hearing so that this can be correctly recorded.

Kind regards

Lorna Jackson

Planning Administrator
 City Planning
 Dunedin City Council
 50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058
 Ph: +64-3-477 4000 Fax: +64-3-474 3451
 Email: Lorna.Jackson@dcc.govt.nz; www.dunedin.govt.nz

For Spatial Plan: <http://www.dunedin.govt.nz/spatial-plan>
 For current District Plan: <http://www.dunedin.govt.nz/districtplan>
 For second generation District Plan: <http://www.dunedin.govt.nz/2GP>

Please consider the environment before printing this e-mail

-----Original Message-----

From: Steve Stewart [<mailto:yourtradiesdunners@gmail.com>]
 Sent: Thursday, 2 November 2017 9:38 p.m.
 To: Resource Consent Submissions
 Subject: Submission on a resource consent application

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Please find attached our submission.
Thanks Steve.

Steve Stewart
Director/Project Manager
Your Tradies

If this message is not intended for you please delete it and notify us immediately; you are warned that any further use, dissemination, distribution or reproduction of this material by you is prohibited..

<Submission resource application .pdf>

<Submission form 13.pdf>

**SUBMISSION FORM 13**

Submission concerning resource consent on limited notified application under section 95B, Resource Management Act 1991

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

Resource Consent Number: LUC-2017-418

Applicant: Downie Stewart Foundation

Site Address: 401, 402, and 403 High Street, being that land legally described as Lot 2 DP 4266 (CFR OT14C/712); Lot 4 DP 2281, Part Section 40 Block II Town of Dunedin, Part Lot 3 DP 2281 and Part Lot 5 DP 1266 (CFR 368/120); and Lot 1 DP 4266 (CFR OT276/233).

Description of Proposal: Resource consent is sought for the re-establishment of residential activity on the ground floor of the existing building at 402 High Street, and to construct and operate a new building for community support activity at the rear of 403 High Street. The three subject sites are owned by Downie Stewart Foundation which is a charitable trust established in 1987, and runs the Moana House programme from all three sites.

☒ We wish to lodge a submission on the above resource consent application (Please read privacy statement):

Your Full Name: STEVEN JAMES STEWART & SHERYL MAREE HUME

Address for Service (Postal Address): 167 MAITLAND STREET

CITYRISE, DUNEDIN

Post Code: 9016

Telephone: 0272217536

Email Address: info@yourtradies.co.nz

☐ I would like my contact details to be withheld.

I: ~~Support~~ ~~Neutral~~ Oppose this Application I: ~~Do~~ Do Not wish to be heard in support of this submission at a hearing

☒ If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

The application in its entirety

My submission is [include the reasons for your views]: As per letter Attached

The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

To Decline resource consent as per our letter attached.

Signature of submitter: [Signature] (or person authorised to sign on behalf of submitter)

Date: 2 OCT 17

Notes to Submitter:

Closing Date: The closing date for serving submissions on the Dunedin City Council is **Friday, 3 November 2017 at 5pm**. A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Dunedin City Council. The applicant's address for service is C/- Maalke Duncan, Terramark Ltd, PO Box 235, Dunedin 9054, Maalke@terramark.co.nz.

Electronic Submissions: A signature is not required if you make your submission by electronic means. Submissions can be sent by email to resconsent.submission@dcc.govt.nz

Privacy: Please note that submissions are public. Your name, contact details and submission will be included in papers that are available to the media and the public, including publication on the Council website. You may request your contact details be withheld. Your submission will only be used for the purpose of the notified resource consent process.

Lorna Jackson

From: Steve Stewart <yourtradiesdunners@gmail.com>
Sent: Thursday, 2 November 2017 09:38 p.m.
To: Resource Consent Submissions
Subject: Submission on a resource consent application
Attachments: Submission resource application .pdf; Submission form 13.pdf

Please find attached our submission.
Thanks Steve.

