Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma <Emma@sweepconsultancy.co.nz>
Sent: Thursday, 4 March 2021 08:03 p.m.
To: District Plan Submissions
Subject: Submission of Invermark Investments Ltd - Residential Rezone of 100 Main South Road and Part of 225 Gladstone Road South
Attachments: Submission Form 5 -Invermark Investments Ltd - GFO2, Extension of GF02, SPMA & NDMA.PDF; Variation 2 Submission Notes - Invermark Investments Ltd - Extension of GF02 & SPMA.pdf; Variation 2 Submission Notes - Invermark Investments Ltd - Table 1.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi,

Please find attached the following documents forming the submission of Invermark Investments Limited in relation to an GF02, its extension, the application of a SPMA and NDMA provisions.

- Completed Form 5;
- Submission Notes;
- Table 1; and
- Structure Plan.

Please confirm receipt of this email.

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214
www.sweepconsultancy.co.nz

VARIATION 2 – ADDITIONAL HOUSING CAPACITY

SUBMISSION FORM 5

CLAUSE 6 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991

SECOND GENERATION DISTRICT PLAN

This is a submission on Variation 2 to the Second Generation Dunedin City District Plan (2GP). Your submission must be lodged with the Dunedin City Council by midnight on 4 March 2021. **All parts of the form must be completed.**

Privacy

Please note that submissions are public. Your name, organisation, contact details and submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Variation 2. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your submission

Online: www.dunedin.govt.nz/2GP-variation-2 | **Email:** districtplansubmissions@dcc.govt.nz
Post to: Submission on Variation 2, Dunedin City Council, PO Box 5045, Dunedin 9054
Deliver to: Customer Services Agency, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Submitter details (You must supply a postal and/or electronic address for service)

First name: Invermark Investments Ltd

Last name:

Organisation (if applicable):

Contact person/agent (if different to submitter): Emma Peters, Consultant, Sweep Consultancy Ltd

Postal address for service: P.O. Box 5724

Suburb:

City/town: Dunedin Postcode: 9054

Email address: emma@sweepconsultancy.co.nz

Trade competition

Please note: If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4), Schedule 1 of the Resource Management Act.

I could gain an advantage in trade competition through this submission: Yes ✓ No

If you answered yes, you could gain an advantage in trade competition through this submissio,n please select an answer:

Yes No My submission relates to an effect that I am directly affected by and that:

a. adversely affects the environment; and

b. does not relate to trade competition or the effects of trade competition.

Submission

Submissions on Variation 2 can only be made on the provisions or mapping, which are proposed to change or alternatives that are clearly within the scope of the 'purpose of the proposals', as stated in the Section 32 report. Submissions on other aspects of the 2GP are not allowed as part of this process.

You must indicate which parts of the variation your submission relates to. You can do this by either:

- making a submission on the Variation Change ID (in which case we will treat your submission as applying to all changes related to that change topic or alternatives within the scope of the purpose of that proposal); **or**
- on specific provisions that are being amended.

The specific aspects of Variation 2 that my submission relates to are:

Variation 2 change ID (please see accompanying Variation 2 – Summary of Changes document or find the list on www.dunedin.govt.nz/2GP-variation-2)

GF02 & Extension of GF02 to 225 Gladstone Rd Sth & 100 Main Rd Sth.
For example: D2 & application of a structure plan mapped area.

Provision name and number, or address and map layer name (where submitting on a specific proposed amendment):

All relevant provisions to GF02 & NOMA

For example: Rule 15.5.2 Density or zoning of 123 street name.

My submission seeks the following decision from the Council: (Please give precise details, such as what you would like us to retain or remove, or suggest amended wording.)

✓ Accept the change GF02

✓ Accept the change with amendments outlined below Extend GF02 to 225 Gladstone Rd Sth & 100 Main Sth Rd & include a structure plan mapped area.

✓ Reject the change NOMA in alternative make amendments as outlined in Table 1.

If the change is not rejected, amend as outlined below

see attached submission notes

Reasons for my views (you may attach supporting documents):
If you wish to make multiple submissions, you can use the submission table on page 3 or attach additional pages.

see attached submission notes

Hearings

Do you wish to speak in support of your submission at a hearing: ✓ Yes No

If others make a similar submission, would you consider presenting a joint case at a hearing: ✓ Yes No

Signature: Emma Peters, Consultant, Sweep Consultancy Ltd **Date:** 3/3/21

assessment of infrastructure capacity at time of subdivision). This is a more appropraite methodology than applying the NDMA to change area GF02.

- The NDMA provisions will, in this case, act as an impediment to development.

In the alternative, the submitter requests changes to the NDMA provisions as set out in Table 1 of these submission notes. Table 1 contains the NDMA related provisions, issues and potential solutions.

On the submission form the submitter states that their submission relates to *"All provisions relating to...the New Development Mapped Area"*. In the event that Table 1 is not a complete list of all such provisions, the submitter reserves the right to make comment in evidence on any other NDMA related provisions which are found to be missing from Table 1.

