

Before a Panel Appointed by the

Dunedin City Council

In the Matter of

the Resource Management Act 1991
("RMA")

And

In the Matter of

LUC-2025-146 being a resource consent application for land use consent for the establishment of commercial activity (café, small grocery offering, visitor accommodation), along with exterior modifications at 33 Russell Street, Dunedin.

**STATEMENT OF EVIDENCE OF CONRAD STEWART ANDERSON ON BEHALF OF
TOMBOY LIMITED (THE APPLICANT)**

16 FEBRUARY 2026

1. INTRODUCTION

- 1.1 My name is Conrad Anderson, and I am a director of Anderson & Co (Otago) Limited, a planning/resource management firm based in Dunedin.

Qualifications & Experience

- 1.2 I hold a Masters in Planning from the University of Otago. I have over 10 years of professional experience in planning, and I am a member of the New Zealand Planning Institute.

Involvement in the proposal

- 1.3** My involvement in the Proposal has included the following:

- (a) Preparing the resource consent application.
- (b) Various discussions/interactions with Council staff on the application.
- (c) Review of the Section 42A report.

- 1.4 I am familiar with the site and surrounding area.

Scope of Evidence

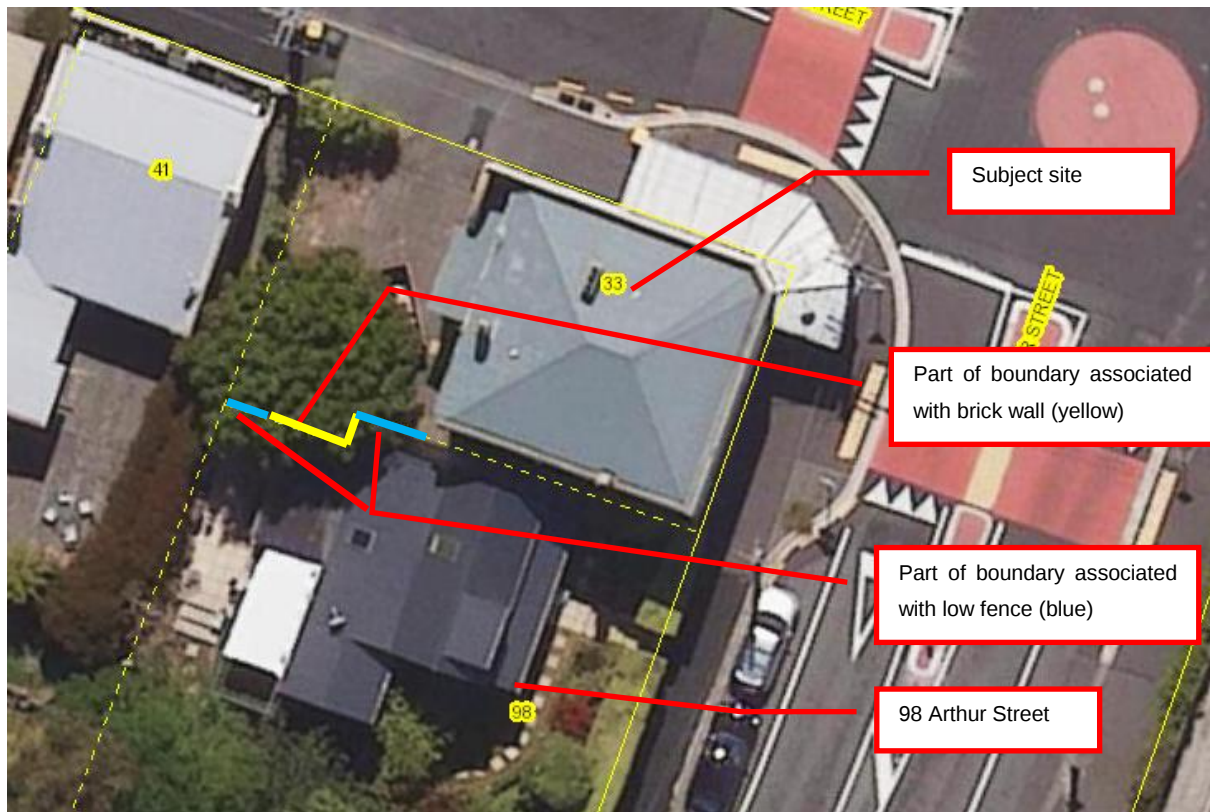
- 1.5 The application and s42A Report provide a comprehensive assessment of the proposal against the statutory framework of the RMA.
- 1.6 While there are some differences in the detail of the assessments, there is general agreement that:
- (a) The effects will be less than minor / no more than minor (subject to conditions).
 - (b) Consent can be granted (subject to conditions).
- 1.7 In terms of the recommended conditions, these are agreeable by the Applicant. Noting below are clarifying suggestions.
- 1.8 On the above basis, this evidence will only focus on the following matters:
- (a) Amendments to the Application / Recommended Conditions
 - (b) Concluding Comments

Code of Conduct

- 1.9 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.
- 1.10 As I am relying on the original application and the s42A Report I have deliberately not included a full planning analysis in this statement.

2. Amendments to the Application / Recommended Conditions

- 2.1 Screening: With regards to the proposed screening of the yard space of the subject site to 98 Arthur Street, we wish to add further details to this matter.
- 2.2 The applicable part of the boundary is some 10m long. Part of which is associated with a high brick wall, and part of which is associated with a lower timber/iron fence. As shown below:



2.3 As noted in the s42A report (paragraph 7) a condition to screen the open space has been offered. This is included in the Recommended Conditions (condition 10, page 93 of the Agenda).

2.4 To provide greater clarity and certainty of this matter, it is suggested the condition is expanded along the following lines:

The open space to the north-west of the building must be screened from 98 Arthur St prior to visitor accommodation commencing. The screening must be one or a combination of:

- *The existing brick wall on the boundary, and/or*
- *A fence approximately 1.8m tall, with overlapping timber palings.*

For the avoidance of doubt the above is only associated with the fencing adjacent to the open space associated with the subject site, and does not include the fence adjacent to the building on the subject site.

2.5 Waste: With regards to the proposed storage and removal of waste, we wish to add further details to this matter.

- 2.6 The bin location is proposed to be within the site in the open space area, and adjacent to the existing front fence (as shown below). This will provide for easy access in terms of use and removal.
- 2.7 Additional screening (fencing) will be installed to ensure the bins are not visible from the public domain.



- 2.8 It is anticipated that the bins will be accessed by staff up to three times a day. Waste will be removed 2-3 times per week, via private vehicle.
- 2.9 A condition enforcing the above is expected.
- 2.10 Remaining Recommended Conditions: The remaining Recommended Conditions are all agreeable, including:
- (a) Joinery: Condition 16 of the Recommended Conditions (page 94 of the Agenda), requires window and door joinery to be timber unless an alternative material is approved by the Dunedin City Council's heritage advisor. This condition is supported by the Applicant.
 - (b) Live music: Condition 7 of the Recommended Conditions (page 93 of the Agenda), states live music is not permitted. This condition is supported by the Applicant.

3. Concluding Comments

- 3.1 The Applicant has worked hard to refine the application, which includes revised venting and the various conditions of consent that have been offered.
- 3.2 The proposal is small scale, and will result in a suitable re-use of this non-residential building.
- 3.3 The conclusion of my original assessment and of the s42A report is that effects will be less than minor/no more than minor, and that the proposal is suitable/recommended for consent to be granted.

Conrad Stewart Anderson

16 February 2026