

17th December 2024

City Planning
Dunedin City Council
PO Box 5045
Dunedin

SUBMISSION ON PLAN CHANGE 1

This is a submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP). This submission has been prepared by Patersons, on behalf of the Submitter named in the information below.

Submitter details:

Name of Submitter:	Graeme and Marie Bennett
Organisation:	Not applicable
Contact person:	Kurt Bowen
Postal address for service:	C/o: Patersons, PO Box 5933, Dunedin 9058
Email address:	kurt.bowen@patersons.co.nz

It is advised that the Submitter will not gain an advantage in trade competition through this submission.

Submission (multiple submission table):

PC1 ID:	Z21
Provision Name:	Planning Maps and Residential Zone Provisions
This submission seeks:	Accept the change with amendments outlined below.
Reasons:	<p>This submission item relates to the proposed rezoning of part of the properties at 7 Chelivode Street, Doctors Point and 11 Chelivode Street, Doctors Point, as well as to the adjoining land at 3 Chelivode Street, Doctors Point.</p> <p>The Submitter is the owners of 3 Chelivode Street, Doctors Point.</p> <p>The Submitter is a neighbour of the properties at 7 Chelivode Street, Doctors Point and 11 Chelivode Street, Doctors Point.</p> <p>The Submitter wishes to submit in support of the change proposed by Z21. This is seen as an appropriate tidy-up of an existing anomaly in the 2GP. Having the proposed residual property areas rezoned into a residential format, to match the zoning that applies to the majority of the land in these properties, with all other relevant provisions updated to recognise this, is a positive change.</p>

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Tower Junction
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	<p>The Submitter seeks an extension to the rezoning area mapped as Z21 in the notified PC1 documents. The area of land to which Z21 is asked to be extended is shown on the map attached as Appendix A. The affected land has an area of approximately 1,334m².</p> <p>Appendix B contains a copy of the Notice of Appeal from when the land was rezoned into a residential format under the 2GP.</p> <p>Appendix C contains the Consent Order as issued by the Environment Court in relation to the 2GP rezoning process.</p> <p>The Submitter contends that the land shown in Appendix A should have been included in the 2GP rezoning and was omitted from that process in error. Map A of the Notice of Appeal shows the land in question being rezoned to residential land, whereas the Consent Order excludes this land from the rezoning. It is unclear to the Submitter why these two documents are different. In any case, the PC1 changes, and specifically the Z21 provisions, provide an opportunity to correct the Planning Maps so that the land in question is brought into the same residential format as the adjoining land (i.e. into the Township and Settlement Zone). Naturally, this land will also need to inherit the other 2GP provisions that relate to the Township and Settlement Zone at this location, including the following provisions-</p> <ul style="list-style-type: none">• No DCC Reticulated Wastewater Mapped Area• Structure Plan Mapped Area (Chelivode Street).
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I wish to speak in support of this submission at a hearing. If others make a similar submission, I will consider presenting a joint case at a hearing.

I trust that the above submission is helpful. I look forward to hearing from Dunedin City Council in due course.

Yours faithfully

PATERSONS



Kurt Bowen

Registered Professional Surveyor

17/12/2024

Appendix A: Plan of Area of Extension to Z21.



Appendix B: Chelivode Street Rezoning Notice of Appeal

IN THE ENVIRONMENT COURT
OF NEW ZEALAND

ENV-2018-CHC-

IN THE MATTER of the Resource Management Act 1991

AND of an appeal under Clause 14(1) of First Schedule to the
Resource Management Act 1991

BETWEEN GRAEME AND MARIE BENNETT
Appellant

AND DUNEDIN CITY COUNCIL
Respondent

NOTICE OF APPEAL
Clause 14(1) of the First Schedule Resource Management Act 1991

To: The Registrar
Environment Court
CHRISTCHURCH

1. **Graeme and Marie Bennett (the Appellant)** appeal against part of a decision of the Dunedin City Council (**the Respondent**) on the following Plan:

Proposed Second Generation Dunedin City District Plan (the Proposed District Plan or 2GP).
2. The Appellant made submissions on the Proposed District Plan.
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decisions on or about 7 November 2018.
5. The decisions were made by the Respondent (Dunedin City Council).

Decision being appealed

6. The decisions that are being appealed are the Respondent's decisions to decline to amend the 2GP in accordance with notified version of the Proposed Plan as it relates to the Appellants property at Chelivode Street/Doctors Point Road, Waitati. The Appellant supported the Respondents notified version of the Proposed Plan (submission OS298.1) and that version (and submission) of the Proposed Plan has been rejected. The consideration of this matter is at pages 190 – 201 of the *Urban Land Supply Decision of Hearings Panel Report*.
7. The Appellant considers the Respondent was incorrect to reject its supporting submission and the Town and Settlement Zone extent should reflect the notified version of the 2GP over the Respondents land.

Reasons for Appeals

8. The reasons for the appeal are that the decisions in relation to the submission are not satisfactory for the following reasons:
 - 8.1 The Land ("The Land" – Chelivode Street/Doctors Point Road, Waitati – part certificate of title 411554) is suitable for residential development and has been signalled as such by the Respondents planners.
 - 8.2 The increase in extent of the Town and Settlement Zone over the Land in accordance with the notified version of the 2GP provides an opportunity to master plan the area with neighbouring land and rationalisation of road assets in the area. The relationship with a neighbouring property owned by Tranquil Vistas Limited is considered to have strategic value to the local community and can be incorporated into the design outcomes and long term planning for Doctors Point.
 - 8.3 The pleasant aspect provided by The Land offers a supply (product) similar to other parts of the Doctors Point community and in an area that has been planned for many years.
 - 8.4 The revised recommendations from the reporting officer (recorded at paragraph 1371) are mostly without basis and in relation to infrastructure do not reflect modern methods of on-site services.
9. In addition to the matters set out in part 8. above, the general reasons for the appeal are as follows:
 - 9.1 The section 32 consideration that has been used as the basis for the Decisions version of the 2GP was deficient and did not adequately address the issues raised in the Appellant's submissions;
 - 9.2 The decisions do not reflect the enabling framework set out in the Act;

9.3 The decisions are not consistent with the purpose and principles of the Act;

9.4 The decisions do not promote sound resource management practice.

Relief sought

10. The appellant seeks the following relief:

10.1 That the Proposed District Plan is amended in accordance with the Appellant's submissions on the 2GP including the notified version of the Proposed Plan;

10.2 Any similar or consequential relief (including but not limited to an appropriate plan/layout of subdivision for the property);

10.3 Costs.

11. Documents attached to this notice

Copies of the following documents are attached to this notice of appeal.

