

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHĪ ROHE**

ENV – 2018 –

IN THE MATTER OF

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

BETWEEN

OTAGO LAND GROUP LIMITED

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

**NOTICE OF APPEAL BY OTAGO LAND GROUP LIMITED AGAINST
DECISIONS ON THE PROPOSED SECOND GENERATION DUNEDIN CITY
DISTRICT PLAN**

19 December 2018

BUDDLE FINDLAY
Barristers and Solicitors
Wellington

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To The Registrar
Environment Court
Christchurch

Introduction

1. Otago Land Group Limited ("**OLG**") appeals against parts of the decision made by Hearing Commissioners on behalf of Dunedin City Council ("**Council**") on the Proposed Second Generation Dunedin City District Plan ("**Proposed Plan**").
2. OLG made a submission and further submission on the Proposed Plan (attached as **Appendix A**) and appeared at the hearing on 11 August 2016.
3. OLG owns land on 414 and 414A – C Cumberland Street and 141 – 155 Hanover Street in Dunedin (the "**OLG Land**"). This land is within the Centre Edge Commercial – North Zone ("**CEC – North Zone**") in the decisions version of the Proposed Plan.
4. OLG is not a trade competitor for the purposes of 308D of the Resource Management Act 1991.
5. OLG received notice of the decision on 7 November 2018.
6. The decision was made by Dunedin City Council.

Parts of the decision subject to appeal

7. The parts of the decision that OLG is appealing are:
 - (a) the decision not to provide for the following activities as permitted on the OLG Land (being land that is within the CEC – North Zone in the decisions version of the Proposed Plan):¹
 - (i) Conference, meeting and function;
 - (ii) Entertainment and exhibition;
 - (iii) Food and beverage retail less than 1500m² in gross floor area;
 - (iv) General retail less than 750m² in gross floor area;
 - (v) All restaurants;
 - (vi) All residential activities;

¹ Refer to Rule 18.3.5, and in particular the activity status assigned to these activities in column a, relating to the CEC – North Zone.

- (vii) Hospital;
- (b) the decision to include policies that do not appropriately encourage all of the above-listed activities within the OLG Land;²
- (c) the decision not to provide for a maximum permitted activity building height limit for the OLG Land of 25m (in that the maximum permitted activity height limit within the CEC – North Zone is 20m);³
- (d) the decision to refer in Policy 18.2.1.10 to the possible but uncertain relocation of Dunedin Hospital to land currently within the CEC – North Zone.

Reasons for the appeal

8. The reasons for the appeal are that the parts of the decision cited in paragraph 7 above:
 - (a) fail to promote the sustainable management purpose of the Resource Management Act 1991 (“**RMA**”), particularly because they do not provide for the sustainable management of natural and physical resources; or the efficient use and development of resources;
 - (b) fail to achieve consistency with the relevant planning instruments and to give effect to the higher order planning instruments, particularly the National Policy Statement on Urban Development Capacity; and
 - (c) do not amount to the most appropriate provisions to apply to the OLG Land in terms of section 32 of the RMA.
9. In addition, without derogating from the generality of the above, other specific reasons for the appeal include that:
 - (a) the decision does not provide for an appropriately enabling set of rules in respect of the OLG Land. The location and nature of the OLG Land means that more intensive, mixed-use development should be enabled (including retail, commercial and residential uses), in order to reinforce the vibrancy and mix of uses that make the central city the focal point and hub of Dunedin;
 - (b) the limited types of activities provided for as permitted in the CEC – North Zone, such as yard based retail, would provide for an entirely

² Refer in particular to policies 18.2.1.4, 18.2.1.16 and 18.2.1.17.

³ Refer to Rule 18.6.5.2(iv), column 3.

inefficient use of the land at this location. Furthermore, the amenity and urban design effects of permitting such activities (without permitting the broader range of activities listed in paragraph 7(a) above) would have a negative impact on this centrally located area;

- (c) the most efficient economic outcome would be to enable retail, commercial and residential uses on the OLG Land;
- (d) the decision does not achieve the Strategic Direction objectives of the 2GP for the intensification of urban land (in particular Objective 2.6.2 – Adequate Urban Land Supply);
- (e) the decision to specifically “*allow for the relocation of Dunedin Hospital*” into the CEC – North Zone in Policy 18.2.1.10, while not enabling the broader range of land uses listed in paragraph 7(a) above, is inappropriately speculative and derived from information and representations received after the hearing closed (which OLG was not given an opportunity to comment on or respond to).

