

APPLICATION NUMBER:	LUC-2015-548
RELATED APPLICATIONS/LICENCES:	

PLANNING APPLICATION DETAILS FORM

Property Address		29 Queen Street Dunedin	
Property Description:		Property No: 5029486, Legal Description: LOT 1 DP 300261	
First Contact: (Applicant)	Name:	Eagle Corp Limited	
	Mail Address:	C/O Gallaway Cook Allan, Attention: B Irving, PO Box 143, Dunedin 9054	
	Phone Number:	03 477 9201	
Second Contact: (Agent)	Name:		
	Mail Address:		
	Phone Number:		
	Contact Person:		
Description of Application:		construct new commercial residential building	
Application Type:		Land Use Consent	
Consent Type:	Commercial Activity	Residential	Consent Nature
Major Category		Limited Notified	
Minor Category		Notified Limited - Non-Complying	
Senior Planner or Responsible Officer:		John Sule	
Lodgement Date:		13 November 2015	Lodgement Officer: Lorna Jackson
Amount Paid:	\$4,000.00	Invoice Number:	552449
Waived: ☐			
Application Requirements	Signed Application Form		Copy of Title
	Locality Plan		Site Plan
	Plans and Elevations		AEE
	Affected Persons Consent		
Counter Comments:		Development will be operated in conjunction and as part of the accommodation for Bluestone on George.	

Amy Young

From: Bridget Irving <Bridget.Irving@gallawaycookallan.co.nz>
Sent: Friday, 11 December 2015 12:38 p.m.
To: Amy Young
Subject: RE: 29 Queen Street, LUC-2015-548

Follow Up Flag: Follow up
Flag Status: Flagged

Afternoon Amy,

I can confirm that while Neville and Sandra are operating Bluestone on George the intention is to operate the two facilities in conjunction however it is not proposed that this be a permanent requirement. I.e the Queen Street development could be sold separately in the future and could revert to residential, or it may be run as standalone visitor accommodation or as a bed and breakfast type operation in accordance with the permitted activity rules.

Kind regards,

Bridget Irving
Partner

DDI 03 474 6721 | Mobile 027 361 6326 | bridget.irving@gallawaycookallan.co.nz



GALLAWAY COOK ALLAN LAWYERS
Corner High and Princes Streets | P O Box 143, Dunedin 9054, NZ | Ph 03 477 7312 | Fax: 03 477 5564

www.gallawaycookallan.co.nz

From: Amy Young [<mailto:Amy.Young@dcc.govt.nz>]
Sent: Friday, 11 December 2015 11:29 a.m.
To: Bridget Irving
Subject: FW: 29 Queen Street, LUC-2015-548

Hey Bridget,

I am waiting on written clarification regarding the email below. So that I can send the application out to the neighbouring properties. I know we cleared things up on the phone, but I was waiting for something in writing to send out with the application..

It would be useful to demonstrate to the neighbours in the application that the two operations are to be separate and may be sold on to be visitor accommodation for someone other than Bluestone on George in the future.

Thanks,

Amy Young
Planner, City Planning
Dunedin City Council

50 The Octagon, Dunedin; PO Box 5045, Moray Place, Dunedin 9058, New Zealand
Telephone: 03 474 3731; Fax 03 474 3451
Email: ayoung@dcc.govt.nz; www.dunedin.govt.nz

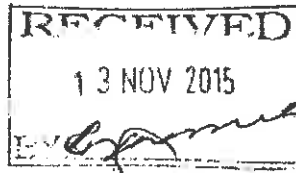
Please consider the environment before printing this e-mail

From: Amy Young
Sent: Tuesday, 1 December 2015 11:41 a.m.

13 November 2015

Dunedin City Council
P O Box 5045
Moray Place
DUNEDIN 9058

Attention: Phil Marshall



GALLAWAY
COOK
ALLAN

Dear Phil

RESOURCE CONSENT APPLICATION - 29 QUEEN STREET, DUNEDIN

1. Please find enclosed:
 - (a) a completed and signed Application Form;
 - (b) an Assessment of Environmental Effects;
 - (c) Site Plan;
 - (d) Certificate of Title;
 - (e) a copy of the above; and
 - (f) our trust account cheque for \$4,000 in payment of the application fee.
2. We request that this application proceed on a limited notified basis to 25 and 31 Queen Street, Dunedin.
3. If you have any questions or wish to discuss anything with us please do not hesitate to get in contact.