- (a) A copy of the appellant's submissions.
- (b) A copy of the relevant part respondent's decisions including the Planning Maps.
- (c) A list of the names and addresses of persons to be served with a copy of this notice.



Signature of person authorised to sign
on behalf of the appellants

17 December 2018

Date

Address for service: Land Matters Limited
20 Addington Road, RD1
Otaki 5581
Telephone: 021877143
Fax: (06) 364-5142
Email: bryce@landmatters.nz
Contact person: Bryce Holmes – Principal Planner

Advice to recipients of copy of notice of appeal

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

You may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see [form 38](#)).

The copy of this notice served on you does not attach a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Annexures

- A A copy of the Appellant's submissions.
- B A copy of the relevant part of the respondent's decisions.
- C A list of the names and addresses of persons to be served with a copy of this notice.

A A copy of the appellant's submissions.

B A copy of the relevant part of the respondent's decisions.

C A list of the names and addresses of persons to be served with a copy of this notice.

Contents.

ZGP Submission Form.

Written application for submission

Map "A"

Larger aerial map.

DCC Spatial Plan.

DCC LCA Assessment 26 Aug 2013

Photo of cut over forestry 2002

Photo of site 2002 and 2004

Aerial photo of site.


20 Nov 2015

Chelivode St, Dtrs Poi.

RD2 Waitati 9085

I wish to accept the zoning offered at Chelivode St Doctors Point Waitati. (See attached Map "A")

I also wish to i) amend the Landscape Overlay Zone as shown on Map "A". Currently this zone is set at the 100m contour. I would like it set at 110m contour. This would better reflect the "change in character from more settled/built lower slopes - more natural/unbuilt upper slopes". It would allow better use of the lower slopes, should they be subdivided. It would also align the landscape zone with the existing residential developments in nearby Thornicroft Road (see attached DCC LCA assessment 2013 26A).

2) I wish to have the area marked  as shown on Map "A" rezoned to large-lot residential > 3500m². The area concerned is covered in wilding pines having been previously a pine plantation (see photos). It faces due North and is adjacent to existing residential houses. It would be accessed off Doctors Point Rd. Doctors Point has been identified as an area of future growth by the D.C.C. (see Page 62 DCC Spatic Plan). It sits outside the proposed landscape overlay zone, and has no natural "Hazards" identified. It meets all of the Key Policies which direct future management and development in the area. (a copy of the Spatial Plan with these Key policies is attached). The development would be in keeping with the large-lot residential 2 zone at the end of Doctors Point Rd. Attached are also photos of the land concerned, as a cut over forestry block in 2002, and since then.

Could this application be read in conjunction with the material submitted already, in the lead up to the Proposed District Plan being notified

The council planners will have this material already.
I wish to be heard in person when the hearing takes place.