Steve Stewart
Director/Project Manager
Your Tradies

Lorna Jackson

From: Steve Stewart <yourtradiesdunners@gmail.com>
Sent: Thursday, 2 November 2017 09:29 p.m.
To: Resource Consent Submissions
Subject: Submission on a resource consent application
Attachments: RC Submission - SJ Stewart and SM Hume.pdf

Please find attached our submission as per the attachment. I will also hand deliver a hardcopy.
Thanks Steve

Steve Stewart
Director/Project Manager
Your Tradies

SUBMISSION ON A RESOURCE CONSENT APPLICATION

Section 95B of the Resource Management Act 1991

To: Dunedin City Council
PO Box 5045
Moray Place
Dunedin 9058

And: Downie Stewart Foundation
C/- Maalke Duncan
Terramark Limited
PO Box 235
Dunedin 9054

1. This is a submission on an application for resource consent by Downie Stewart Foundation (LUC-2017-418) for the re-establishment of residential activity on the ground floor of the existing building at 402 High Street, and to construct and operate a new building for community support activity at the rear of 403 High Street (the application).
2. The site is located at 401, 402 and 403 High Street, being that land legally described as Lot 2 DP 4266 (CFR OT14C/712); Lot 4 DP 2281, Part Section 40 Block II Town of Dunedin, Part Lot 3 DP 2281 and Part Lot 5 DP 1266 (CFR 368/120); and Lot 1 DP 4266 (CFR OT276/233).
3. We own the property at 167 Maitland Street, Dunedin.

The specific parts of the application that this submission relates to are:

4. We are opposed to the application for resource consent in its entirety.

Background

5. We purchased the property at 167 Maitland Street in 1993. At this stage, the property was nowhere near the sophisticated family home which it now resembles, but it was always our plan to develop the property into a family home where we could raise our children in a safe and secure environment.
6. As planned, in 2005, we undertook a number of renovations to the interior and exterior of the property. These changes included a complete restructuring of the interior of the property, which involved moving the kitchen and living areas from the front of the house to the north facing rear of the house, to allow us to make the most of the all-day sun light. In addition to this, we built a well thought out backyard, which includes a deck that opens out onto our beautiful courtyard and garden. These developments have created an amazing space that provide us with a huge amount of enjoyment, whether this is through

entertaining guests or watching our children enjoy the safe and secure area that they have been able to create.

7. We first found out about the proposed development by the Downie Stewart Foundation on 18 July 2017 when we were provided with the plans of the development by Claire Aitken. We have never been consulted or invited to discuss the development with the Downie Stewart Foundation and we believe that this is the reason why we are so displeased with so many aspects of the development. We believe that the Downie Stewart Foundation have not adequately considered the effects of the development on our property.
8. The proposed building will have a huge impact on our private enjoyment of our property. It will reduce the residential amenity that we enjoy and, it will intrude into the privacy that we have created as a result of a major remodelling of the interior and exterior of their home.

Adverse effects of the proposal

9. We oppose the application for the following reasons:
 - (a) Due to the proposed building being located to the north of 167 Maitland Street, our property will receive a significant reduction in sunlight hours. This will severely reduce the amenity we receive from our property, in particular the outdoor courtyard area we developed so that we could make the most of the sun that the rear of our property receives.
 - (b) The windows located on the second and third floors of the building will mean that the occupants of 403 High Street will be able to look directly into the backyard and living room of our property. This is a backyard and living space that we have intentionally developed to ensure that we would have privacy. Having windows that look directly into this area will severely compromise the amount of privacy we will have in this area, and it will almost certainly impact our use and enjoyment of this space going forward.

Of further concern for us is the fact that the windows on the second floor will be looking out from the large multi-purpose room. This room is to be used for all training and workshops offered by Moana House to residents (up to 17 people at one time) and non-residents and will be available for use by other service groups when required. Given the intended use of this room, we are concerned that there could be large groups of people looking into our backyard and living area at any one time. This is a significant concern for us, given that our children spend a large amount of time playing in this backyard.
 - (c) We are also concerned about the people and groups that will be using the multi-purpose room. The application extremely vague in terms of who will be using this room. In addition to the residents, the application states that it will also be used by non-residents and also other service groups as required. The application provides no

limit on who will be using the room or the amount of people that could be using the room at one point in time.