Yours faithfully
GALLAWAY COOK ALLAN

A handwritten signature in cursive script, appearing to read "Campbell Hodgson".

Bridget Irving / Campbell Hodgson
Partner / Solicitor (Dunedin)

Email: campbell.hodgson@gallawaycookallan.co.nz
bridget.irving@gallawaycookallan.co.nz



Application Form for a Resource Consent

50 The Octagon, PO Box 5045, Moray Place
Dunedin 9058, New Zealand
Ph 477 4000
www.dunedin.govt.nz

Application Details

I/We Eagle Corp Limited (must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for:

☒ Land Use Consent ☐ Subdivision Consent

Brief description of the proposed activity: _____

Construct a new commercial residential building.

Have you applied for a Building Consent? ☐ Yes, Building Consent Number ABA _____ ☒ No

Site location/description

I am/We are the: (owner, occupier, lessee, prospective purchaser etc) of the site

Street Address of Site: 29 Queen Street, North Dunedin, Dunedin

Legal Description: Lot 1 Deposited Plan 300261

Certificate of Title: 1972

Address for correspondence (this will be the first point of contact for all communications for this application)

Name: Bridget Irving / Campbell Hodgson (applicant/agent (delete one))

Address: G/- Gallaway Cook Allan, PO Box 143, Dunedin Postcode: 9054

Phone (daytime): 03 477 7312 Fax: 03 477 5564 Email: bridget.irving@gallawaycookallan.co.nz

Address for Invoices or Refunds (if different from above)

Name: _____

Address: _____

Bank Account Name: _____

Account Number:

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Bank Branch Account Number Suffix

Ownership of the site

Who is the current owner of the site? Eagle Corp Limited

If the applicant is not the site owner, please provide the site owner's contact details:

Address: 571 George Street, North Dunedin, Dunedin Postcode: 9016

Phone (daytime): 03 477 9201 Fax: 03 477 9203 Email: neville@bluestonedunedin.co.nz

Monitoring of your Resource Consent

To assist with setting a date for monitoring, please estimate the date of completion of the work for which Resource Consent is required. Your Resource Consent may be monitored for compliance with any conditions at the completion of the work. (If you do not specify an estimated time for completion, your Resource Consent, if granted, may be monitored three years from the decision date).

_____ (month and year)

Monitoring is an additional cost over and above consent processing. You may be charged at the time of the consent being issued or at the time monitoring occurs. Please refer to City Planning's Schedule of Fees for the current monitoring fee.

Detailed description of proposed activity

Please describe the proposed activity for the site, giving as much detail as possible. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide proposed site plans and elevations.

Please see attached AEF

Description of site and existing activity

Please describe the existing site, its size, location, orientation and slope. Describe the current usage and type of activity being carried out on the site. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also provide plans of the existing site and buildings. Photographs may help.

Please see attached AEE

_____ (Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site? Residential 3

Are there any overlaying District Plan requirements that apply to the site e.g. in a Landscape Management Area, in a Townscape or Heritage Precinct, Scheduled Buildings on-site etc? If unsure, please check with City Planning staff.

No.

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Please see attached AEE

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name: _____

Address: _____

Name: _____

Address: _____

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

~~Please see attached AEE~~

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have/have not (delete one) been applied for:

☐ Water Permit ☐ Discharge Permit ☐ Coastal Permit ☐ Land Use Consent for certain uses of lake beds and rivers ☒ Not applicable

Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under section 357B and 35B of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant/Agent (delete one):

Campbell Holden

Date:

12/11/15

Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

- ☐ Avoid unreasonably prejudicing your commercial position
☐ Protect information you have supplied to Council in confidence
☐ Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

What happens when further information is required?

If an application is not in the required form, or does not include adequate information, the Council may reject the application, pursuant to section 88 of the RMA. In addition (section 92 RMA) the Council can request further information from an applicant at any stage through the process where it may help to a better understanding of the nature of the activity, the effects it may have on the environment, or the ways in which adverse effects may be mitigated. The more complete the information provided with the application, the less costly and more quickly a decision will be reached.

Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. A current fees schedule is available on www.dunedin.govt.nz or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

City Planning Staff can be contacted as follows:

In Writing: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

In Person: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

By Phone: (03) 477 4000

By Email: planning@dcc.govt.nz

There is also information on our website at www.dunedin.govt.nz.

Information requirements (two copies required)

- ☐ Completed and Signed Application Form
- ☐ Description of Activity and Assessment of Effects
- ☐ Site Plan, Floor Plan and Elevations (where relevant)
- ☐ Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- ☐ Written Approvals
- ☐ Forms and plans and any other relevant documentation signed and dated by Affected Persons
- ☐ Application Fee (cash, cheque or EFTPOS only; no Credit Cards accepted)

In addition, subdivision applications also need the following information

- ☐ Number of existing lots.
- ☐ Number of proposed lots.
- ☐ Total area of subdivision.
- ☐ The position of all new boundaries.

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information and adequate assessment of effects)?

☐ Yes ☐ No

Application: ☐ Received ☐ Rejected

Received by: ☐ Counter ☐ Post ☐ Courier ☐ Other: _____

Comments: _____

(Include reasons for rejection and/or notes to handling officer)

Planning Officer: _____ Date: _____

Assessment of Environmental Effects – 29 Queen Street Redevelopment

1. Background and Existing Environment

1.1. Background

Queen Street is located on the hillside in North Dunedin. The street is populated by a mixture of properties ranging from poorly maintained student flats to well kept, substantial historic homes. On the site there was a two storey wooden villa, built around 1880. For a number of years this property was used as student accommodation, each year falling into greater and greater disrepair. The quality of the property influenced the quality of the tenants. In recent years the applicant had a number of difficulties with the occupants of the flat. The property is flanked by two late nineteenth/early twentieth century houses, which are currently used as student accommodation.

In 2014 the applicant bought the property. There were a number of reasons for this:

- a) It allowed the applicant to control occupants of the property and manage effects on their existing business;
- b) It provided an opportunity to further expand their accommodation business at Bluestone on George.

The applicant wishes to develop the property as a commercial residential property. To that end the old dwelling has been demolished. This was required after neighbouring tenants began to use it as a tip and vandalise it. To avoid potential safety risks the applicant decided to demolish the building as a matter of urgency. An archaeological authority was obtained for this. The applicant now proposes to build a 4 bedroom house to be operated in conjunction with the existing Bluestone on George Hotel.

1.2. Site Description

29 Queen Street is located on the eastern side of Queen Street. It is bounded on the northern and southern sides by large residential buildings. The property is legally described as Lot 1 Deposited Plan 300261 comprised in certificate of title 1972 which is attached in appendix A.

The site is narrow and steep. It measures 10.06m x 25.30m resulting in a 254m² section. It falls away about 9m towards the east. The site has wonderful views out over the university, harbour and peninsula.

The neighbouring buildings are located in close proximity to the northern and southern boundaries. The property to the south is built to and slightly over the boundary (4cm) and has a storm water downpipe that further hangs over the boundary. It is over 11m high at the eastern end. The northern neighbour is located about 2.1m from the boundary; the highest point of this building is over 10m higher than the ground at the eastern end.

The site is zoned Residential 3 in the Dunedin City District Plan ("the Plan").

1.3. Relationship with Bluestone on George

Bluestone on George is one of Dunedin's premier hotels. It offers quality accommodation and excellent facilities to a range of travellers. Consistently ranked one of the top hotels in Dunedin, the applicant proposes this development to contribute to Bluestone's success. It is anticipated that 29 Queen Street will be managed as the "Bluestone Villa".

2. Proposed Development

- 2.1. The applicant proposes a four bedroom, 3 storey building located on the southern boundary of the section. The building will occupy slightly less than 40% of the site. The building will have a gross floor area of 291m² split evenly between 3 floors. It will be set back from the road 5m to provide two off street car parks. Architectural plans are **attached in appendix B**. The building materials have been chosen to reflect the character of the area.