Yours sincerely

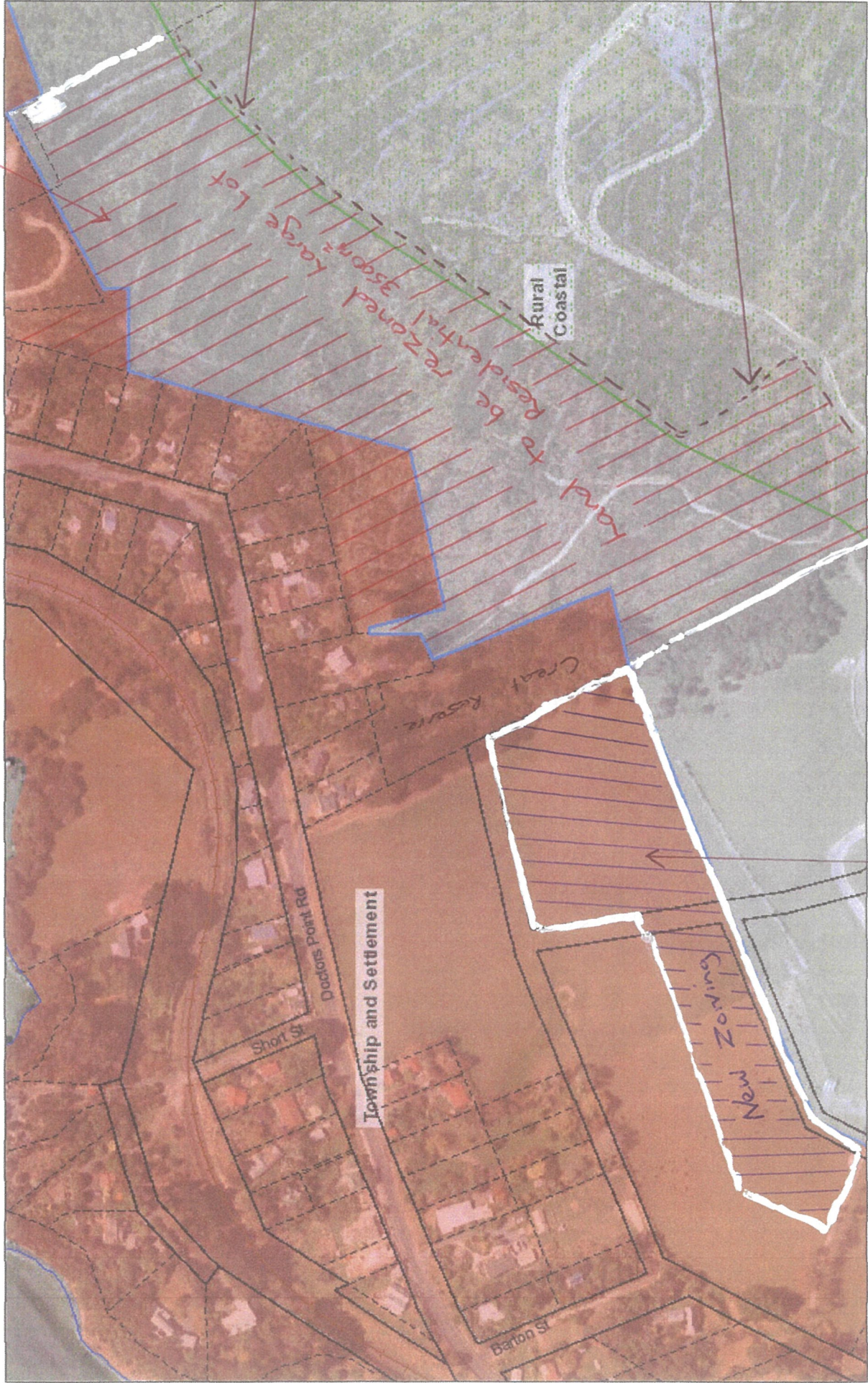
Graeme Bennett

027 209 5527

03 4821404

graemeandmariebennett@gmail.com

MAP "A"
Rezoned Area IIII



Amend the
landscape
Overlay Z
to as show

November 8, 2015

I wish to accept the new Zoning
marked 'IIII' offered by Council

Aerial Photography 2006/07 Copyright NZAM



upper zoning boundary
110 m contour

Waikouaiti Coast Community Board on Map 20

Vision for Waikouaiti Coast Community Board

Waikouaiti in 2050 is made up of a number of thriving communities each with their own identity and access to community renewable energy generation. The natural landscape is protected and all new development contributes positively to the environment. Waikouaiti is a leader in ecological restoration with its show pieces of Orakonui, Hikaroroa and Silverpeaks attracting visitors and local eco-tourism operators. Rivers have been restored through riparian planting with high water quality for recreational fishing leading into a restored estuary. Local visitors enjoy their stay along the coast.

Some of the key policies directing future management and development of the area

- ESR 1(a) Ensure any development or subdivision on rural land provides for the continued use and effective management of that land for productive purposes or ecosystem services. Strongly discourage any residential development or subdivision on rural land that undermines these functions or the objectives of the urban-rural boundary
- ESR 2(c) Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna
- ESR 5(a) Discourage development in areas subject to, or potentially subject to, instability, flooding or tidal inundation in future
- ESR 11(a) Encourage and promote the retention and establishment of essential services and facilities in townships (e.g. schools, dairies, petrol stations)
- MEM 1(b) Protect the character and identity of the distinct rural and coastal communities in the city by preventing urban development in defined inter-urban breaks (rural or natural areas between settlements)
- MEM 1(c) Manage the location and design of development in the rural environment to protect character and landscape values of the rural environment
- MEM 3(a) Ensure all new development respects and enhances the distinct built and natural environmental context in which it is located, including land form, natural features, local character and identity
- MEM 3(b) Recognise and celebrate local identity, character, and history in the public realm and encourage the same in private developments
- VIB 2(a) Promote the central city and other centres as locations for commercial activity and strongly discourage commercial development outside of identified centres with the exception of trade-related/home improvement retail
- ACCESS 2(b) Encourage and support greater use of passenger rail
- ACCESS 6(e) Provide good multi-modal connections (including public transportation) between the central city, other centres, the Tertiary-Medical Precinct and key recreation areas

Ecological and landscape values to protect

Significant Landscape Features
Manage activities and structures to protect significant landscape features.

Areas of Significant Conservation Value
Encourage protection and management of areas of significant conservation value and identification of other areas of biodiversity value.

Residential areas change current management approach

Waikouaiti
When and if wastewater constraints are addressed, allow for broad range of site sizes in existing urban extent. Avoid development in low lying areas. Allow for large lot residential (with on site or private reticulation) on suitable sites.

Doctors Point/Waitati
Allow some expansion in suitable areas

Hawksbury
Encourage redevelopment and mixed use environment.

Warrington, Karitane, Seaciff
Retain existing levels of development and avoid low lying areas. Encourage development consistent with character values and good design.

Centres

Existing centre
Waikouaiti and Waitati
Karitane

Proposed centre
Zone as a rural centre.
Zone as a neighbourhood centre.

Rural Areas Change Current Management Approach

Rural Character Area
Waikouaiti Valley, Flagstaff Mt Cargill, Silverpeaks, Peat Moss Hills and Waikouaiti Coast and Hills Rural Character Area

Protect the important landscape and rural character values from inappropriate development by strongly controlling the design and location of new development. Review the current approaches to the management of residential development in the District Plan and consider more holistic approaches that improve outcomes in relation to biodiversity restoration and enhancement, land management practices, and protection of rural productivity, amongst others.

Rural-Residential

Waitati Rural-Residential

Protect the important landscape and rural character values from inappropriate development by strongly controlling the design and location of new development. Review the minimum lot size and consider alternative mechanisms to allow for different forms of residential development where appropriate. Review the zone to better protect landscape values.

Report

To Michael Bathgate
Dunedin City Council

From Mike Moore
Consultant Landscape Architect

Date 26 August 2013

**Subject Dunedin City, Assessment of current Landscape
Conservation Areas for District Plan Review**

reflect a broad understanding of landscape including biophysical features, patterns and processes, sensory qualities, and associative meanings (NZILA 2010). They are described as follows (Peart 2004):

- Natural Science factors – the geological, topographical, ecological and dynamic components of landscape.
- Aesthetic values – including memorability and naturalness.
- Expressiveness – legibility i.e. how obviously the landscape demonstrates the formative processes leading to it.
- Transient values – occasional presence of wildlife; or its values at certain times of the day or of the year.

protected and appropriately managed as a second tier landscape (e.g. Visual Amenity Landscape or Significant Landscape). The boundaries suggested have been drawn to include the most important natural areas and the visually prominent areas, and to avoid areas of existing urban development.

