

APPENDIX 3: COUNCIL OFFICER EVIDENCE & CONSULTATION WITH HNZ

Urban Design Officer – Peter Christos
Transport Officer – Grant Fisher
Environmental Health Officer – Carlo Bell
Heritage New Zealand – Jane O'Dea



Memorandum

TO: Amy Young, Planner

FROM: Peter Christos, Urban Designer

DATE: 10 August-2016

SUBJECT Land Use Consent -LUC-2016-219
138 Union Street

Hi Amy,

With regards to the above application and likely effects on streetscape and amenity values. 138 Union Street is zoned R3 and currently has a commercial activity operating on the site. The café has provided vibrant use of the corner site and contributes positively in terms of activity. The site is within the block defined by Union Street East, Clyde, St David and Forth Streets and is essentially a peninsula of R3 zoning within the Campus Zone. Campus zoning adjoins the block to the south, east and west on the corner of the Union and Forth Streets. It is not within a precinct but it is prominent and integral to the adjoining campus streetscape. Other buildings sit much taller on the intersection (of Union and Forth Streets) - the diminutive scale of 138 Union Street does not define the intersection or corner well.

I believe that the proposed height and bulk would be more consistent with the existing streetscape and would also be a reasonable fit with neighbouring residential buildings. Ground level change between 138 Union and 74 Forth Street allows for addition height and finished roof levels would be similar to existing neighbouring buildings. The proposed building would also have minimal negative effects on 116-118 Union Street (directly to the west). 138 Union Street runs west/east along Forth Street while 118 Forth Street is strongly aligned north/south and only a small area of the east facade (near the Forth Street boundary) of 118 Forth Street would face onto the new development. There would be some minor additional shading.

Outdoor space is provided on top of ground floor roof. Steel frames have been included to maintain a strong rectilinear envelope. The open nature of this helps to mitigate some of the effects of the height plane breach while being visually compatible with surrounding architecture.

Service yards are roofed to further reduce negative views at the west and north boundaries and to also reduce noise close to these boundaries.

I feel that the design would provide a suitable building at the edge of the campus and that a fully complying building may not, in fact, be able to provide the positive definition that is desirable at this location. For these reasons, I believe the proposed building would have less than minor negative effects on streetscape and amenity values.

Regards,
Peter Christos,
CITY DEVELOPMENT (Urban Design)

Melissa Shipman

From: Peter Christos
Sent: Thursday, 13 October 2016 03:33 p.m.
To: Melissa Shipman
Subject: RE: LUC-2016-129 138 Union Street

Hi Melissa,

After reading the submission by S C Choie I retain my opinion that the proposed building at 138 Union Street would have less than minor effects on amenity and streetscape values. I note that the revised design has been altered in the following ways. Exterior feature tile cladding along Forth and Union Streets is now to be more subdued using grey tones as opposed to the bright primary colours of the initial design. The revised design also incorporates a canopy to provide continuous cover along the street boundaries. Neither of these alterations would impact further on 74 Forth Street or other neighbouring properties and the canopy would be positive in terms of sheltering the footpaths.

With regard to privacy, solar access and air circulation. The proposed building is under the permitted 9m height and set back 1.4m more than the required 1m required side yard. While there are height plane breaches, I reiterate that the environment can absorb these breaches and the outcome is a building form that is compatible with the direct environment. The applicant has stated that there will be at least 4m separation distance between the proposed building and 74 Forth Street. This is consistent with other properties within the block and certainly greater than some (and also greater than what is required under The District Plan). I do not agree that the development would cause an unreasonable reduction of privacy for residents of 74 Forth Street. It is likely that a fully complying development would include windows along the northern elevation overlooking 74 Forth Street. Given the residential density on the edge of The Campus, I suggests that it is not unusual for neighbouring properties to have limited privacy. As in any residential environment, privacy can be controlled by individual households to whatever extent is required through appropriate window treatments, landscaping or other screening devices. Furthermore, I suggest that a south facing facade in a built up area is likely to have limited solar access in most instances.