The building is to be slightly taller than 9m and will encroach into the recession plane. This is not unusual for buildings in this area and almost inevitable given the size and topography of the site. Despite this encroachment the development will have a minor or less than minor effect on the surrounding properties. The development will be located 5m back from the street and the location of the proposed development minimises any southern shading effects. Although the development is taller than the original dwelling, it is set further off the northern boundary allowing more space and light to the north.

Guests will gain access to the property from Bluestone On George located on the eastern boundary of the section or off Queen street into a communal area on level 2. This communal area includes a lounge, dining room and kitchen. There will be 4 bedrooms split between levels 1 and 3. Each bedroom has its own ensuite bathroom and a private balcony from which to appreciate the views. Access to Bluestone on George can be obtained via the rear of the site, providing an easy thoroughfare for guests to access George Street. The site will have two off-street carparks located at the front of the property on Queen Street.

The building is to be constructed with either pre-cast concrete walls or plastered concrete block with bluestone facings on the east and west façades. The bluestone façade adds solidity and links the building to the early traditions of monumental building in Dunedin. There are generous amounts of glass and a coloursteel roof that will not be visible due to the angles the building will be viewed from.

An archaeological authority was obtained for the demolition of the current building. That authority includes a number of conditions that will ensure any information of archaeological interest is recorded during the demolition and building earthworks phase. A copy of that authority is **attached in appendix C**.

The site was cleared in April. Due to the potential for the house to fall further into disrepair and disuse it was decided to remove it.

2.2. Carparking and Access

2 carparks are proposed on the site. Currently no off street parking is available on the site. The vehicle access will be 6 metres wide. This means it is likely only 1 street park will be lost. As this development is for guest accommodation rule 8.9.2(viii)(b) applies. This requires a total of 3 parks be provided for commercial residential activity

– 2 for guests and 1 for staff. The proposal does not meet this requirement, however the staff required to service Bluestone Villa will be minimal and come from existing staff used at Bluestone on George. This is not considered to generate a more than minor adverse effect, particularly given the interrelationship between the site and the applicant's operation at Bluestone on George. Bluestone On George currently has a total of 16 carparks, 2 of which are mobility parks.

Many of the applicant's guests travel without vehicles. Usually they come from out of town (taxiing from the airport). Due to the proximity of the Bluestone on George to the central city these guests explore the city by walking. The applicant's experience shows that the existing parking within the Bluestone site is surplus to requirements and it expects the same to apply at the new site.

The site has only one vehicle access point – from Queen Street. Pedestrian access will be available via Queen Street or George Street through Bluestone On George.

3. **Alternative Locations or Methods**

- 3.1. Due to the proximity of the site to Bluestone on George, and the intended nature of the development there are no other available locations for the development.

The possibility of refurbishing the old building was considered, however it was decided against due to the poor condition of the property. A report from Flanders Marlow is **attached in appendix D**. That report details the condition of the property and concludes that the property is in poor condition for its age. Due to the amount of work required to restore the property the applicants decided that the best option was to demolish the building and start again. As the building is now demolished, the only remaining work for the Archaeologist is to be present when any footings or trenches are dug.

4. **Statutory Requirements**

4.1. **Resource Management Act 1991**

No person may use land in a manner that contravenes a rule in a district plan unless that activity is allowed by a resource consent (s 9 RMA). Any resource consents must be assessed in accordance with s 104.

4.2. **The Plan**

(a) **Land use**

The property is located in the Residential 3 zone. Commercial residential activities are permitted, controlled or discretionary activities in this zone fronting certain areas of Great King Street or George Street. As the site fronts Queen Street, the proposed development is **non-complying** per rule 8.9.6(iii).

Earthworks will be required prior to the construction of the property. There will be a change in ground level in excess of 1.5m to establish the ground floor level of the proposed building. Approximately 160m³ of fill will be required. This height change and volume breaches the permitted standards in the Plan. Therefore the Earthworks required are a **restricted discretionary** activity.

(b) **Objectives and Policies**

An analysis of the objectives and policies is **attached in appendix E**. The analysis demonstrates that the proposed development is generally consistent with the objectives and policies of the Plan.

(c) **Residential 3 Conditions**

There are a number of site standards attaching to land use in the residential 3 zone. These are found in rule 8.9.2 of the Plan. Because the proposed activity is non-complying these standards are not strictly relevant. However, they do provide a useful framework to consider this proposal against. The conditions that are relevant to this development are:

(i) **Minimum yards – (i)(a)(i)**

3m except where property is located between two properties which have a front yard less than 3m.