Submission:

1. **Accept Change GF02 (Rezone from Rural Taieri Plains to GR1) but Amend Area Covered by GF02 to include part of 225 Gladstone Road South and all of 100 Main South Road and Apply a Structure Plan Mapped Area**

A structure plan has been produced for this area. Mr Horne, Registered Surveyor who produced the structure plan, states: *"There is a total of 9.39 ha shown hatched and outside the proposed road. This should generate around 170 sections at an average of 1 per 550m².*"

Reasons:

- The extension to GF02 provides for a logical 'edge' to the urban boundary at East Taieri.
- Experienced severe shortage of residential capacity in Dunedin, including in this locale, to satisfy short through to long term demand with sufficient capacity to meet Council's obligations pursuant to *NPS-UD 2020*. Therefore, rezoning land within GF02 from Rural Taieri Plains to General Residential 1 and extending GF02 to include part of 225 Gladstone Road South and all of 100 Main South Road helps Council meet its obligations pursuant to *NPS-UD 2020*.
- Rezone meets rezoning criteria specified in 2GP (see 2.6.2.1) – in particular, it provides a logical extension of residential capacity in an area which is close to services and public amenities. The s32 analysis does not make sufficient provision for residential capacity in this locale to alleviate experienced demand.
- Provides for flexibility of development in this locale for which there is experienced high demand for more residential capacity.
- Dunedin City Council does not have the ability to limit the scope of the area assessed for GF02 and to do so may be ultra vires.

2. **Reject Change NDMA over Change Area GF02 and its Extension to Part of 225 Gladstone Road South and all of 100 Main South Road and Instead use a Structure Plan Mapped Area**

Reasons:

- Provision of infrastructure is adequately governed by existing subdivision and land use performance standards in the 2GP.
- The application of the Structure Plan Mapped Area provides the opportunity for Council to insert performance standards necessary to achieve desired outcomes for this specific site (e.g. attentuation onsite of stormwater and / or wastewater if found to be necessary on

Figure 3: Structure Plan for GF02 and Part of 225 Gladstone Road South and 100 Main South Road