The proposed development has at least incorporated considerable open areas (rooftop amenity space) on the second floor. This will provide for improved solar penetration and air circulation between the two buildings. I do not agree that the development will create the perceived environmental/health issues suggested by the submitter. I also believe that the inclusion of well-designed modern residential development would in fact have positive effects in a neighbourhood that has a mixed level of amenity and built quality.

With regard to the applicants expectation that their buildings '*access to light and air would remain unimpeded*'. This is simply not practical given the permitted rules within the zone. A complying development could have, at least, similar effects.

Regards, Peter

From: Melissa Shipman
Sent: Tuesday, 11 October 2016 1:06 p.m.
To: Peter Christos
Subject: LUC-2016-129 138 Union Street

Hi Peter, one submitter has lodged an opposing submission – S C Choie. Can you please indicate if you would like to provide any additional comment prior to the officer report. See ECM or excerpt below.



Memorandum

TO: Amy Young, Planner

FROM: Grant Fisher, Planner/Engineer Transport

DATE: 25 August 2016

SUBJECT: **LUC-2016-129 – REVISED APPLICATION**
138 UNION STREET, DUNEDIN

Application: A revised proposal has been submitted to establish a new residential activity at 138 Union Street, on top of the existing commercial building on the site. The proposed residential activity comprises two x three-bedroom units. The applicant also proposes reconfiguring the existing ground floor commercial premises.

Parking: In regard to parking demand for the commercial activities within the site, Transport considers that there will be little, if any, change as a result of the proposed reconfiguration, given that the total floor area will remain unchanged.

Each residential unit requires a single on-site parking space, as per the parking requirements of the Residential 3 zone. No on-site parking is proposed, therefore the residential component of the proposed development will result in a parking shortfall of two parking spaces.

The applicant assesses the parking shortfall as being acceptable in this instance as removal of kerbside parking, to create parking within the site, would necessitate removal of at least two kerbside parking spaces. They consider that situation to be to the detriment of the overall effectiveness of the existing public parking arrangements for the range of land use activities in the vicinity of the site. Furthermore, Transport considers that establishment of vehicle accesses into the site may diminish the level of service (safety and efficiency) of footpaths adjacent to the site, which anecdotally experience significant pedestrian demand due to tertiary education activities near the site.

It is noted that the site is located in close proximity to the campus area, and is well placed to take advantage of alternative transport options such as bus routes, and the Central City Cycle Network (defined in the Dunedin City Integrated Transport Strategy (ITS)) to access the wider city. The applicant confirms that dedicated covered/secure bicycle storage facilities will be provided within the site in order to encourage use of alternative transport modes. These matters are considered to be broadly in line with the goals of the ITS.

Given the aspects outlined above, we consider that requiring on-site parking for this particular development would be somewhat onerous, and would not provide an overall parking improvement for residents and the public alike.

Conclusion: Overall, Transport considers the proposed parking shortfall to be acceptable in this instance.

Memorandum

TO: City Planning

FROM: Consents & Compliance Officer, Water and Waste Services

DATE: 15 August 2016

LUC-2016-129 **ESTABLISH A RESIDENTIAL ACTIVITY**

SUBJECT: **138 UNION STREET, DUNEDIN**

WATER AND WASTE SERVICES COMMENTS

Proposed Activity

Landuse consent is sought from Council to establish a residential activity at 138 Union Street, Dunedin. The site is within the Residential 3 zone.

The site currently consists of a café and retail space. The proposal seeks to add two levels above the building which will consist of 2x 3 bedroom residential units (for university/polytechnic students) and a separate office to support the commercial activities of the ground floor.

Existing Services

A review of the Council's GIS records shows a 100mm and 150mm diameter water pipe, 300mm diameter wastewater pipe and a 450mm diameter stormwater pipe in Union Street.

There is a 20mm water meter #04M347489 and backflow prevention device on the current water connection.

Water Services

A second separate water connection is required to service the above residential activity.