The development incorporates a front yard of 5m and so satisfies this condition.

(ii) **Height Plane Angle – (ii)(a)**

63° where the site is located to the west of George Street and south of Warrender Street.

The development breaches the height plane angle. This is not unusual for a development in this area nor is it considered to give rise to adverse effects. The proposed building is to be located on the southern boundary adjacent to the neighbouring building. There is only one window penetration on the façade of the neighbouring building. The new building is setback a greater distance from the northern boundary than the existing building. Overall, shading on neighbouring properties is to reduce under this development due to the positioning of the building on the southern boundary.

(iii) **Maximum Height – (iii)**

9m.

The development is 9.7m at its highest point as a result of the topography. The building height will be less than both neighbouring buildings.

(iv) **Maximum Site Coverage – (iv)(a)**

40% of the site area where the site is located to the west of George Street and south of Warrender Street.

The development covers slightly less than 40% of the site area.

(v) Minimum Amenity Open Space – (v)(b)

Commercial residential activities shall provide an area of amenity open space at a rate of 20% of the site area.

The development incorporates balconies, gardens and a deck which comprise of 102 m² of space. This is over 20% of the site area.

(vi) Minimum Car Parking – (viii)(b)(ii) and (viii)(c)

1 car park per 3 guest rooms to 60 guest rooms, thereafter 1 carpark per 5 guest rooms.

Staff requirement of 1 carpark per 20 guest rooms.

This condition requires 2 guest carparks and 1 staff carpark for the development. The development will provide 2 carparks. This shortfall is not considered significant given the small scale of the development and the intention to operate the site in conjunction with the existing Bluestone operation. Therefore the staff car park is not considered necessary.

(vii) Loading and Access – (ix)(b)(i)(b)

Loading shall be provided for on the following basis:

<i>Minimum Size:</i>	<i>8 m long x 3.5 m wide x 3.8 m high</i>
<i>Manoeuvre Area:</i>	<i>To accommodate an 8 metre rigid truck as shown in Appendix 20D</i>

The development cannot satisfy either of these requirements. The frontage is 5m long and due to the size of the site could not accommodate an 8m rigid truck. The site can accommodate normal passenger vehicles as is intended by the development. It is not anticipated that any large trucks will be required to attend the site once it is operational.

(viii) Commercial Residential Activity – (xiii)

The activity shall not contain:

- (a) Any facility that requires a liquor licence.*
- (b) Any restaurant.*

The applicant proposes to provide minibars in the guest rooms and provide alcohol in the guest lounge area consistent with the activities at Bluestone On George. The applicant will be seeking an On-Licence to provide for this sale and supply of alcohol.

(d) **Matters of Discretion for Earthworks**

Discretion for breaches of the scale thresholds are set out in rule 17.7.5(ii).
Discretion is limited to the following matters:

(i) Adverse effects on the amenity of neighbouring properties

The earthworks are required to establish the platform for the proposed building. Following construction of the dwelling they will not longer be visible therefore there will be no adverse effects arising from them.

(ii) Effects on Visual Amenity and Landscape

As above.

(iii) Effects on any archaeological site and/or any cultural site

The applicant has obtained archaeological authority for the removal of the existing house (which is now complete) and excavation of the foundations. The excavation of the site will be observed by an archaeologist in accordance with the authority and any material of interest recorded.

(iv) Effects on the transportation network, caused by the transportation of excavated material or fill.

The volume of fill required is relatively small. There will be some effects associated with this, but they will be temporary and can be managed by a construction management plan.

(v) Effects from the release of sediment beyond site boundaries, including transport of sediment by stormwater systems

The site slopes away from Queen Street where stormwater from the site is discharged. Sediment will be managed on site during construction.

(vi) Cumulative effects relating to any of these matters

nil

(vii) Design and engineering of retaining structures and earthworks

Building consent will be required for the establishment of the dwelling which will incorporate the retaining structures for any excavated areas.