- (d) We are concerned with the inconsistencies contained in the Resource Consent application. The geotechnical report has been conducted on the basis that the proposed building is to be either one or two stories. Given the findings in the report, and specifically that the slope at the south of 403 High Street is un-retained, we don't feel that Council can make a decision or impose conditions on the basis of such a report.
- (e) The proposed building is in breach of the maximum site coverage, the minimum side yard and the minimum height plane provisions contained in the district plan. These all contribute to the overall bulk and dominance of the proposed building when viewed from our property. The effects of this are amplified due to the close proximity of the building to the boundary and the slope of the land. We feel that the overall design of the building will cast a dominating shadow over the rear of our property.
- (f) We are concerned about the removal of the contaminated soil from the rear of the property and the effect that this could have on our property.
- (g) We won't be able to enjoy the lifestyle and the amenities that properties in residential areas should receive. These include being surrounded by other residential properties, sunlight, privacy, peace and quiet, landscaping and the space between buildings.

Non-complying activity status

- 10. The proposal is assessed as a non-complying activity under the Dunedin City District Plan. Section 104D of the Resource Management Act 1991 stipulates that a consent authority may only grant resource consent for a non-complying activity if it is satisfied that the adverse effects of the activity will be minor, or that the application is not contrary to the objectives and policies of any relevant plan or proposed plan.
- 11. For the reasons outlined at paragraph [9] of this submission, we submit that effects of the proposal will be more than minor.
- 12. We also submit that the proposal is contrary to objectives and policies in the Dunedin City District Plan, in particular:
 - (a) Objective 8.2.1, which requires the adverse effects of activities on amenity values and the character of residential areas are avoided, remedied or mitigated; and
 - (b) Policy 8.3.1, to maintain or enhance the amenity values and character of residential areas.



DUNEDIN CITY COUNCIL
Kaitiaki-a-rōhe o Ōtago

SUBMISSION FORM 13

Submission concerning resource consent on limited notified application under section 95B, Resource Management Act 1991

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

Resource Consent Number: LUC-2017-418

Applicant: Downie Stewart Foundation

Site Address: 401, 402, and 403 High Street, being that land legally described as Lot 2 DP 4266 (CFR OT14C/712); Lot 4 DP 2281, Part Section 40 Block II Town of Dunedin, Part Lot 3 DP 2281 and Part Lot 5 DP 1266 (CFR 368/120); and Lot 1 DP 4266 (CFR OT276/233).

Description of Proposal: Resource consent is sought for the re-establishment of residential activity on the ground floor of the existing building at 402 High Street, and to construct and operate a new building for community support activity at the rear of 403 High Street. The three subject sites are owned by Downie Stewart Foundation which is a charitable trust established in 1987, and runs the Moana House programme from all three sites.

I/We wish to lodge a submission on the above resource consent application (Please read privacy statement):

Your Full Name: Yong Yang & Chris Ying Zhu

Address for Service (Postal Address):

Telephone:

Email Address:

☒ I would like my contact details to be withheld.

I: ~~Support/Neutral~~ Oppose this Application I: Do ~~Do Not~~ wish to be heard in support of this submission at a hearing

☒ If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Please use the back of this form or attach other pages as required

The specific parts of the application that this submission relates to are:

see attached

My submission is [include the reasons for your views]:

see attached

The decision I wish the Council to make is [give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought]:

see attached

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Date:

3 - Nov - 2017

Notes to Submitter:

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Electronic Submissions: A signature is not required if you make your submission by electronic means. Submissions can be sent by email to resconsent.submission@dcc.govt.nz

Privacy: Please note that submissions are public. Your name, contact details and submission will be included in papers that are available to the media and the public, including publication on the Council website. You may request your contact details be withheld. Your submission will only be used for the purpose of the notified resource consent process.

Conclusion

13. The proposal is inconsistent with the purpose and principles of the Resource Management Act (the Act) for the following reasons:
- (a) The proposal is contrary to the sustainable management of natural and physical resources in Part 2 of the Act, including that it fails to maintain and enhance amenity values of the community.
 - (b) The proposal is contrary to the Objectives and Policies of the Dunedin City District Plan.
 - (c) The proposal involves unacceptable adverse effects, particularly in respect of amenity (privacy and seclusion, and safety).
14. The following decision is sought:
- (a) Decline the application in its entirety.
15. If however, the application is not declined, we would expect that the following conditions are imposed on the building as a minimum.
- (a) No windows on the south end of the property.
 - (b) A high fence to hide the bulk and dominance of the building.
16. The Submitter wishes to be heard in support of its submission.