Relief sought

10. OLG seeks the following relief (or amendments to like effect, and any consequential changes that may arise):

- (a) That Policy 18.2.1.4 be amended as follows:

“Provide for food and beverage retail:

- a) in the CBD, **CEC – North Zone** and centres; and*
- b) where 1500m² or more in gross floor area, in the CEC – **South Zone** and TR zones.”*

- (b) That Policy 18.2.10 be amended as follows:

“Provide for hospital activity in the CEC - North Zone, ~~to allow for the relocation of Dunedin Hospital into this zone.~~”

- (c) That Policy 18.2.1.16 be amended as follows:

*“Avoid conference, meeting and function or entertainment and exhibition in the NEC, NECC, SSYP, PPH and ~~CEC zones~~ **CEC – South Zone** unless:*

- a) it is ancillary to visitor accommodation; or*

- b) *it has specific operational requirements that require it to locate in these zones.”*
- (d) That Policy 18.2.1.17 be amended as follows:
- “Only allow restaurants outside the CBD, **CEC – North Zone** where WP, HE and centres the activity is not of a scale or nature that is more appropriate to locate in the CBD, **CEC – North Zone**, centres, WP or HE because:*
- a) *it is unlikely to contribute to the vibrancy and vitality of those zones;*
and
- b) *it has specific operational requirements that do not fit with those locations.”*
- (e) That the activities listed in paragraph 7(a) above are provided for as permitted activities in the CEC – North Zone, in particular through amendments to that effect to column (a) in Rule 18.3.5 of the Proposed Plan; and
- (f) That the maximum permitted building height limit in the CEC – North Zone is amended to 25m, in particular through an amendment to that effect in column 3 of Rule 18.6.5.2(iv) in the Proposed Plan.
11. As alternative relief to that specified in paragraph 10 above, OLG seeks:
- (a) The OLG Land be rezoned as Central Business District Zone, in particular through an amendment to the Proposed Plan maps; and
- (b) A maximum permitted building height of 25m for the OLG Land be provided for, in particular through an amendment to Rule 18.6.5.2 in the Proposed Plan.

Appendices to this Notice of Appeal

12. The following documents are attached to this notice:
- (a) **Appendix A:** A copy of OLG's submission and further submission;
- (b) **Appendix B:** A copy of the relevant parts of the decision;
- (c) **Appendix C:** A list of names and addresses of the persons to be served with a copy of this notice.



D Randal / T Ryan
Counsel for OLG

Dated: 19 December 2018

Address for service of Appellant:

Otago Land Group Limited
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Wellington 6140

Phone (04) 499 4242

David.Randal@buddlefindlay.com / Thaddeus.Ryan@buddlefindlay.com

Advice to recipients of copy of notice of appeal

How to become party to proceedings

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).

**How to obtain copies of documents relating to appeal*

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.

Advice

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

Appendix A

[Attached]

Appendix B

[Attached]

Appendix C

The submitters to be served with a copy of this notice of appeal:

Being all submitters on Chapter 18 of the Proposed Plan, as listed in the Commercial and Mixed Use Zones, Section 42A Report, Index by submitter at 7.0.

Name	Address for service
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Alec Cassie and Nicky Cassie	alec.cassie@xtra.co.nz
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Anthony Guy	tony@technologyholdings.co.nz
Aorangi Laboratories Limited	phillip.day@xtra.co.nz
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Bowen Family Trust	kurt.bowen@ppgroup.co.nz; schadwick@webbfarry.co.nz
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BP Oil NZ Ltd and Mobil Oil NZ Ltd and Z Energy Ltd	gmcpherson@burtonconsultants.co.nz
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Niblick Trust	allan@cubittconsulting.co.nz
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The Otago Chamber of Commerce Incorporated	admin@otagochamber.co.nz

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SUBMISSIONS ON DUNEDIN CITY COUNCIL PROPOSED SECOND GENERATION DISTRICT PLAN (2GP)

Submitter details: Otago Land Group Limited (OLG)
c/- PO Box 170
Dunedin 9054

Contact: Alison Devlin
Email: alison@willowridge.co.nz
Phone: 03 474 9911/021 969 152

Trade Competition: OLG could not gain an advantage in trade competition through this submission.

Hearing: OLG would like to be heard in support of this submission.