(viii) Effects on the stability of land and buildings

The level of excavation is relatively low and generally fill is required to establish the proposed building. Building consent will be required and will address any temporary retaining required during construction to manage effects on stability of the site.

(ix) Effects on the surface flow of water and on flood risk

Stormwater will be managed by the establishment of a detention tank and pump so stormwater from the site is discharge into the Council reticulation system on Queen Street.

(x) **Effects on underground utilities**

There are no known utilities underground within the site.

4.3. Section 104D

As the property does not front George Street, the application for a commercial residential activity is **non-complying** pursuant to rule 8.9.6(iii) of the Plan.

It is necessary to consider whether the proposal passes the s 104D gateway test. An effects assessment of the proposal is carried out in section 5 of this report. That section concludes that the effects of the proposal will be minor or less than minor.

An assessment of the relevant objectives and policies has been completed and is **attached in appendix E**. That assessment concludes that overall the proposed development is consistent with the relevant objectives and policies of the Plan.

The proposed development passes through both sections of the gateway test allowing the application to be considered under s 104.

5. Actual and Potential Effects

5.1. Bulk and Location of Buildings or Structures

The proposed building is slightly higher than 9m. However the height is consistent with the neighbouring dwellings. The development will help create a more coherent frontage to Queen Street when compared to the existing dwelling. From George Street the size of the building will be shielded by intervening buildings. The location of the building on the south boundary will provide greater access to sunlight on the northern property. The location of the building on the southern boundary will have only minor effects on the neighbouring property due to the nature of the wall of that building. Overall, given the design of the proposed building the proposed bulk and location will have no more than minor effects on the environment.

5.2. Amenity Values and Character

Section 8.5 describes the main characteristics of the Residential 3 zone. That section states that more modern developments have changed the amenity in the zone. The proposed development is considered to have positive effects on the amenity in the Residential 3 zone. The outward appearance of the building is that of a residential building. This will contribute to and improve the amenity and residential character of Queen Street.

The existing dwelling was somewhat of an anomaly amongst much larger more imposing buildings. It had been allowed to deteriorate over many years and was ultimately contributing little to the amenity of the area.

5.3. Economic Effects

The development will have positive effects for the applicant and Dunedin once complete. The building will enable guests to stay at one of the premier accommodation facilities in Dunedin. There is widely understood to be a significant shortage of quality hotel accommodation in Dunedin. This proposal will help address this shortage in a small way.

5.4. Design and Appearance of Buildings, Structures, Landscaping and Consideration of Site Topography

The house on the site was in poor condition and degenerating. It contributed little to the overall street amenity. The proposed development will contribute positively to the streetscape. The proposed development and the use of bluestone on the building façade is in keeping with the history of the area will contribute positively to the character and the amenity of the area. The design of the building is less imposing than that of the neighbouring properties but consistent in scale. To the passer-by the development will appear as a normal residential unit in a residential zone. The proposed development optimises the site and its constraints in incorporating accommodation and parking for guests who stay at the site. The property can host up to 8 guests and so is consistent with the Council design guidelines for medium density housing.

5.5. Transportation

The development will have a less than minor effect on the transportation network. The activity on site will generate traffic levels consistent with that of the residential zone it is located in. The proposed car parking will result in a net gain for the area.

5.6. Community Population

There will be no displacement on the community during the construction of this building. For the last 8 months the existing dwelling has been unoccupied due to its poor condition. The proposal is not anticipated to have any effects beyond temporary effects associated with construction on neighbouring properties. Further to that, the site is located in an area with a high proportion of student accommodation. This means that the local population is relatively transient and are short term residents. Therefore there is less potential for any effects on community values associated with the establishment of commercial residential activity.

Neighbours may receive some disruption in amenity during construction but this will be temporary and so the effect will be minor or less than minor.

5.7. Hours of Operation

As the proposed development will be commercial residential, the hours of operation will be generally consistent with that of a residential environment. Any inconsistencies are expected to occur infrequently when guests are arriving later than anticipated. The only anticipated effects by this will be the sound of vehicles or pedestrians arriving or leaving which is no different to that expected in a residential area.

5.8. Provision for Stormwater, Water and Sewerage

As the site will have access to reticulated services it is anticipated there will be no adverse effects for the provision of stormwater, water and sewerage.