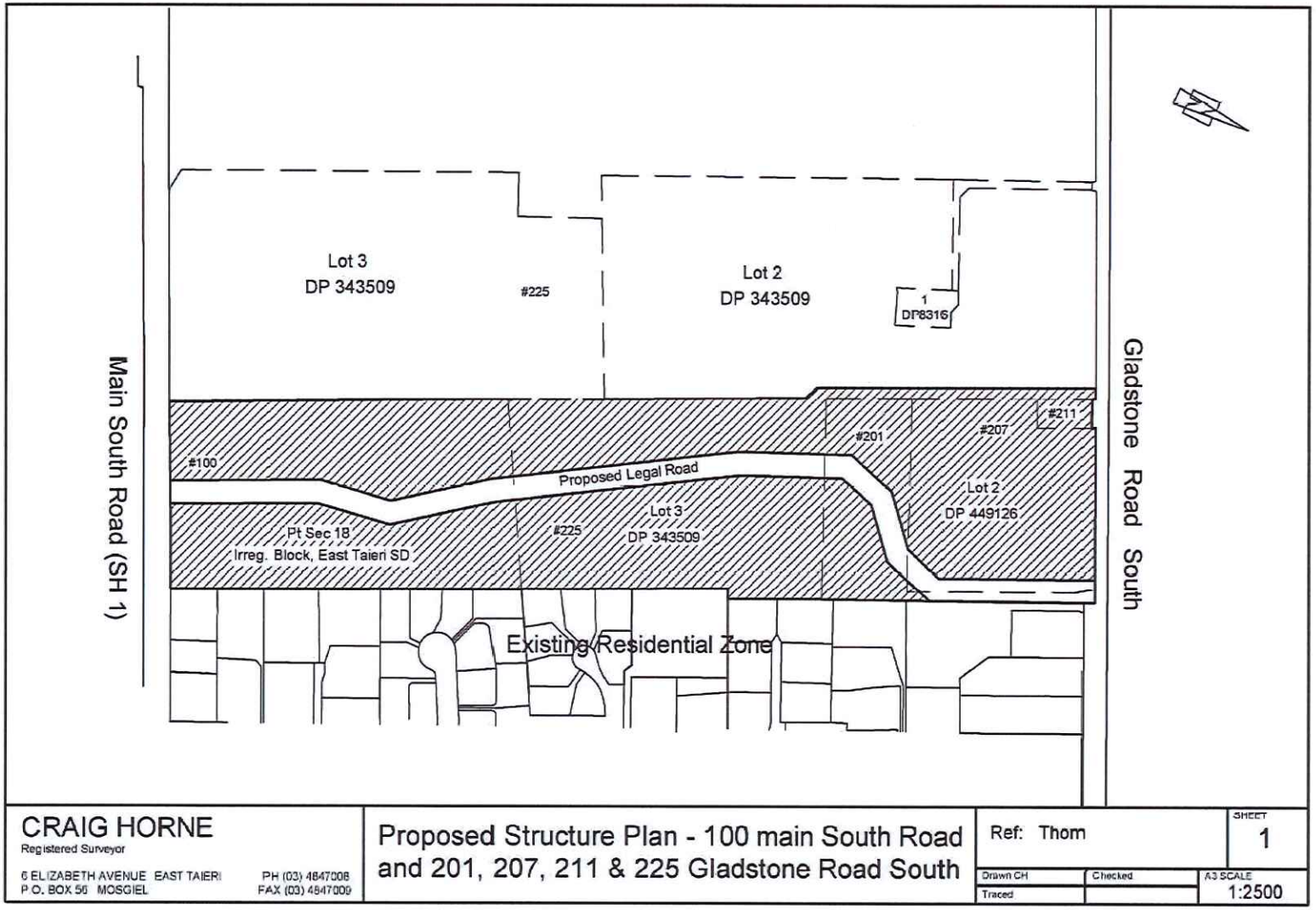

Figure 2: Requested Extension to GF02 (shown outlined in red):

Variation 2 Submission Notes – Invermark Invetments Ltd – Extension to GF02 & NDMA

Figure 1: Notified Extent of GFO2 – General Residential 1 Rezone:

Note the extent of the New Development Mapped Area in Relation to GFO2 is the same as the extent of GF02 itself.

Notified Policy / Rule	Issue	Potential Solutions
CHANGE F2-6 **Policy 9.2.1.AA** Policy 9.2.1.AA — Only allow subdivision in a **new development mapped area** where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for, future urban development on adjoining or nearby sites that are zoned for urban development, where necessary. *{Change F2-6}* **Rule 9.5.3.Z** **9.5.3 Assessment of performance standard contraventions** Performance standard / Matters of discretion / Guidance on the assessment of resource consents Z. In a **new development mapped area**: • Service connections - stormwater (Rule 9.3.7.AA) *{Change F2-2}* — a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development — iii. Only allow subdivision in a **new development mapped area** where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for, future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). *{Change F2-6}* **Rule 9.6.2.X** **9.6.2 Assessment of restricted discretionary activities** Activity / Matters of discretion / Guidance for the assessment of resource consents ... X. In a **new development mapped area**: • All subdivision activities *{Change F2-2}* — a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development — ii. Only allow subdivision in a **new development mapped area** where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for, future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). *{Change F2-6}*	Limit the extent of Policy 9.2.1.AA and related lower order provisions to provision of capacity of infrastructure within the specific new development mapped area.	Delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'. AND Similarly in Rule 9.5.3.Z.a.iii delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'. AND Similarly in Rule 9.6.2.X.a.iii delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'.

Rule 15.10.4.Y

15.10.4 Assessment of development performance standard contraventions		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
...		
10 Maximum building site coverage and impermeable surfaces	c. Effects on efficiency and affordability of infrastructure (stormwater) *{Change F2-3}*	See Rule 9.5.
	d. Effects of stormwater from future development *(Change F2-3)*	

Rule 15.11.5.Z

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item		
Activity	Matters of discretion	Guidance on the assessment of resource consents
...		
Z. In the following **new development mapped areas**, all subdivision activities, multi-unit development, and supported living facilities: *{Change F3-2}* • Kaikorai Valley Road *{Change IN07}* • Selwyn Street *{Change RTZ2}* • Wattie Fox Lane *{Change RTZ1}*	a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development *{Change F3-2}*	See Rule 9.6 *{Change F3-2}*

Rule 9.9.Y

9.9 Y Wastewater management plans

1. Any application for subdivision, multi-unit development or supported living facilities in a **new development mapped area** specified in Rule 9.6.2 Y must include a proposed wastewater management plan that ensures that all wastewater from the future development of the entire **new development mapped area** does not exceed the capacity of the wastewater public infrastructure network via the use of a communal wastewater detention system, unless such a system has already been approved for the site and will be connected to.
2. The wastewater management plan must be prepared by a chartered engineer and meet the following requirements:
   a. Specify the design and location of one or more communal wastewater detention systems to detain wastewater from the entire **new development mapped area**.
   b. The communal wastewater detention systems must:
      i. have the capacity to detain wastewater for a 24-hour period, prior to releasing to the wastewater via a connection to the wastewater public infrastructure network. The volume of wastewater to be detained will be calculated with reference to Part 5 of the Dunedin Code of Subdivision and Development 2010 ('Code of Subdivision');
      ii. be compatible with DCC's Supervisory Control and Data Acquisition (SCADA) system;
      iii. have a minimum 20 year expected life for all electrical / mechanical components and a minimum 50 year expected life for all civil components;
      iv. where practicable, be located such that all flow goes to one communal wastewater detention system with no pumping;
      v. have components and materials that comply with the DCC's 3-Waters Approved Product and Manufacturers List and Part 5 of the Dunedin Code of Subdivision and Development 2010 ('Code of Subdivision').
3. The wastewater management plan must be submitted along with the written approval of all landowners within the **new development mapped area** unless they are the applicant/s. ***{Change F3-2}***