Introduction:

OLG owns land in the Andersons Bay Road area and the central city area of Dunedin. OLG is interested to ensure the provisions of the 2GP for the City's commercial areas will support and encourage business development and service provision for the lifetime of the plan. OLG is particularly concerned that the provisions in the District Plan as notified do not recognise the changing trends of commercial land needs and consequently do not provide for the right commercial land in the right areas. This will have significant adverse economic consequences on Dunedin in the future through discouraging new commercial activity or forcing commercial activity to establish in inappropriate locations. The 2GP provides a valuable opportunity to anticipate and provide for commercial activity in the right locations.

OLG is also concerned about the approach to Hazards taken in the District Plan and whether the right balance has been achieved between protecting sensitive activities from the risk of hazards and enabling appropriate growth and development of the city.

OLG makes the following submissions on the 2GP:

	Provision	Support/Oppose	Submission	Decision Sought
1	Policy 2.3.2.4, Maps	Oppose	<i>Trade Related Zones</i> Policy 2.3.2.4 directs trade related activity, yard based retail, industrial activity and large supermarkets to Andersons Bay Road. Andersons	<i>Policy 2.3.2.4</i> <i>Manage the other existing low-amenity mixed commercial/industrial areas around Andersons Bay Road/King Edward Street/Hillside Road and</i>

		Bay Road is currently zoned Industrial, however, the predominant land use is a mix of commercial, retail and service activity. There are very few or no industrial activities remaining on Andersons Bay Road. No longer an industrial area, Andersons Bay Road now serves an important function as a commercial centre. Alongside the trade related retail activity and supermarkets are bakeries, quick serve restaurants, liquor stores, a butcher, a frozen food retailer and furniture stores. These activities have established on Andersons Bay Road because they are no longer a good fit in a CBD area and Andersons Bay Road provides an accessible location with appropriately sized sites. Their existence on Andersons Bay Road has not negatively impacted on the CBD. Policy 2.3.2.4 does not reflect the existing activity on Andersons Bay Road and does not provide for the activities that are best suited to the area. 'Trade Related Zone' is a limiting description and does not reflect the mix of the current activity in the Zone. The policy and zone description need to be broadened to provide for growth in line with the current mix of activities. <i>CBD Edge Commercial</i> The CBD Edge Commercial Zone includes land on Cumberland Street, which is in a prime location to provide for activities that align with the CDB and that support the adjacent major facilities zones such as the University and the Hospital. Yard-based retail and industrial activity is not appropriate at this location and would be an inefficient use of valuable	<i>the outer edges of the central city through zones that only provide for commercial activities that are likely to be incompatible with the amenity expectations of the CBD/centres or require larger sites than are available within the CBD/centres, including:</i> <i>a. For the trade-related zones <u>Andersons Bay Mixed Use Commercial Zone</u> providing for <u>appropriate retail, commercial and service activity including trade related retail, large format and bulky goods retail, mixed with yard-based retail and industrial activities, and large supermarkets; and</u></i> <i>b. For the CBD Edge Commercial Zone provide for large-format and bulky goods-retail-along-with-yard-based-retail and industrial activities <u>commercial, retail, residential and service activities that support the CBD and major facilities subzones.</u></i> In the alternative to the relief sought in 2.3.2.4b, rezone the land shown outlined in black on the attached plan as Central Business District. Any other consequential amendments.
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			land adjacent to the CBD. The adverse visual and amenity effects of such activity would have a negative impact on the central city area.	
2	Policy 11.2.1.9, rule 11.3.4, Note 11.3B1, 11.4.2.7	Oppose	Policy 11.2.1.9 requires new buildings to be used for sensitive activities to be relocatable so that as coastal hazards, including sea level rise, become more severe, these buildings can be relocated. When considered in conjunction with the definition of sensitive activities, this policy is unworkable. For example, a crematorium, hospital, school, a detention centre or a prison are not relocatable. Some activities could potentially be housed in relocatable buildings, such as health practitioners, residential activities and visitor accommodation; however, this approach could lead to some poor design outcomes and buildings that are not the best practical design and layout for their purpose. Furthermore, buildings generally have a lifespan of 70 – 100 years. Policy 11.2.1.8 provides for a minimum floor level of new buildings intended for sensitive activities in the hazard 3 (coastal) overlay zone. This should be sufficient to mitigate the risk from sea level rise for the lifespan of most buildings developed under the Proposed District Plan. Ultimately, the decision to build within the hazard 3 (coastal) overlay area is the commercial decision of individual landowners and the coastal overlay in the Proposed Plan will provide the information needed by the landowner to assess the risks. Policy 11.2.1.9 is considered to be unworkable, impractical and unnecessary and should be deleted.	Delete policy 11.2.1.9, rule 11.3.4, Note 11.3B1 and assessment matter 11.4.2.7 and any other consequential amendments.