Steven James Stewart

Sheryl Maree Hume

Dated: 3 November 2017

Address for Service of Submitter

Mr Steve Stewart & Ms Sheryl Hume
167 Maitland Street
Dunedin Central
Dunedin 9016

The specific parts of the application that this submission relates to are:

Construction and operation of a new community support building at 403 High Street (unrestricted discretionary activity pursuant to Rule 8.7.5(i)).

Re-establishment of a residential flat on the ground floor at 402 High Street (non-complying activity pursuant to Rule 8.7.6(iii)).

My submission is:

The neighbourhood is a residential neighbourhood predominantly made up of heritage residences built before 1940. The new community support building is a large commercial building that is not in keeping with the residential character of the neighbourhood. The size, scale, bulk and design of the building will dominate the surrounding residential houses and have a significant adverse effect on the amenity values of the surrounding residential area.

The new community support building is also being constructed in an important heritage precinct. The building is of a modern style that is not in keeping with the heritage of the surrounding area. It is important to protect and enhance the heritage values and amenity values of the entire heritage precinct from the centre to the periphery. The size, scale, bulk and design of the building will have a significant adverse effect on the heritage values and amenity values of the surrounding heritage area.

The new community support building is of a size that will cause significant adverse effects on our property at 409 High Street. The western elevation of the building is of a size, scale and design that will dominate our property and the surrounding properties. It will cause significant additional shading of the living court of our property. This will have a significant adverse impact on the amenity of our property and the use and enjoyment of our property by tenants.

The new community support building provides facilities that will be available for outside commercial use for significant periods of time during the week and weekend. The new community support building does not make provision for any offsite parking for the users of the community support building. This will result in significant additional people and traffic movements in the immediate neighbourhood that will adversely affect the amenity values of the surrounding residential area.

In conclusion, the proposed new community building is out of keeping with the residential and heritage character of the area, will cause significant adverse effects on amenity values and heritage values that cannot be avoided, remedied or mitigated and that the Council should decline the application for land use consent to construct and operate the new community support building at 403 High Street and re-establish residential activity at 402 High Street.

The decision I wish the Council to make is:

Decline the application for land use consent to construct and operate the new community support building at 403 High Street and re-establish a residential flat on the ground floor of 402 High Street.

In the alternative, if the Council grants the application for land use consent (which is opposed), to impose conditions on the land use consent that ensures that the character, scale and effects of the Moana House activity carried out under the land use consent are the same

or less than the character, scale and effects of the Moana House activity carried out at 401, 402 and 403 High Street as at the date of the application for land use consent. These conditions need to:

- (a) Reduce the size of and reposition of the proposed community support building so that it is keeping with the residential and heritage character of the neighbourhood, so that it does not dominate residential homes in the vicinity and so that it does not cause any shading to residential homes in the vicinity.
- (b) Ensure that the western elevation of the building is in keeping with the residential and heritage character of the neighbourhood and does not dominate residential homes in the vicinity.
- (c) Restrict the hours of operation of the community support building to 9a.m. to 5p.m. Monday to Friday.
- (d) Restrict the use of the community support building for impaired driving courses to three courses per year and workshops for health professionals to one course per fortnight.
- (e) Restrict the use of the large multi-purpose room in the community support building by external service groups to two days per fortnight.
- (f) Provide sufficient on-site parking for staff, health professionals and other external users of the large multi-purpose room in the community support building.
- (g) Restrict the number of staff employed on the site to no more than the number of staff employed at 401, 402 and 403 High Street as at the date of application for the resource consent.
- (h) Restrict the number of residential beds at 401, 402 and 403 High Street to 17.
- (i) Restrict the number of staff beds at 401, 402 and 403 High Street to 2.

Lorna Jackson

From: Stephen McKenzie <stephenm@xtra.co.nz>
Sent: Friday, 3 November 2017 04:14 p.m.
To: Resource Consent Submissions
Cc: maaike@terramark.co.nz
Subject: LUC-2017-418 - 401, 402 AND 403 HIGH STREET, DUNEDIN
Attachments: Submission - LUC-2017-418.pdf

Categories: Lorna

Submission attached.

Please acknowledge receipt.