Y.	In the following **new development mapped areas**, all subdivision activities, multi-unit development and supported living facilities: *{Change F3-2}* • Kaikorai Valley Road *{Change IN07}* • Selwyn Street *{Change RTZ2}* • Wattie Fox Lane *{Change RTZ1}*	a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development	*Relevant objectives and policies (in addition to those outlined in 9.6.2.2 and 9.6.2.X above)* i. Objective 9.2.1 ii. Require subdivision, multi-unit development or supported living facilities in specified **new development mapped areas** to provide or connect to a communal wastewater detention system that ensures that all wastewater from the future development of the entire **new development mapped area** does not exceed the capacity of the wastewater public infrastructure network (Policy 9.2.1.BB). *{Change F3-2}* *General assessment guidance* ii. The identified **new development mapped areas** are serviced for wastewater but new connections to the network will not be allowed (and consequentially any multi-unit development, supported living facility or subdivision that will lead to development that will require a connection will likely be declined) until capacity constraints are resolved or a communal on-site wastewater detention system that is designed for and associated with subdivision and/or development of 50 or more residential units is integrated into the public network and vested in the DCC. After installation of the system, all activities that create wastewater will be required to connect to the system until it is no longer required. iv. In assessing the appropriateness of a proposed communal on-site wastewater detention system, Council will consider the proposed wastewater management plan submitted with the application (see Special Information Requirement - Rule 9.9.Y). *{Change F3-2}* *Conditions that may be imposed* v. A requirement for the communal on-site wastewater detention system to be installed prior to certification of the survey plan pursuant to section 223 of the RMA. vi. A requirement for the communal on-site wastewater detention system to be vested in the DCC, along with a site containing it which is of a minimum 500m² in area and suitable for residential development. vii. A requirement for necessary easements and a fixed maintenance or defect period agreement to be in place prior to vesting the communal on-site wastewater detention system and associated land. *{Change F3-2}*		

Notified Policy / Rule	Issue	Potential Solutions
CHANGE F3-2 **Policy 2.7.1.2.Y** Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... Y policies and assessment rules that require wastewater detention for specified sites in the **new development mapped area** to allow urban expansion while ensuring any impacts on the wastewater public infrastructure network are no more than minor. *{Change F3-2}* **Policy 9.2.1.BB** Policy 9.2.1.BB — Require subdivision, multi-unit development or supported living facilities in specified **new development mapped areas** to provide or connect to a communal wastewater detention system that ensures that all wastewater from the future development of the entire **new development mapped area** does not exceed the capacity of the wastewater public infrastructure network. *{Change F3-2}* **Note 9.3.7.ZA General Advice** ... b. In **new development mapped areas** specified in Rule 9.6.2.Y, immediate connections to the wastewater public infrastructure network will not be available due to network capacity constraints. In these cases, subdivision consent may be refused even if this standard is met where an on-site communal wastewater detention system that serves 50 or more residential units is yet to be approved as a solution to capacity constraints. *{Change F3-2}* ... **Rule 9.6.2.Y** **9.6.2 Assessment of restricted discretionary activities** Activity | Matters of discretion | Guidance for the assessment of resource consents ...	1. Potential difficulties with NDMA being in multiple ownership – for example, if there is / are reluctant or recalcitrant owner(s) within the NDMA.	1. Provide a claw-back mechanism whereby when the developer of infrastructure in a NDMA with multiple owners vests that infrastructure in DCC, DCC pays that developer for the infrastructure (less the developer's pro rata share) and DCC claws-back the cost of that infrastructure vis development contributions as the other land within that NDMA comes online. AND Provide a mechanism whereby the DCC can compulsorily acquire easements in NDMA for new infrastructure.

Y	In a new development mapped area: • Service connections - stormwater *(Change F2-2)*	a Effectiveness and efficiency of stormwater management and effects of stormwater from future development	See Rule 9.5. *(Change F2-2)*

Rule 15.11.5.Y

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
...		
Y In a new development mapped area: • All subdivision activities *(Change D1 & Change F2-2)*	f. Effectiveness and efficiency of stormwater management and effects of stormwater from future development *(Change F2-2)*	See Rule 9.6 *(Change F2-2)*

m. where low impact design features are inadequate to address stormwater discharge in a way that meets Policy 9.2.1.Y, consider the use of detention tanks;

n. for larger subdivisions, the design should incorporate consideration of how stormwater management areas can be integrated into reserves and recreation spaces;

o. for larger subdivisions, the design proposal should demonstrate how the integrity of the stormwater mitigation and management measures will not be compromised during and after subdivision (for example, avoiding premature contamination of devices during the construction of houses and ensuring that open drains that form part of the system will not be blocked or altered). *{Change F2-2 & Change F2-3}*