Boundary definition comments

Boundary section	Explanatory comments
North-western side of Otago Harbour, Dunedin – Deborah Bay	<p>The boundary has been drawn to reflect the general change in character from more settled / built lower slopes – more natural / unbuilt upper slopes. In most areas it adopts the 100m contour as generally indicative of this character change. In the following areas, the boundary deviates from this as follows:</p> <ul style="list-style-type: none"> • West of Ravensbourne the 40m contour is adopted to recognize the impact of the tree / bush covered slopes to lower levels and their impact in defining the harbour landscape • Adjacent to Ravensbourne and above Careys Bay the boundary is drawn to avoid areas of predominantly residential character • North of Careys Bay the Railway line has been adopted
Eastern boundary, Deborah Bay – Doctors Point	<p>This boundary follows the north – south lateral ridgelines either side of Mihiwaka, in places, coinciding with legal road boundaries. The land to the east is proposed to be within another (Heyward Coast) Significant Landscape Area. From Deborah Bay to the ridge a watercourse is followed.</p>
Northern boundary, Doctors Point - Hightop	<p>The boundary has been drawn to reflect the general change in character from more settled / built lower slopes – more natural / unbuilt upper slopes as follows:</p> <ul style="list-style-type: none"> * Behind Doctors Point it adopts the railway and then the 100m contour. • Behind Orokonui it lowers to include the Orokonui Reserve. • Between the Reserve and Mt Cargill Road, the 200m contour is followed. Whilst this includes areas of Rural residential zoning and development, the visual prominence

I wish this to read '100m contour and include

Cut over forestry 2002.

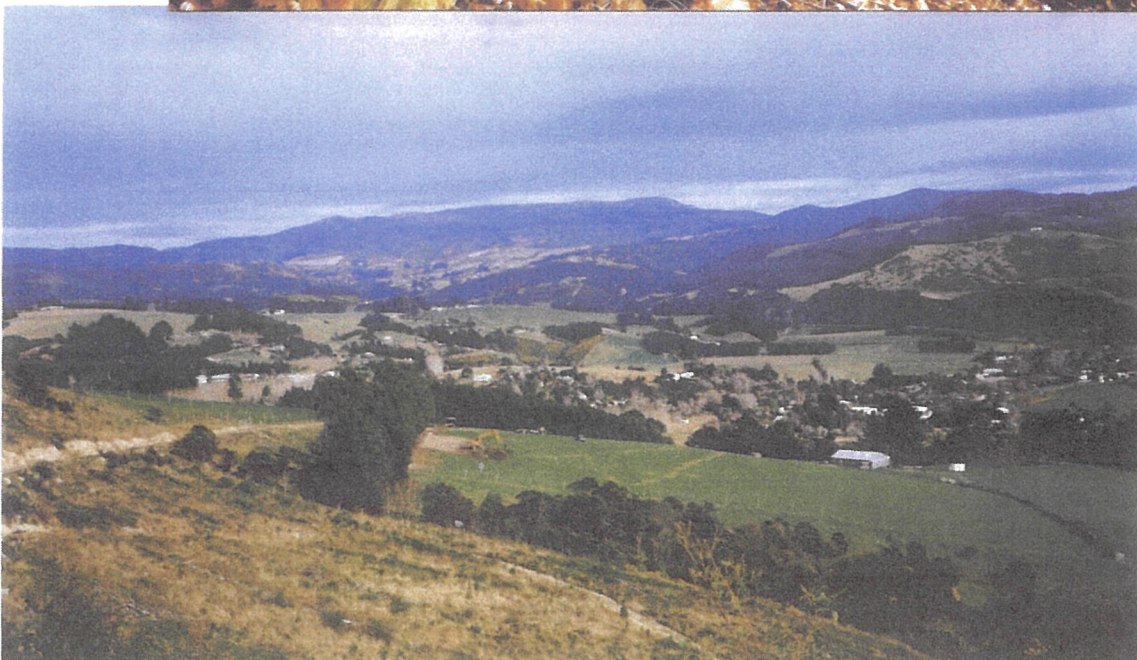




2002.



2002



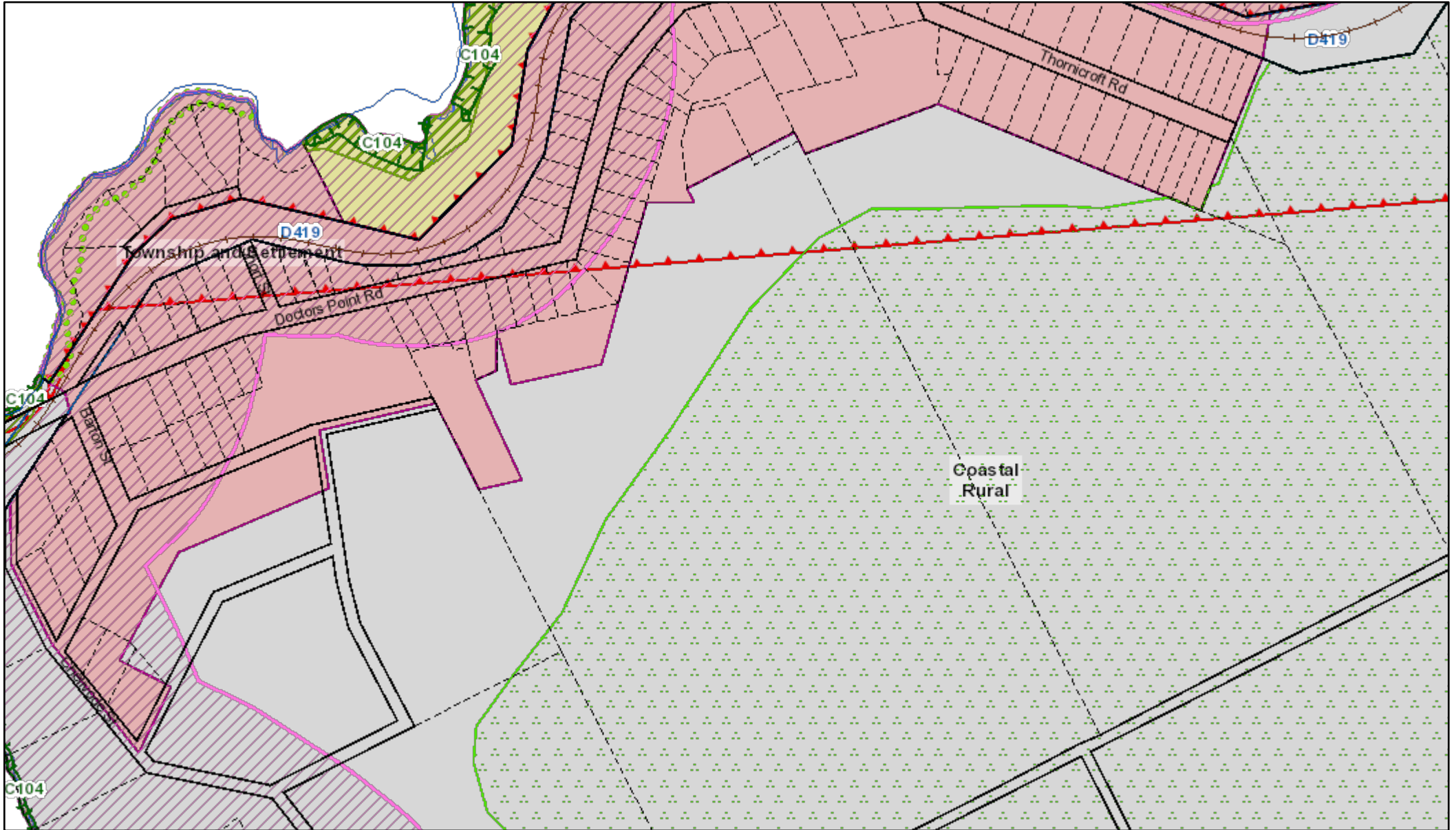
2004 in
foreground.