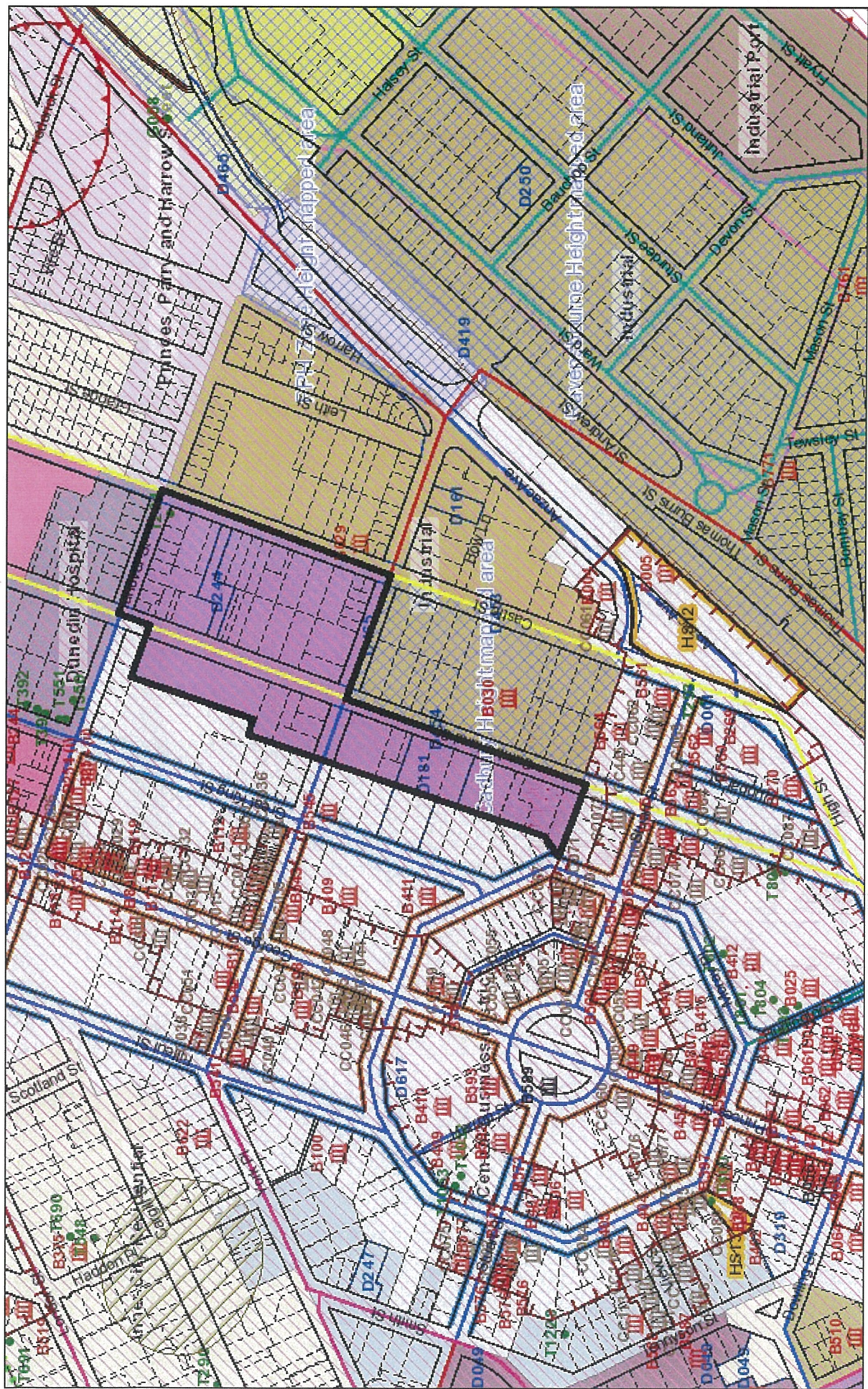
3	18.1.1.7	Oppose	18.1.1.7 describes the Trade Related Zone (TR), which is the area around Andersons Bay Road. The term TR is misrepresentative of the overall activity that already occurs and that should be encouraged in Andersons Bay Road. The label seems to be based around the existence of the Mitre 10 Mega store. Other large trade related stores, such as Placemakers and Bunnings are already established outside the TR zone between Andersons Bay Road and Portsmouth Drive. The zone therefore does not encapsulate much of the activity it describes. In reality Andersons Bay Road is a broader mix of commercial activity than trade related activity. It is a suitable and easily accessible location to provide for commercial activities that are not appropriately located in the CBD, such as large format retail, bulky goods retail and supermarkets. The Trade Related Zone should be renamed the Andersons Bay Road Mixed Use Commercial Zone. The activity provided for in the zone should be extended to reflect the existing uses.	<u>18.1.1.7 Trade-Related-Zone (TR) Andersons Bay Road Mixed Use Commercial Zone (ABR)</u> The ABR Zone is an area around Andersons Bay Road which provides for large format food and beverage retail, trade related, and yard based, large format and bulky goods retail as well as other specific categories of activities which generate high traffic volumes and require larger sites than are available within the CBD and centres. These characteristics mean that such retail types are likely to be incompatible with the amenity expectations of the CBD and centres. Performance standards applied to this zone reflect the more car-focused characteristics and the lower expectations for pedestrian amenity of this environment.
4	18.1.1.8 and Maps	Oppose in Part	18.1.1.8 describes the CBD Edge Commercial Zone (CEC) as providing for specific high traffic generating activities, large format general and food and beverage retail, bulky goods, trade related and yard based retail and visitor accommodation. The CEC includes land at Crawford and Cumberland Street, to the south of the CBD, where activities such as those provided for are already well established. The CEC zoning is appropriate at this location. The CEC also includes land on Cumberland Street and Castle Street to the north of the CBD. This area is much more connected to the CBD and also links	Rezone the CEC area to the north of the city centre as CBD, or amendments with like effect and any consequential amendments.