Rule 15.3.4.1 Development Activity Status Table

1.	Performance standards that apply to all development activities	a. Natural Hazards Performance Standards b. Maximum building site coverage and impermeable surfaces c. Setback from scheduled tree d. **Structure plan mapped area** performance standards (where relevant) Y. Service connections - stormwater (in a **new development mapped area**) *{Change F2-2}*

Rule 15.6.X

15.6.X Service Connections - Stormwater - to be added {Change F2-2}

In a **new development mapped area**, all development that creates an impermeable surface must comply with Rule 9.3.7.AA. *{Change F2-2}*

Rule 15.10.4.Y

15.10.4 Assessment of development performance standard contraventions		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents

...

iv. for the purposes of this requirement, 'primary infrastructure' includes both open and closed conduits designed to contain the flows generated by the 10% AEP rainfall event; v. for the purposes of this requirement, 'secondary flow paths' means the flow path over which surface water will flow if the primary flow path becomes overloaded or inoperative and consists of overland flow paths with sufficient capacity to transfer the flows generated by rainfall events up to 1% AEP. Secondary flow paths should be aligned with natural flow paths and located on public land where possible. If located in private property, 1% AEP secondary flows should be through primary infrastructure unless protected by an easement; e. assess the difference between pre-development flows and post-development flows, taking into account the maximum impermeable surfaces permitted in the underlying zone and any proposed roading or accessways for the subdivision area (or in a **new development mapped area**, for the entire NDMA); f. specify the design and location of any on-site stormwater management systems to accommodate the calculated difference in flows; g. where relevant, specify the design and location of secondary flow paths; h. specify any upgrades to stormwater public infrastructure, or other infrastructure, that will be used to add capacity where it is required; i. the stormwater management system design should allow for stormwater quality treatment to reduce potential contaminants that the site and development may generate; j. areas requiring stormwater quality treatment include trafficked areas such as roads, driveways and carparks. Roof and building areas should not require stormwater quality treatment providing they are constructed with inert building products which avoid exposed metal surfaces; k. stormwater quality treatment devices shall target the removal of 75% total suspended solids (TSS) on a long-term average basis and consider the avoidance or minimisation of thermal loading effects; l. the stormwater management design should consider the use of low impact design features, for example: i. grassed/landscaped swales and other vegetation areas; ii. infiltration trenches/bioretention systems; iii. storage ponds/wetlands/sediment ponds; iv. rainwater tanks harvesting and reuse; v. rain gardens, green roofs; or vi. porous surface treatments;		

X	In a **new development mapped area** • All subdivision activities *{Change F2-2}*	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	*Relevant objectives and policies (in addition to those outlined in 9.6.2.2 above):* i. Objective 9.2.1 ii. Only allow subdivision activities in a **new development mapped area** where: 1. an on-site stormwater management system that is designed for the whole NDMA and is installed in full or in planned stages prior to development will ensure there is no increase in the pre-development peak stormwater discharge rate from the site into the **stormwater public infrastructure** (at any point); or 2. where this is not practicable, any adverse effects from an increase in discharge on the **stormwater public infrastructure** are no more than minor (Policy 9.2.1.Y). *{Change F2-2}*		

Special Information Requirement Rule 9.9.X

9.9.X Stormwater management plans

1. Application for subdivision in a **new development mapped area** must include a proposed stormwater management plan that demonstrates how Policy 9.2.1.Y will be achieved, unless such a plan has already been approved as part of an earlier subdivision. *{Change F2-2}*

...

3. Stormwater management plans must:
   a. be prepared by a chartered engineer or other suitably qualified person;
   b. be of a level of detail commensurate with the scale of the activity, complexity of stormwater management issues, and potential for adverse effects from stormwater; *{Change F2-2 & Change F2-3}*
   c. for a **new development mapped area** (NDMA), address the whole NDMA area, and be submitted along with the written approval of all owners of land within the **new development mapped area** unless they are the applicant/s. *{Change F2-2}*
   d. assess pre-development flows and post-development flows, generally based on the following rainfall events:
      i. for primary infrastructure, a 10% annual exceedance probability (AEP) for the critical storm duration for the NDMA and the critical storm duration and the catchment upstream of the point of discharge; and
      ii. for secondary flow paths, a 1% AEP for the critical storm duration for the NDMA and the critical storm duration for the catchment upstream of the point of discharge;
      iii. for the purposes of this requirement, 'critical storm duration' means the duration of rainfall event likely to cause the highest peak flows or water levels;

Rule 9.5.3.Z

9.5.3 Assessment of performance standard contraventions		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
...		
Z. In a new development mapped area: • Service connections - stormwater (Rule 9.3.7.AA) *(Change F2-2)*	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	*Relevant objectives and policies:* i. Objective 9.2.1 ii. Require development in a new development mapped area that creates impermeable surfaces to be connected to the integrated communal on-site stormwater management system that meets Policy 9.2.1.Y (Policy 9.2.1.X). *(Change F2-2)* *General assessment guidance:* iv. Council will consider how stormwater will be managed and may require a stormwater management plan to be submitted with the application (see Special Information Requirement - Rule 9.9.X). *(Change F2-2)* *Conditions that may be imposed include:* v. A requirement for easements, covenants, consent notices, or bonds to ensure future development will be in accordance with a stormwater management plan. vi. A requirement for on-site stormwater management, such as the installation of detention devices, in accordance with the approved stormwater management plan. *(Change F2-2)*

Rule 9.6.2.X

9.6.2 Assessment of restricted discretionary activities		
Activity	Matters of discretion	Guidance for the assessment of resource consents
...		