Water is to be provided from an individual Point of Supply as defined by the Dunedin City Council Water Bylaw 2011. All new water service connections to the proposed development must be in accordance with the requirements of Section 6.6.2 of the Dunedin Code of Subdivision and Development 2010.

New individual water connections will be approved through the "Application for Water Supply" process; this is provided as a condition of consent.

The requirement for a water meter and backflow prevention device will be assessed at the water application stage.

The developer is required to install water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers. This will assist in reducing water consumption and the average volume of wastewater being disposed of from the development.

Stormwater Services

The developer has suggested including a rainwater tank as part of the development to ease pressure on the Council stormwater system. Details of the stormwater retention system are to be finalised during the building consent stage.

Firefighting Requirements

All aspects relating to the availability of water for firefighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies.

There is a Fire Hydrant (WFH02214) 13 metres from the development entrance. Based on SNZ PAS 4509:2008 a W3 (25l/s) zone requires a Fire Hydrant within 135 m and a second within 270 m. These Fire Hydrants requirements are compliant for the development.

Trade Waste

The commercial activities on the ground floor hold a current trade waste consent.

The *Dunedin City Council Trade Waste Bylaw 2008* came into effect on 1 July 2008. Trade Waste requirements for any new or change in activity within the proposed lots should be discussed with the Senior Education and Compliance Officer (Waste), Water and Waste Services.

Private Drainage

Any private drainage matters will be dealt with at the time of building consent

Consent Conditions

1. An "Application for Water Supply" is to be submitted to the Water and Waste Services Business Unit for approval to establish a new water connection for the development. Details of how the proposed development is to be serviced for water shall accompany the "Application for Water Supply".
2. Upon approval by the Water and Waste Services Business Unit, water service connections shall be installed in accordance with the requirements of Section 6.6.2 of the Dunedin Code of Subdivision and Development 2010.
3. The developer is required to install water saving devices, including but not limited to: low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers.
4. Stormwater retention is to be installed for the development. Details of the retention system are to be provided to the Asset Planning Engineer, Water and Waste Services during the Building Consent stage.

Advice Notes

Code of Subdivision

- Parts 4, 5 and 6 (Stormwater Drainage, Wastewater and Water Supply) of the Dunedin Code of Subdivision and Development 2010 must be complied with.

Fire-fighting Requirements

- All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service.

Private Drainage Matters

- Private drainage issues and requirements (including any necessary works) are to be addressed via the building consent process.
- Certain requirements for building on this site may be stipulated via the building consent process and are likely to include the following points:
 - Stormwater from driveways, sealed areas and drain coils is not to create a nuisance on any adjoining properties.
 - For sites level with or above the road, the finished floor level of any building is to be a minimum of 150mm above the crown of the road.
 - For sites below the road, the finished floor level is to be no less than 150mm above the lowest point on the site boundary. Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter dwellings. The finished floor level shall be set accordingly.

Chelsea McGaw
 Consents & Compliance Officer
Water and Waste Services Business Unit
Dunedin City Council

CC: Asset Planning Engineer - John Eteuati
 Water Bylaw Officer - Jeff Clamp
 Quality Inspector - Calvin White
 Technical Support Officer, Building Services - Robbie Ludlow
 Customer Accounts Officer - Helen Flett

Melissa Shipman

From: Jane O'Dea <JODea@heritage.org.nz>
Sent: Wednesday, 12 October 2016 12:04 p.m.
To: Melissa Shipman
Cc: Matthew Schmidt
Subject: RE: LUC-2016-129 - 138 Union Street - Proposed Redevelopment of existing Commercial to Mixed Use Commerical/Residnetail Development

Hi Melissa,

Thanks for getting in touch about this. We have received an application for an archaeological authority for the project and this is being processed. For completeness it would be good if you could put in an advice note stating that 'subsurface works should not commence until an archaeological authority has been obtained from Heritage New Zealand and the approved archaeologist is on site to monitor the works.'