			the CBD and the major facilities of the University and the Hospital. This area benefits from a high volume of foot traffic as well as vehicular traffic and is in a prime position to support the CBD and to provide for activities ancillary to the adjacent major facilities zones such as offices, residential accommodation, service activities, smaller format retail activity, smaller format food and beverage. This area is valuable land that should be intensively developed in order to reinforce the vibrancy and mix of uses that make the central city the focal point and hub of Dunedin. The type of activity currently provided for in the CEC, such as yard based retail, would be an entirely inefficient use of the land at this location. Furthermore, the amenity and urban design effects of such activities would have a negative impact on this centrally located area. The uses provided for in the Central Business District zone would be more appropriate for this area.	
5	Policy 18.2.1.10 and Activity Tables 18.3.3 and 18.3.5	Support in part oppose in part	Policy 18.2.1.10 is to provide for hospital activity in the Cumberland Street part of the CEC Zone to allow for the extension of the hospital into this zone. OLGL supports this activity at this location although considers the area should be zoned CBD as outlined in part 4 of this submission. Hospital Activity falls under the definition of Major Facility Activities. This is currently a non-complying activity in the CBD (18.3.3a.22) and the CEC (18.3.5a.29), the latter being contrary to policy 18.2.1.10. Hospital activity should be provided for as a permitted activity at this location.	Add a new rule under 'Major Facility Activities' in table 18.3.3, as follows: <u>23. Hospital Activities in the Cumberland Street part of the CBD Zone.</u> A new activity status under column 'a. CDB' of table 18.3.3: 'p' And any consequential amendments. Change the status of 18.3.5b 3 and 12 to
6	Table 18.3.5 b	Oppose		