Rule 9.3.7.AA 9.3.7.AA Stormwater *(Change F2-2)* a. In a **new development mapped area**, all development that creates an **impermeable surface** must: i. connect to a communal **stormwater** management system that services the **new development mapped area**, except: 1. prior to the communal **stormwater** management system being installed, any development that creates less than 60m² of **impermeable surface** is exempt from this standard. b. Activities that contravene this performance standard are restricted discretionary activities. *(Change F2-2)* **Note 9.3.7.AAA** **Note 9.3.7.AAA - General advice and other requirements outside of the District Plan** *(Change F2-2)* a. In a new development mapped area, Policy 9.2.1.Y requires installation of a communal **stormwater** management system prior to development as part of the assessment of a **subdivision** consent. The requirements for **stormwater** management are set out in the Special Information Requirements - Rule 9.9.X. *(Change F2-2)* b. Clause E1 - Surface Water of the New Zealand **Building** Code (**Building** Regulations 1992, Schedule 1) contains requirements regarding **buildings** and sitework in relation to managing surface water and effects on other **property**. c. Development that will divert surface water may require resource consent under the Otago Regional Plan: Water. d. Discharge of **stormwater** to any Otago Regional **Council** scheduled **drain** or overland flow path is managed by the Otago Regional **Council** Flood Protection Management Bylaw 2012. e. If development affects the flow of surface water, this effect is also subject to the common law principle of natural servitude. f. Part 4 of the Dunedin Code of **Subdivision** and Development 2010 ('Code of **Subdivision**') requires that design and **construction** of **stormwater** systems be undertaken in accordance with NZS 4404:2004 (now replaced by NZS 4404:2010), except as amended by the Code of **Subdivision**. This includes a requirement that **stormwater** systems be provided so that any new development results in an insignificant increase of runoff wherever possible (Clause 4.2.8). g. For further information on connections to the public **stormwater** network and for assistance with design requirements for **stormwater** management systems, please contact DCC 3 Waters on 03 477 4000 at the earliest opportunity. *(Change F2-4)*		mapped area' to the end of the sentence at Rule 9.5.3.Z.a.

Notified Policy / Rule	Issue	Potential Solutions
CHANGE F2-2 **Policy 2.2.2.Y** Policy 2.2.2.Y - to be added {Change F2-2} Enable and encourage on-site low impact design stormwater management through policies and assessment rules that require stormwater management in new development mapped areas. *{Change F2-2}* **Delete Policy 2.2.5.2** **Policy 2.7.1.2.X** Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... X policies and assessment rules that require on-site stormwater management in the **new development mapped area**. *(Change F2-2)* **Policy 9.2.1.Y** **Objective 9.2.1** Land use, development and subdivision activities maintain or enhance the efficiency and affordability of public water supply, wastewater and stormwater infrastructure. ... Policy 9.2.1.Y — Only allow subdivision activities in a **new development mapped area** where: a. an on-site stormwater management system that is designed for the whole NDMA and is installed in full or in planned stages prior to development will ensure there is no increase in the pre-development peak stormwater discharge rate from the site into the stormwater public infrastructure (at any point); or b. where this is not practicable, any adverse effects from an increase in discharge on the stormwater public infrastructure are no more than minor. *{Change F2-2}* **Policy 9.2.1.X** Policy 9.2.1.X — Require development in a **new development mapped area** that creates impermeable surfaces to be connected to the integrated communal on-site stormwater management system that meets Policy 9.2.1.Y. *{Change F2-2}*	1. Potential difficulties with NDMA being in multiple ownership – for example, if there is a reluctant or recalcitrant 2. Requirement to install infrastructure prior to obtaining subdivision consent (see Policy 9.2.1.Y and Note 9.3.7.AAA.a). The proper development process is for resource consent to be obtained prior to installation occuring so that all matters can be assessed together. Focus should be on the design of infrastructre at this stage of the consent / development process. 3. Limiting the extent of Rule 9.5.3.Z.	1. Provide a claw-back mechanism whereby when the developer of infrastructure in a NDMA with multiple owners vests that infrastructure in DCC, DCC pays that developer for the infrastructure (less the developer's pro rata share) and DCC claws-back the cost of that infrastructure vis development contributions as the other land within that NDMA comes online. AND Provide a mechanism whereby the DCC can compulsorily acquire easements in NDMA for new infrastructure. AND Delete from Rule 9.9.X.3.C the following: ', and be submitted along with the written approval of all owners of land within the **new development mapped area** unless they are the applicant/s'. 2. Delete requirement for infrastructure to be installed prior to subdivision consent. 3. Add the words 'within the subject new development