Road

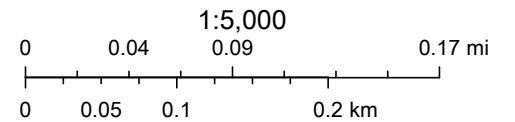


Planning Map



12/13/2018, 12:29:57 PM

- Property
- Railway Centreline
- Parcel Boundaries
- Parcel
- Road/Rail
- Hydro
- Formed Roads



Submission number		298.1 and 298.3
Parties		
Name	Ref	Address
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Geraldine Tait	OS101	gstait@clear.net.nz
David and Gillian Charters	OS128.1	2 Barton Street, RD 2, Waitati 9085
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The Waitati Beach Society Inc	OS1041.1	Gerald@legalfitz.co.nz
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Appendix C: Chelivode Street Rezoning Court Order

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

Decision No. [2023] NZEnvC 53

IN THE MATTER

of the Resource Management Act
1991

AND

appeals under clause 14(1) of the
First Schedule of the Act

BETWEEN

GRAEME AND MARIE
BENNETT

(ENV-2018-CHC-227)

(ENV-2018-CHC-228)

Appellants

AND

DUNEDIN CITY COUNCIL

Respondent

Environment Judge P A Steven – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 29 March 2023

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991 ('RMA' or 'the Act'), the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that Dunedin City Council is to amend the provisions of the proposed Dunedin City Second



Generation District Plan as set out in Appendix 1, attached to and forming part of this order; and

(2) the appeal by Graeme and Marie Bennett (DCC Reference numbers 48, 50, 51 and 52) is otherwise dismissed.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns two appeals by Graeme and Marie Bennett (‘the Bennetts’) on the provisions of the proposed Second Generation Dunedin City District Plan (‘2GP’) regarding the rezoning of lands at 3 Chelivode Street, from Rural Costal to Township and Settlement zoning, (DCC Reference number 48)¹ and 128D Doctors Point Road from Rural Costal and/or Township and Settlement to Large Lot Residential 2 zoning (DCC Reference numbers 50 and 51).²

[2] The appeals sought to remove the boundary of the Flagstaff-Mt Cargill SNL overlay on 128D Doctors Point Road to the 110m contour (DCC Reference number 52).

[3] I have read and considered the consent memorandum of the parties dated 12 July 2022 which proposes to resolve the appeal.

[4] I have also read and considered the affidavit by B T Morrissey dated 10 August 2022, who has satisfied me that the amendments proposed will achieve the objectives of the 2GP, and that granting the relief sought will not

¹ ENV-2018-CHC-227.

² ENV-2018-CHC-228.

impact on the resolution of any other proceeding.³

[5] The parties advise that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA, including Part 2.

Other relevant matters

[6] Otago Regional Council, Blueskin Bay Watch Society Incorporated, Kāti Huirapa Rūnaka Ki Puketeraki and Anthony Haere Parata had given notice of an intention to become parties under s274 of the Act. Mr Parata withdrew his notice on 18 December 2020. The three active s274 parties have signed the memorandum setting out the relief sought.

[7] The parties advise that:

- (a) the parties have agreed to a Deed of Private Development in relation to stormwater management; and
- (b) the appellant and Blueskin Bay Watch Society Incorporated will enter into a private agreement; and
- (c) the amendments:
 - (i) for the rezoning are consistent with Policy 2.6.2.1 under s32AA Assessment; and
 - (ii) for the SNL boundary change are consistent with Policy 2.4.4.1 – 2.4.4.3 under s32AA Assessment; and
 - (iii) are consistent with higher order documents under s75.

[8] No other person has given notice of an intention to become a party under s274 of the Act.

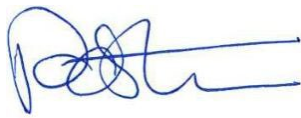
[9] The parties advise that all matters proposed for the court's

³ Affidavit of B T Morrissey affirmed 10 August 2022 at [69] and [78].

endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

Outcome

[10] All parties to the proceeding have executed the memorandum requesting the orders. On the information provided to the court, I am satisfied that the orders will promote the purpose of the Act so I will make the orders sought.