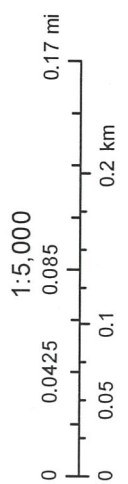
3, 12.			submission, the activity status of Bulky Goods Retail and General Retail (1,500m ² or more in gross floor area) should be a permitted activity in the Andersons Bay Road area currently identified as TR zone.	Permitted and any other consequential amendments.
7	18.6.1.1, 2, and 4 and rule 18.6.9.2	Oppose	Performance Standard 18.6.1.1 and 18.6.9.2 relate to boundary treatments and other landscaping and requires a landscaping area with a minimum width of 1.5m along the full length of any street frontage boundary that does not have a building within 1.5m of that boundary. The Standard goes on to prescribe the ground cover that the planting should achieve an average of 1 tree for every 5m of front, that the trees should be at least 1.5m high at time of planting and that they should grow to 5m within 10 years of planting. The Standard also requires 1m² additional landscaped area for every parking space within any parking areas greater than 200m². These Performance Standards are too prescriptive and too difficult to comply with i.e. it is impossible to achieve total coverage of the ground area in planting when there is a 5m high tree located at 5m intervals (difficult to grow under the canopy of a tree). The level of landscaping this performance standard seeks to achieve is unnecessary in a commercial area.	Delete Performance Standard 18.6.1.1, 2, 3 and 4 and any other consequential amendments.
8	18.6.6.2d	Oppose	Performance Standard 18.6.6.2d sets out the height requirements for buildings in the CBD Edge Commercial Zone (CEC). In line with submissions 1 and 4 above, the area identified as CEC on Crawford and Cumberland Street to the north of the city centre is adjacent to both the hospital and campus	Amend rule 18.6.6.2d to provide for buildings up to 25m as a permitted activity and 48m as a discretionary activity.

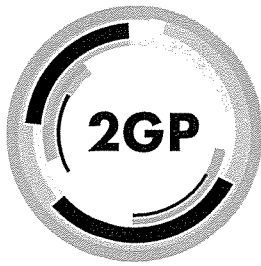
9	18.6.14	Oppose	special zones where permitted height limits are 20m and 25m respectively and restricted discretionary height limits are 48m and 40m respectively. The maximum height limit of the CEC Zone at this location is 16m. This should be increased to align with the adjacent zones in order to avoid potential reverse sensitivity effects from building height on the CEC zone and provide the opportunity to maximisation the potential for vertical mixed use activity at this location. Performance Standard 18.6.14 relates to signs. Some of the provisions within the standard have the potential to constrain the ability of commercial activities to effectively display necessary signage. Specifically: - 18.6.14.1a) <i>Signs must not be illuminated or digital within pedestrian street frontages, heritage precincts or the Harbourside Edge Zone</i> The streets identified as pedestrian street frontages cover most of the CBD and northern CEC. Illumination of signs at this location is necessary and is anticipated as part of the character of a central city area. - 18.6.14.3a <i>The maximum area of walls facing the street that signs may occupy is</i> ii) 15% or 8m², whichever is the lesser, in all other locations. - 18.6.14.6a <i>The maximum number of freestanding signs is: ii) 2 per site or 1 per 15m of street frontage, whichever is the lesser for freestanding signs and 1 per 15m of street frontage for portable free standing signs in all other areas excluding directional signs or signs displaying information relating to the operation of a car park.</i>	OLG seeks the following relief and any consequential amendments: Delete 18.6.14.1a Amend 18.6.14.3a: <i>The maximum area of walls facing the street that signs may occupy is</i> ii) 15% or 8m², whichever is the <u>greater</u> lesser, in all other locations. Amend 18.6.14.6a as follows: <i>The maximum number of freestanding signs is: ii) 2 per site or 1 per 50m of street frontage, whichever is the lesser for freestanding signs and 1 per 15m of street frontage for portable free standing signs in all other areas excluding directional signs or signs displaying information relating to the operation of a car park.</i>
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			<i>of street frontage for portable free standing signs in all other areas.</i> This rule does not take into consideration that there might be a requirement for free standing directional signs within car parks of larger premises and other informative signs such as trolley bay signs.	
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November 23, 2015





THE PROPOSED
**SECOND
GENERATION
DISTRICT PLAN**

FURTHER SUBMISSION FORM

This is a further submission in support of, or in opposition to,
a submission on the Proposed Second Generation Dunedin
City District Plan (2GP) for Dunedin, pursuant to Clause 8 of
Schedule 1 of the Resource Management Act 1991.

MAKE YOUR FURTHER SUBMISSION BEFORE 5PM ON THURSDAY 3 MARCH 2016

Online: www.2gp.dunedin.govt.nz

Email: districtplan@dcc.govt.nz

Post to: Further Submission on 2GP
Dunedin City Council
PO Box 5045, Moray Place
Dunedin 9058

Deliver to: DCC Customer Services Agency
Ground floor
Civic Centre, 50 The Octagon
Dunedin

A copy of your further submission must be served on the original submitter within five working days after it is served on the local authority.

Please note that all further submissions are public information. Your name, contact details and submission will be available to the public and the media. The DCC will only use your information for the purposes of this plan review process.