5. In a new development mapped area: • All subdivision activities *{Change D1}*	o. Whether subdivision design supports efficient use of land *{Change D8}*	*Relevant objectives and policies:* i. Objective 12.2.X ii. The subdivision design ensures the efficient use of land, while also achieving the other elements of Objective 12.2.X (Policy 12.2.X.5). *{Change D8}* *General assessment guidance:* iii. Council will generally require subdivision in a NDMA to enable the maximum development capacity allowed under the rules and as can be achieved while still achieving the other objectives and policies of the Plan (e.g. as many sites suitable for residential development as practicable or through other means of maximising development capacity). *{Change D8}* iv. Where a subdivision proposes a residential yield less than what is allowed by the zoning and where this is not required to achieve other plan objectives or policies, Council will consider: 1. how this might affect the affordability and efficient delivery of public infrastructure; 2. how this might affect the ability to provide a reasonable amount of affordable housing in the development; and 3. the potential cumulative effects of inefficient development on loss of rural land. *{Change D8}*		

Rule 15.11.5.Y

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item		
Activity	Matters of discretion	Guidance on the assessment of resource consents

...

Y. In a new development mapped area: • All subdivision activities *{Change D1 & Change F2-2}*	e. Whether subdivision design supports efficient use of land *{Change D8}*	See Rule 12.X *{Change D8}*

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D8 **Policy 2.7.1.2** Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... Z. policies and assessment rules for **new development mapped areas** that encourage efficient use of land as a way to maximise the cost effectiveness of public infrastructure delivery. ***{Change D8}*** **Objective 12.2.X {Change D1}** Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: ***{Change D1}*** ... e. a compact and accessible city (Objective 2.2.4); and ***{Change D8}*** f. efficient public infrastructure (Objective 2.7.1). ***{Change D8}*** **Policy 12.2.X.5** Policy 12.2.X.5 — Only allow subdivision in a **new development mapped area** where the subdivision design ensures the efficient use of land, while also achieving the other elements of Objective 12.2.X. ***{Change D8}*** **Rule 12.X.2.5.e** **12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area**	Rule 12.X.2 – general assessment guidance iv.3 This assessment has already been undertaken in rezoning of the land (including placement of Transition overlay zone or mapped area).	Delete.

Y.	In a new development mapped area: ▪ All subdivision activities *{Change D1 & Change F2-2}*	b. Provision for amenity planting and public amenities *{Change D7}*	See Rule 12.X *{Change D7}*	

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D7 **Objective 12.2.X {Change D1}** Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: *{Change D1}* ... d. form and structure of the environment (Objective 2.4.1): *{Change D7}* **Policy 12.2.X.4** Policy 12.2.X.4 — Only allow subdivision in a **new development mapped area** where the subdivision will provide adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment *{Change D7}* **Rule 12.X.2.5.b** **12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area** Activity: 5. In a new development mapped area: • All subdivision activities *{Change D1}* Matters of discretion: b. Provision for amenity planting and public amenities *{Change D7}* Guidance on the assessment of resource consents: *Relevant objectives and policies:* i. Objective 12.2.X; ii. The subdivision provides adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment (Policy 12.2.X.4). *Conditions that may be imposed include:* iii. Requirements for street tree and other subdivision amenity planting. *{Change D7}* ... **Rule 15.11.5.Y** **15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item** Activity / Matters of discretion / Guidance on the assessment of resource consents	What is the threshold for the requirement? What constitutes an 'adequate' area?	Include a trigger (i.e. number of lots / size of development area). AND / OR Provide guidance on what constitutes 'adequate' areas of amenity planting and public amenities.

Rule 15.11.5.Y

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
...		
Y In a new development mapped area • All subdivision activities *{Change D1 & Change F2-2}*	d. Whether subdivision design maintains or enhances areas with significant natural environment values *{Change D6}*	See Rule 12.X *{Change D6}*

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D6 **Objective 12.2.X and Policy 12.2.X.2** **Objective 12.2.X** *{Change D1}* Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: ***{Change D1}*** ... b. indigenous biodiversity (Objective 2.2.3); ***{Change D6}*** ... Policy 12.2.X.2 — Only allow subdivision in a **new development mapped area** where the subdivision is designed to ensure any future land use and development will protect, and where necessary restore, any waterways, areas of important indigenous vegetation and habitats of indigenous fauna, or other areas with significant natural environment values. ***{Change D6}*** **Rule 12.X.2.5.d** **12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area** Activity | Matters of discretion | Guidance on the assessment of resource consents ... d. Whether subdivision design maintains or enhances areas with significant natural environment values ***{Change D6}*** — *Relevant objectives and policies:* i. Objective 12.2.X; ii. The subdivision is designed to ensure any future land use and development will protect, and where necessary restore, any waterways, areas of important indigenous vegetation and habitats of indigenous fauna, or other areas with significant natural environment values (Policy 12.2.X.2). ***{Change D6}*** *Conditions that may be imposed include:* iii. A requirement to protect areas through reserve status or other legal mechanisms; iv. A requirement to undertake conservation activity. ***{Change D6}***	What is the threshold for 'significant natural environment values'?	Provide a definition for this term.