Regards

Jane

From: Melissa Shipman [<mailto:Melissa.Shipman@dcc.govt.nz>]
Sent: Wednesday, 12 October 2016 11:45 a.m.
To: Jane O'Dea
Subject: LUC-2016-129 - 138 Union Street - Proposed Redevelopment of existing Commercial to Mixed Use Commerical/Residnetail Development
Importance: High

Hi Jane, this is pretty late in the play, however, I now understand the applicant is/will be obtaining an archaeological authority from yourselves for the earthworks they propose to do. The applicant will be demolishing and removing the existing concrete floor and foundations at this site. There is no evidence that the applicant has consulted with you however, they are aware of the potential for discovery, noting the site is 'in an area where the Otago Harbour shoreline and activities occurred in the past'. I am writing up the officer report due by tomorrow for a hearing in early November. I will be including advice notes regarding liaison with yourselves and obtaining the relevant authority.

Sorry for the late notice, but do you have any further comments/wording preferences?

Note: Proposed 2GP has an Archaeological Alert Layer over the site.

Regards,

Melissa Shipman
 Planner, City Planning
 Dunedin City Council

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand
 Telephone: 03 474 3448; Fax: 03 474 3451
 Email: melissa.shipman@dcc.govt.nz



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Melissa Shipman

From: Gary Todd <gary@garytoddarchitecture.co.nz>
Sent: Tuesday, 6 September 2016 04:09 p.m.
To: Melissa Shipman
Subject: Re: 138 Union Street, RC amendment Request for Further Information

Hi Melissa, the location of mechanical plant is positioned on level 1 under the concrete roof in the service court, this will mitigate effects in terms of noise and visual effects on any nearby properties. Thanks Gary

Sent from my iPhone

On 6/09/2016, at 1:40 PM, "Melissa Shipman" <Melissa.Shipman@dcc.govt.nz> wrote:

> Have these matters been addressed? Thanks.
 >
 > From: Carlo Bell
 > Sent: Monday, 15 August 2016 2:17 p.m.
 > To: Amy Young
 > Subject: 138 Union Street, RC amendment Request for Further Information
 >
 > Hi Amy,
 >
 > The mixed commercial / residential nature of the proposal can result in some environmental effects impacting future residents of the building. These effects would be particularly around noise generated by refrigeration and extraction systems as well as cooking odours. The original application was vague around these effects so further information was requested and Conrad Anderson replied comments, which I attach. This provided enough clarification for the process to continue at that point.
 >
 > The re-submitted plans are also vague on the environmental effects especially concerning future occupants of the proposed residential units. I request that further information be provided in the following areas:
 >
 >
 > - Refrigeration: what kind of units are proposed and how will they be designed to minimise unreasonable noise?
 >
 > - Extraction & noise: how will this be designed to minimise unreasonable noise. I note that the ducting appears to be routed internally and adjacent to bedrooms. The building code may adequately insulate against this noise but I believe it is still worthy of comment.
 >
 > - Extraction & odour: how will extraction be designed to minimise offensive odours in the residential units, e.g. where will they vent and at what height?
 >
 > I would prefer to see the applicant provide some detail on these areas before proceeding further with comments.
 > thanks
 >
 > Carlo Bell
 > Environmental Health Officer
 > Dunedin City Council
 > 50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand
 > Telephone: 03 477 4000; Fax: 03 474 3523
 > Email: carlo.bell@dcc.govt.nz<<mailto:carlo.bell@dcc.govt.nz>>;
 > www.dunedin.govt.nz<<http://www.dunedin.govt.nz>>
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Melissa Shipman

From: Gary Todd <gary@garytoddarchitecture.co.nz>
Sent: Tuesday, 6 September 2016 04:11 p.m.
To: Melissa Shipman
Subject: Re: 138 Union Street, RC amendment Request for Further Information

Hi Melissa, the extract system will vent above the top level roof central on the site to mitigate effects on any property. Thanks Gary

Sent from my iPhone

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> Carlo Bell

> Environmental Health Officer

> Dunedin City Council

> 50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand

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