FURTHER SUBMITTER DETAILS *Fields indicated by an asterisks (*) are mandatory.*

Full name of submitter*: Otago Land Group Limited

Submitter organisation (if relevant):

Agent name and organisation (if applicable):

Send correspondence to: ☒ Submitter ☐ Agent

Please select the address where you would like correspondence sent to using the tick box:

☐ Postal address* PO Box 170, Dunedin Postcode* 9052

☒ Email address alison@willowridge.co.nz

Phone number* 03 474 9911 Mobile number 021969152

The RMA limits the people that can take part in this further submission process to the following categories.

Please select which category you belong to:*

☐ I am a person representing a relevant aspect of the public interest; or

☒ I am a person who has an interest in the proposal that is greater than the interest the general public has.

Specify grounds for saying that you come within the selected category:

Otago Land Group Limited owns land and property that is directly affected by submissions on the 2GP.

HEARINGS

I would like ☒ would not like ☐ to be heard in support of my further submission

If others submitters make a similar submission, I will ☒ will not ☐ consider presenting a joint case with them at a hearing

FURTHER SUBMISSION DETAILS *Fields indicated by an asterisks (*) are mandatory.*

☐ I support ☐ I oppose (please tick one) the submission of*:
(original submitter's name and/or submission number)

See attached.

The particular parts of the submission I support (or oppose) are*:
(Specify submission point number or otherwise clearly indicate which parts of the original submission you support or oppose).

See attached.

The reasons for my support (or opposition) are*:

See attached.

I seek the following decision*: (Explain if you wish the whole (or part [describe part]) of the submission allowed (or disallowed)).

See attached.

1st March 2016

Signature of person making further submission
(or person authorised to sign on behalf of person making further submission)
(A signature is not required if you make your submission by electronic means.)

Date

Otago Land Group Limited (OLG) – Further Submissions

#	Submitter	Support/ Oppose	Particular Parts of Submission Supported/Opposed	Reasons for Support/Opposition	Relief Sought
489.1	Bunnings Limited	Support	The submission to amend the definition of Trade Related Retail.	The proposed definition better reflects actual trade related retail activity.	That the submission is accepted.
489.7	Bunnings Limited	Oppose in part.	The submission to retain the maximum height limits in the Commercial and Mixed Use Zones.	OLG submits that the maximum height for buildings on land identified as CBD Edge Commercial on Crawford and Cumberland Street to the north of the city centre should be increased given the greater heights enabled within the adjacent Campus and Hospital Zones.	That the submission is rejected insofar as it relates to OLG land.
489.8	Bunnings Limited	Support	The submission to amend the car parking requirements for Trade Related retail activity.	Trade related retail activity is characterised by large floorspace to shopper ratio. Car parking requirements should reflect this.	That the submission is accepted.
652.2	Oamaru Property Ltd	Support	The submission to make training and education a permitted activity in the CBD Edge Commercial Zone.	Activities that support the campus and hospital zones should be enabled in the adjacent CBD Edge Commercial Zone.	That the submission is accepted.
652.3	Oamaru Property Ltd	Oppose	The submission to retain height rule 18.6.6.2	OLG submits that the maximum height for buildings on land identified as CBD Edge Commercial on Crawford and Cumberland Street to the north of the city centre should be increased given the greater heights enabled within the adjacent Campus and Hospital Zones.	That the submission is rejected insofar as it relates to OLG land.

652.5	Oamaru Property Ltd	Oppose	The submission to retain the CBD Edge Zoning for the block containing 360 Cumberland Street.	OLG owns land at the northern end of the block containing 360 Cumberland Street. OLG has made submissions that this area is much more connected to the CBD and also links the CBD and the major facilities of the University and the Hospital. The uses provided for in the Central Business District zone would be more appropriate for this area.	That the submission is rejected insofar as it relates to OLG land.
652.6	Oamaru Property Ltd	Support	The submission to remove the height in relation to boundary rule for land bounded by Cumberland or Castle Street (18.6.6.1).	There are no adverse amenity effects of building up to the boundary of the State Highway.	That the submission is accepted.
652.7	Oamaru Property Ltd	Support	The submission to permit registered health practitioners within the northern part of the CBD Edge Commercial Zone.	Activities that support the campus and hospital zones should be enabled in the adjacent CBD Edge Commercial Zone.	That the submission is accepted.
652.8	Oamaru Property Ltd	Support	The submission to permit offices within the northern part of the CBD Edge Commercial Zone.	Offices are an appropriate activity at this location, particularly on upper levels.	That the submission is accepted.
899.5	Capri Enterprises Ltd	Support	The submission to amend rule 18.3.5.11a and 18.3.5.12a so that all general retail is permitted in the CBD Edge Commercial Zone.	The current threshold is unduly restrictive and could limit economic growth of the central city area.	That the submission is accepted.
899.10	Capri Enterprises Ltd	Oppose	The submission to amend rule 18.3.5.19a so visitor accommodation is no longer a permitted activity in the CBD Edge Commercial Zone.	The CBD Edge Commercial Zone is an appropriate location for visitor accommodation given its proximity to the CBD. Permitting visitor accommodation at this location will enhance the vibrancy and vitality of	That the submission is rejected.