5.	In a **new development mapped area**: • All subdivision activities *{Change D1}*	a. Whether subdivision design supports energyefficient housing *{Change D5}*	*Relevant objectives and policies:* i. Objective 12.2.X ii. The subdivision layout and orientation provides for houses to be designed with good solar access to living areas and outdoor living spaces (Policy 12.2.X.3). *{Change D5}*

...

Rule 15.11.5.Y

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item		
Activity	Matters of discretion	Guidance on the assessment of resource consents

...

Y	In a **new development mapped area**: • All subdivision activities *{Change D1 & Change F2-2}*	a. Whether subdivision design supports energy-efficient housing *{Change D5}*	See Rule 12.X *{Change D5}*

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D5 **Delete Policies 2.2.2.5.b and 2.2.5.3.a and replace with new clause in Policy 2.2.2.X.a** Policy 2.2.2.X to be added {Change D5 & Change E4} Encourage improvements to the environmental performance of new housing by: *{Change E4}* a. use of policies and assessment rules for subdivision, including in **new development mapped areas**, that encourage subdivisions to be designed to maximise the potential for passive solar design in housing; *{Change D5}* b. encouraging new medium density housing in parts of the city that have old housing stock that is not protected for its heritage values; c. rules that require outdoor living space to be on the sunny side of buildings, and requiring principal living areas to connect to the outdoor living space, and d. rules that restrict height in relation to boundary to facilitate access to sunlight in outdoor areas. *{Change E4}* **Objective 12.2.X & Policy 12.2.X.3** **Objective 12.2.X** *{Change D1}* Future residential growth areas are developed in a way that achieves the Plan s strategic directions for: *{Change D1}* ... c. environmental performance and energy resilience (Objective 2.2.2); *{Change D5}* .. Policy 12.2.X.3 Only allow subdivision in a **new development mapped area** where the subdivision layout and orientation provides for houses to be designed with good solar access to living areas and outdoor living spaces. *{Change D5}* **Rule 12.X.2.5.a** **12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area** Activity / Matters of discretion / Guidance on the assessment of resource consents ...	No issues.	N/A

5. In a new development mapped area: • All subdivision activities *{Change D1}*	c. Provision of recreation spaces *{Change D4}*	*Relevant objectives and policies:* i. Objective 12.2.X ii. The subdivision provides or otherwise ensures good access to outdoor recreation opportunities (including playgrounds) and, where possible, opportunities for offroad cycling and walking tracks within and between different residential developments and connecting to community facilities and services (Policy 12.2.X.1). *{Change D4}* *Conditions that may be imposed include:* iii. Location, size and shape of recreation reserves, including a minimum length of road frontage. iv. A requirement to vest recreation spaces in DCC as DCC reserve. v. Public amenities to be included in a recreation reserve. vi. A requirement for the recreation space to be developed prior to vesting in DCC. *{Change D4}*		

Rule 15.11.5.Y

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item		
Activity	Matters of discretion	Guidance on the assessment of resource consents
...		
Y. In a new development mapped area: • All subdivision activities *{Change D1 & Change F2-2}*	c. Provision of recreation spaces *{Change D4}*	See Rule 12.X *{Change D4}*

Table 1: NDMA Issues and Potential Mechanisms For Solutions

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D4 **Policy 2.3.3.1.X** Support community and leisure activity, sport and recreation, and essential community facilities in Dunedin through: ... X. policies and assessment rules for subdivision in a **new development mapped area** that require consideration of the need for formal and/or informal space for recreation, sporting, social and cultural activities, and community facilities. *{Change D4}* **Delete Policy 2.6.1.6.b** **Objective 12.2.X** Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: *{Change D1}* a. facilities and spaces that support social and cultural well-being (Objective 2.3.3); *{Change D4}* **Policy 12.2.X.1** Policy 12.2.X.1 — Only allow subdivision in a **new development mapped area** where it will provide or otherwise ensure good access to outdoor recreation opportunities (including playgrounds) and, where possible, opportunities for off-road cycling and walking tracks within and between different residential developments and connecting to community facilities and services. *{Change D4}* **Rule 12.X.2.5.c** **12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area** Activity — Matters of discretion — Guidance on the assessment of resource consents ...	How will this operate in NDMA where land is in multiple ownership and development is likely to occur over time and potentially without co-operation between landowners? S32 report talks about 'large greenfield areas' [see para 296], however, many of the 'large greenfield areas' in NDMA are in multiple ownership.	A trigger mechanism for requirement of formal and/or informal space for recreation, sporting, social and cultural activities, and community facilities. That is, over so many lots / developed area a greenspace is required. AND / OR Specify what greenspace etc is required as a minimum for which NDMAs.