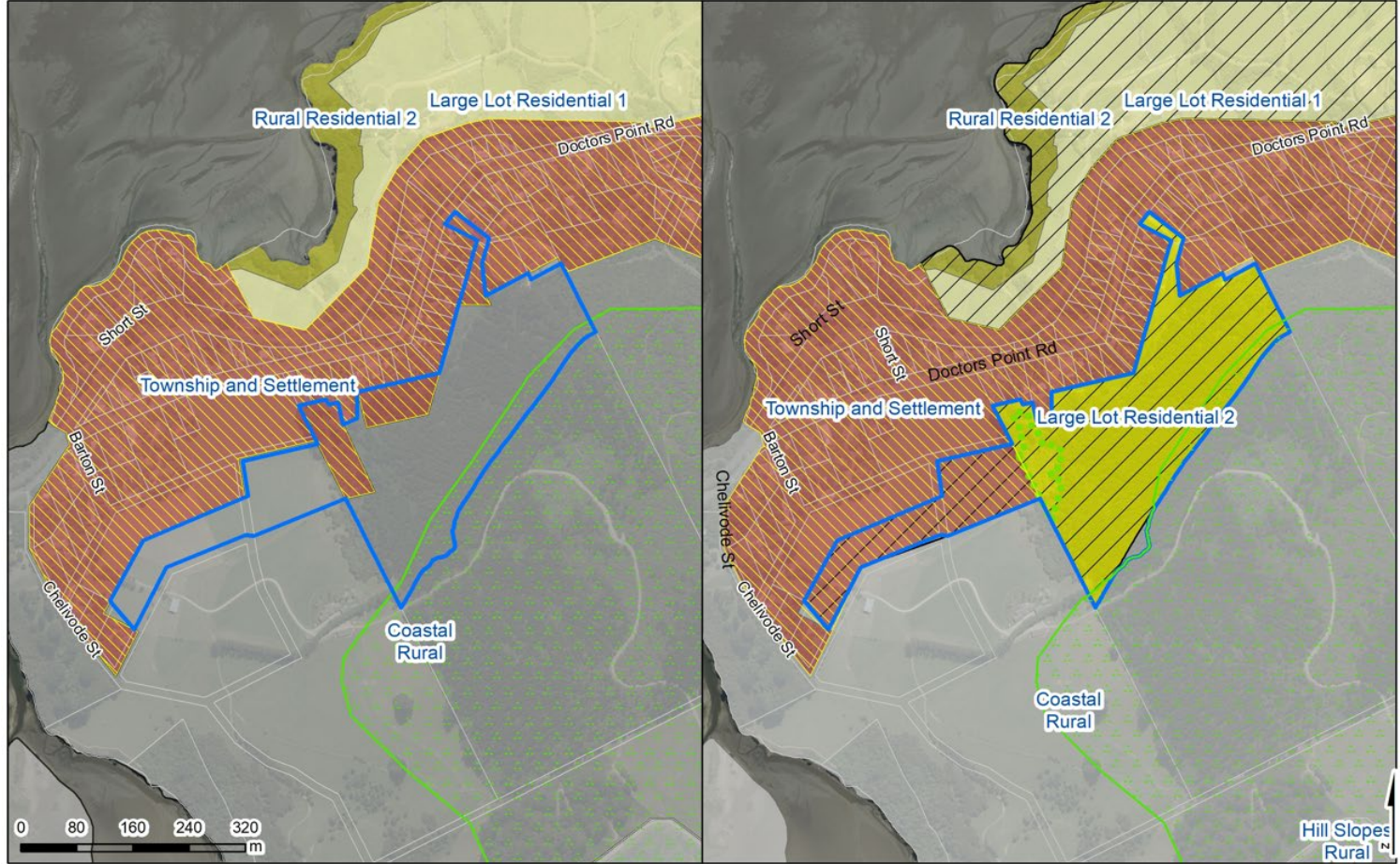
P A Steven
Environment Judge



Appendix 1

1. Amend the Planning Map, as shown below, to:
 - a. Rezone the appeal area of 3 Chelivode Street from Rural Coastal to Township and Settlement zoning, overlain by a “No DCC Reticulated Wastewater Mapped Area”;
 - b. Rezone the appeal area of 128D Doctors Point Road from Rural Coastal and/or Township and Settlement to Large Lot Residential 2 zoning, and remove the “No DCC Reticulated Wastewater Mapped Area”;
 - c. Apply a “Chelivode Street Structure Plan Mapped Area” over the full extent of both appeal areas;
 - d. Apply an Urban Biodiversity Mapped Area (UBMA) over part of 128D Doctors Point Road; and
 - e. Amend the boundary of the Pūrākaunui and Ōrokonui Significant Natural Landscape Overlay Zone at this location.





- Area of change

Chelivode Street Structure Plan Mapped Area

Urban Biodiversity Mapped Area

Significant Natural Landscape
- No Reticulated Waste Water Mapped Area

2. Amend Appendix A10 to include:

A10.X Chelivode Street

A10.X.1 Description of the area

The UBMA is a small area (0.5 ha) of regenerating kanuka-broadleaved forest located on private property.

A10.X.1.1 Description of urban environment allotments

The following properties, which are located either entirely or partly within this UBMA, may contain land which qualifies as an urban allotment as defined in s76(4C) of the Resource Management Act 1991:

- 128D Doctors Point Road

A10.X.2 Biodiversity values to be protected

1. Vegetation/habitat types

- a. The site supports native forest dominated by regenerating kanuka-broadleaved forest. Common canopy species include kanuka, tree fuchsia, mahoe, red mapou, kohuhu and seven-finger/pate. Other tree or shrub species present include lancewood, mingimingi, round-leaved coprosma, thin-leaved coprosma, lemonwood and three-finger. Native ground cover is well-established and commonly includes bush flax, hen and chickens fern, hookgrass, crown fern, shield fern and hound's tongue fern. Climbers present include bush lawyer, native jasmine and pohuehue.
- b. The area has previously had an arboretum of native tree species planted. While many species are ecologically valuable, many species planted are North Island species or otherwise non-local native species such as tawa, rewarewa, and red beech.

2. Rare and notable species, habitats or communities:

- a. Includes established plantings of canopy podocarp species native in the area such as rimu, totara, kahikatea, matai, and miro which are listed in Appendix 10A.3 Important native tree list.
- b. Indigenous vegetation in this UBMA is classified as " acutely threatened " based on the Threatened Environment Classification having less than 10% of the original vegetation cover remaining nationally.

3. Species diversity and naturalness

- a. The vegetation is dominated by indigenous species but is modified in places by invasive weeds and planted non-local native species.