713.3	Foodstuffs South Island Properties Ltd	Support	The submission to amend rule 18.3.5 to permit offices and staff facilities ancillary to permitted activities.	the CBD and the CBD Edge areas. Many businesses will require offices and staff facilities to operate efficiently.	That the submission is accepted.
713.6	Foodstuffs South Island Properties Ltd	Support	The submission to amend rule 18.3.5 to permit cafes associated with permitted activities.	Café's are now recognised as part of the format of many large businesses and should be provided for in the Plan.	That the submission is accepted.
713.10	Foodstuffs South Island Properties Ltd	Oppose	The submission to retain the Trade Related Zone.	'Trade Related Zone' is a limiting description and does not reflect the mix of the current activity in the Zone. The policy and zone description need to be broadened to provide for growth in line with the current and anticipated future mix of activities.	That the submission is rejected.
749.1, 17, 36	Chalmers Properties Ltd	Support	The submission to create a new Commercial Mixed Use Zone and to apply it to land between Andersons Bay Road and Portsmouth Drive.	The Trade Related Zone as currently proposed does not reflect existing activity in the area and does not provide for appropriate growth in this key commercial area of the city.	Accept the submission.
271.2	Nichols Property Group Ltd	Support	The submissions to change the Trade Related Zone to a new mixed use commercial zone.	The Trade Related Zone as currently proposed does not reflect existing activity in the area and does not provide for appropriate growth in this key commercial area of the city.	Accept the submission.
490.10	NZ Institute of Surveyors Coastal Otago Branch	Support	The submission to review the data measurements and analysis that underlie the 2GP hazards provisions, including overlay maps.	The overlay maps cover extensive areas of the City and introduce considerable limitations over the ability to use some property. The maps should be the result of detailed	Accept the submission.

				analysis to ensure areas which do not need to be included are not subject to undue restrictions.	
765.5	AKGO Ltd	Support	The submission to amend policy 11.2.1.8 to delete reference to Hazard 3 Coastal.	The current hazards provisions are unjustified and unduly restrictive.	Accept the submission.
950.4	Thomson PS and MJ	Supports	The submission to amend policy 11.2.1.8 to delete reference to Hazard 3 Coastal.	The current hazards provisions are unjustified and unduly restrictive.	Accept the submission.
704.1	Craig Horne and Craig Horne Surveyors Ltd	Support	The submission to remove all hazard overlay zones that cannot be adequately justified by the section 32 report (particularly the Hazard 2 Flood and Hazard 3 Coastal overlay zones).	The hazard overlays are unjustifiably extensive and unduly restrictive.	That the submission is allowed.
739.1	Blueskin Projects Ltd	Support	The submission to remove all hazard overlay zones that cannot be adequately justified by the section 32 report (particularly the Hazard 2 Flood and Hazard 3 Coastal overlay zones).	The hazard overlays are unjustifiably extensive and unduly restrictive.	That the submission is allowed.
742.1	CTW Holdings Ltd	Support	The submission to remove all hazard overlay zones that cannot be adequately justified by the section 32 report (particularly the Hazard 2 Flood and Hazard 3 Coastal overlay zones).	The hazard overlays are unjustifiably extensive and unduly restrictive.	That the submission is allowed.
317.28, 39	Property Council New Zealand	Support	The amendments to Strategic Direction 2.4, policy 18.2.1.1	There should be enough flexibility in the plan to futureproof development in the commercial areas and to	Accept the submission.

317.63	Property Council New Zealand	Support	The submission to review the Trade Related Zone and create a new commercial zone for the south Dunedin area.	ensure economic growth in the city. The Trade Related Zone as currently proposed does not reflect existing activity in the area and does not provide for appropriate growth in this key commercial area of the city.	Accept the submission.
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