A10.X.3 Principal threats to biodiversity values

<u>Threat</u>	<u>Description</u>
1. <u>Plant and animal pests</u>	<ol style="list-style-type: none"> a. <u>The invasive weed cotoneaster is present throughout the area and is sometimes common.</u> b. <u>Some mature sycamore are present at the northern end of the area.</u>

	<ul style="list-style-type: none"> c. <u>The area is surrounded by pine trees on the eastern and southern sides.</u> d. <u>Some planted North Island species or otherwise non-local native species are present.</u> e. <u>Invasive plant pests pose the greatest threat to the conservation values of this UBMA, but threats from animal pests such as possums, rats and mustelids are also present.</u>
2. <u>Fragmentation/loss of continuity/edge effects</u>	<ul style="list-style-type: none"> a. <u>The area is vulnerable to edge effects because of its size and nearby sources of invasive weeds.</u>

A10.X.4 Key management actions to be required or encouraged

<u>Threat</u>	<u>Key management actions</u>
1. <u>Plant and animal pests</u>	<ul style="list-style-type: none"> a. <u>The highest priority is the removal and continued control of sycamore and cotoneaster.</u> b. <u>Non-local native species should also be removed.</u> c. <u>Animal pest control would improve the habitat for native fauna, and regular possum control would also improve the ecological condition of the forest.</u>
2. <u>Fragmentation/loss of continuity/edge effects</u>	<ul style="list-style-type: none"> a. <u>Ensuring appropriate invasive species control on margins of adjacent plantation forestry.</u> b. <u>Ensure harvest of plantation forest trees does not damage UBMA values.</u>

3. Amend Rule 15.6.6.2 Maximum Height as follows:

- a. New buildings and structures, and additions and alterations must not exceed the following maximum height above ground level:

...

- v. Except:

1. rooftop structures are exempt from the performance standard for height provided they do not exceed the maximum height limit for all other buildings and structures by more than one third of that limit.
2. within the Huriawa height restriction mapped area (see Figure 15.6.6.2A):
 1. new buildings and additions and alterations to buildings on sites between Rockal Street and Kilda Street must not protrude through a horizontal plane 4.5m above ground level at the Sulisker Street boundary of the site;

2. new buildings and additions and alterations to buildings on sites between Rona Street and Rockal Street must not exceed 4.5m.
- X. within the Pukehiki Township and Settlement Zone, and the Chelivode Street Structure Plan mapped area, which is subject to new buildings and structures, and additions and alterations located within a Significant Natural Landscape Overlay Zone, new buildings and structures, and additions and alterations must not exceed 5m above ground level.
4. Add a new Rule 15.8.Y, Chelivode Street Structure Plan Mapped Area Performance Standards, as follows:

15.8.Y Chelivode Street Structure Plan Mapped Area Performance Standards

- a. In addition to the performance standards in 15.5, 15.6 and 15.7, activities in the **Chelivode Street structure plan mapped area** must meet the area-specific performance standards below. Where a performance standard in this section specifically provides an exemption or alternative performance standard to a standard in 15.5, 15.6 or 15.7, the standard in this section supersedes that standard.
- b. Except where otherwise specified, the performance standards in Rule 15.8.Y apply to all parts of the **Chelivode Street structure plan mapped area**, including land zoned Township and Settlement and land zoned Large Lot Residential 2.

15.8.Y.1 Land use performance standards

- a. Density
- i. Standard residential activities in the **Chelivode Street structure plan mapped area** must not exceed the following density limits:

<u>Zone</u>		<u>i. Minimum site area for a residential unit (including ancillary residential units):</u>	<u>ii. Maximum development potential per site</u>
<u>a.</u>	<u>Large Lot Residential 2 Zone</u>	<u>1 per 3500m²</u>	<u>1 habitable room per 700m²</u>
<u>b.</u>	<u>Township and Settlement Zone within a no DCC reticulated wastewater mapped area</u>	<u>1 per 1000m²</u>	<u>1 habitable room per 200m²</u>

- ii. For the purposes of this standard:

- a. the calculation of habitable rooms includes rooms in sleep outs;
 - b. the calculation of minimum site area includes access legs provided for rear sites; and
 - c. the calculation of maximum development potential applies to standard residential activity for determining whether a second unit in a single residential building or in the form of a duplex, can be developed.
 - iii. More than one residential building may only be built on a site if all residential buildings are able to meet all the following performance standards if they were ever subdivided into separate sites:
 - a. site coverage;
 - b. height in relation to boundary;
 - c. setbacks; and
 - d. access.
 - iv. Standard residential activity that contravenes the performance standard for density is a non-complying activity, except contravention of the following standards only is a restricted discretionary activity:
 - a. contravention of Rule 15.5.2.3 (bulk and location performance standard for multiple residential buildings on the same site).
- b. Service connections
- i. All activities in the part of the **structure plan mapped area** that is zoned Large Lot Residential 2 must self-service for water supply.
 - ii. All activities in all parts of the **structure plan mapped area** must discharge any wastewater to the communal wastewater system required by Rule 15.8.Y.3.b.
 - iii. Activities that contravene this performance standard are non-complying activities.

15.8.Y.2 Development performance standards

- a. Activities within the Significant Natural Landscape Overlay Zone
 - i. New buildings, new structures and additions and alterations associated with residential activities, but excluding fencing, must be located outside the Pūrākaunui and Ōrokonui Significant Natural Landscape Overlay Zone.
 - ii. Activities that contravene this performance standard are non-complying activities.
 - iii. For the sake of clarity, this performance standard applies in addition to Rule 15.6.6.2, Rule 15.6.Y and Rule 15.6.Z for new buildings, new structures and additions and alterations within the Pūrākaunui and Ōrokonui Significant Natural Landscape Overlay Zone.

15.8.Y.3 Subdivision performance standards

a. Access

- i. Subdivision activities must provide a suitably designed and formed internal road network connecting to Doctors Point Road.
- ii. This road must be vested with the Council as part of the section 223 certification for the subdivision (or the relevant stage of subdivision if subdivision is staged).
- iii. In addition to the roading connection to Doctors Point Road, subdivision activities must provide a cycle and pedestrian accessway for public use between the new roading within the **structure plan mapped area** and Chelivode Street (via Buckingham Street or Mixbury Street, which is the paper road that runs parallel to Buckingham Street, to the south-east). Where not already legal road or road to vest, the land of the accessway must have adequate legal provision for public use (including over balance land for staged subdivisions) created as part of the section 223 certification for the subdivision.
- iv. The accessway described in Rule 15.8.Y.3.a.iii above must be designed to be able to be used by emergency vehicles but otherwise closed to vehicle access.
- v. Activities that do not meet this standard are non-complying activities.
- vi. For the sake of clarity, this performance standard is additional to Rule 6.8.1.

b. Wastewater infrastructure

- i. Subdivision activities must provide, if not already present, a communal wastewater system that is designed to facilitate connection to a public wastewater network.
- ii. The communal wastewater system must be installed, and ready to allow connections, prior to the issuing of the section 224c certificate for the subdivision.
- iii. The communal wastewater system must include the following components:
 1. a UV treatment module designed to minimise the risk of any pathogens passing out of the system;
 2. nitrogen and phosphorous attenuation modules that reduce their concentration prior to any discharge to the ground of treated wastewater; and
 3. a telemetric monitoring system that is capable of distributing an instantaneous alert in the event of infrastructure failure or accidental discharge to the Otago Regional Council and the Dunedin City Council.
- iv. The communal wastewater system must be installed and operated in accordance with a legal instrument that:
 1. is registered in favour of Dunedin City Council; and
 2. gives ownership and management responsibilities to a residents' association, which all lot owners must be members of, and which will be responsible for ensuring that the system is appropriately monitored, serviced, maintained

- and operated, in accordance with the manufacturer's specifications.
- v. Activities that contravene this performance standard are non-complying activities.
- vi. For the sake of clarity, this performance standard is additional to Rule 9.3.7.

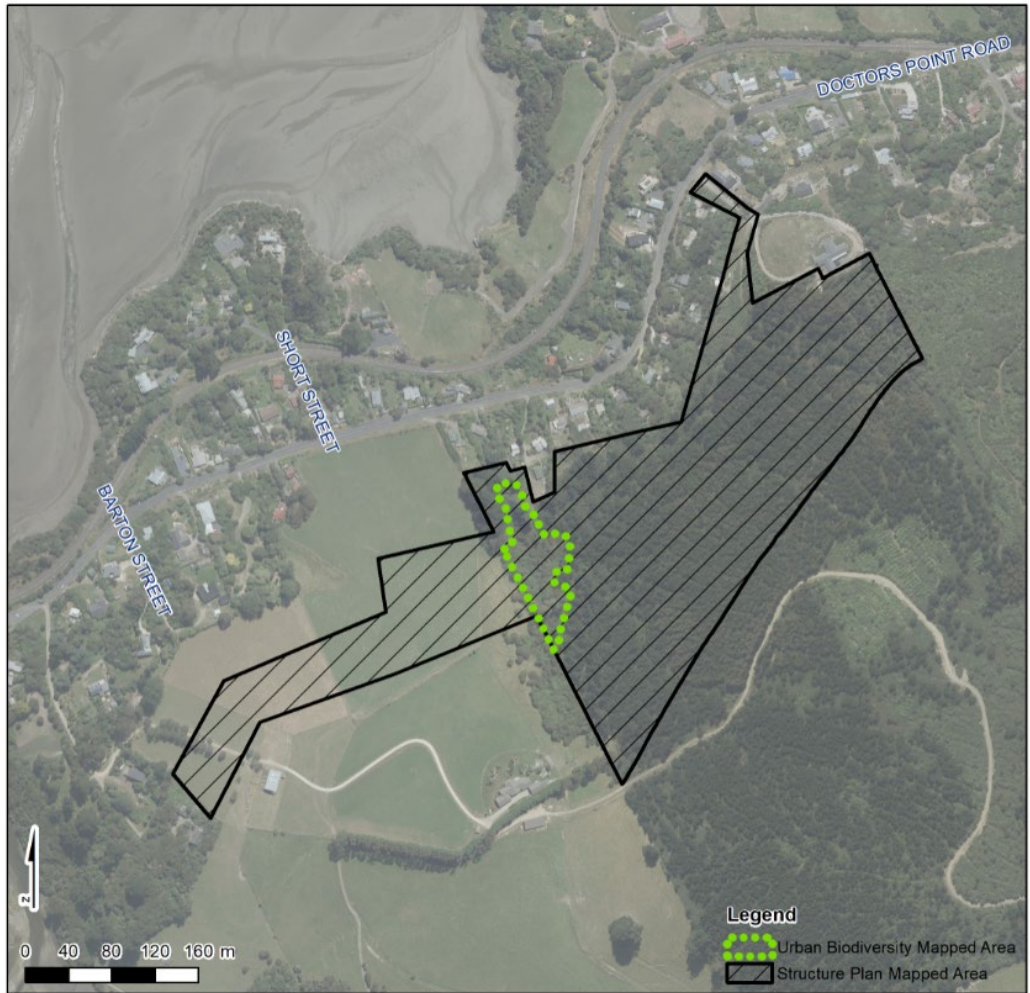
Note 15.8.Y.3X – Other requirements outside of the District Plan

1. Under the Regional Plan: Water, resource consent may be needed from the Otago Regional Council for any discharge of wastewater to water or land.
2. The area zoned Township and Settlement will be serviced under the restricted water supply scheme only.

15.8.Y.4 Information requirements

- a. Planting plan to enhance amenity values
 - i. Applications for subdivision activities within the **structure plan mapped area** must include a proposal, which covers the whole mapped area, for a planting plan to enhance the amenity values of the site, unless such a plan has already been approved as part of an earlier subdivision consent.
 - ii. For the sake of clarity, the standard assessment guidance in Rule 15.11.4.1 still applies.
- b. Natural hazards
 - i. Applications for subdivision activities within the **structure plan mapped area** must include a geotechnical investigation report by a suitably qualified person (usually a geotechnical engineer), unless such a plan has already been approved as part of an earlier subdivision consent. This assessment should examine the ground stability over the whole mapped area and identify areas suitable for residential development and, if required, suitable building platforms.
 - ii. For the sake of clarity, the standard assessment guidance in Rule 11.5.2.5 still applies.

Figure 15.8.YA Chelivode Street Structure Plan Mapped Area



5. Make any consequential changes to plan numbering as required as a result of the above amendments. Minor referencing and style changes may also be made for consistency with the 2GP formatting.