It is intended that a 5000 L detention tank to collect storm water from the site will be installed. This will also collect groundwater from drains installed around the building and behind the proposed retaining walls. The water from this tank will be used for garden maintenance and cleaning purposes. Any excess water will be pumped back to the reticulated service at Queen Street.

The southern neighbours' downpipes currently encroach into the applicant's property. This neighbour has been consulted about the encroachment. Potential options are being explored to determine the appropriate relocation of these downpipes so that the development does not have an adverse effect on the access this neighbour has to reticulated stormwater services. The current arrangement which is by way of a downpipe which encroaches onto the application site is not legally secure, however the preferred option is to replace the current downpipe and construct the new building around it.

5.9. Earthworks

A reasonably small volume of earthworks are required within the site to establish the building platform for the new building. The effects of these can be managed through a construction management plan. Specific details associated with the retaining structures will be addressed at building consent after detailed design has been completed.

The effects of earthworks are considered to be no more than minor.

5.10. Effects on Locality

The development will result in a commercial residential building on the site. The development will involve landscaping, thereby improving the amenity of the area. The building will be taller than the previous, but shorter than either neighbouring buildings. The proposed building has been designed with reference to the surrounding area and materials common to the locality. Therefore any visual effects will be no more than minor.

The property will have an onsite manager which will ensure that the property is well maintained and any guests respect the surrounding residential area.

Overall the development will have no more than minor effects on the locality.

5.11. Ecosystems

There are no known ecosystem values on the site. The development is located in a highly urban area. The end result will be consistent with the urban environment. Overall the development will have no effects on any ecosystems.

5.12. Values of Natural and Physical Resources

The development is anticipated to have minor or less than minor effects on any natural or physical resources that have aesthetic, recreational, scientific, spiritual, cultural or other special value.

The demolition of the current house has had a minor or less than minor effect on the historic values of the area. Furthermore, the archaeological authority required that any archaeological evidence encountered during demolition of the current building would be investigated, recorded and analysed. This has ensured that the history of the building is recorded and available for future generations.

5.13. Discharges

The development will not result in any discharges including the unreasonable discharge of noise.

5.14. Conclusion

The proposal will have a positive effect on the residential amenity and character of the area. It will rejuvenate a site that was occupied by a dilapidated and degenerating house which is in much need of replacement. Despite the use being intended for commercial residential activity, the effects caused will be no different to those that could reasonably be expected in a residential zone.

Overall the proposed development is considered to have a less than minor effect on the environment.

6. Mitigation

The development has been designed taking into account the surrounding area. A relocation of the building from the north boundary to the south boundary of the site has a minor effect on the southern neighbour and provides more sunlight to the northern neighbour.

7. Monitoring

No specific monitoring is required.

8. Hazard/Discharges

There are no hazard or discharge issues that arise out of this proposal.

9. Potentially Adversely Affected Persons and Consultation

The applicant has provided this application and building designs to the adjacent landowners.

Affected party approvals were sought but not received at the time of filing this application. The responses to requests for affected party approval are **attached in appendix F**.

10. Notification

The proposed application is for a non-complying activity due to the non-compliance created by the site front in Queen Street. The assessment of effects indicates that the effects of the proposal are no more than minor. In addition, the development is consistent with the objectives and policies of the Plan.

The applicant has consulted with the adjacent landowners and provided them with a copy of the draft application for the development.

The Council must notify an application if, the activity will or is likely to have adverse effects on the environment as determined under section 95D. In determining whether adverse effects are likely to be more than minor under section 95D the Council must disregard:

- (a) Any effects on people who own or occupy any land adjacent to the application site; and
- (b) Any effects on a person who has given their approval.

As the neighbours did not provide their affected party approval it is concluded that this application can and should be processed on a limited-notified basis with notification provided to 25 and 31 Queen Street, Dunedin.

11. Summary

This development will rejuvenate a property strongly in need of it. Most effects caused by this development are focussed on amenity and character of the area. These values are enhanced.

The proposal has minor or less than minor effects on the environment and is consistent with the objectives and policies of the Plan.

The development will result in a residential looking property built in a residential neighbourhood.

It will result in the applicant being able to provide for its social, economic and cultural wellbeing and enable it to continue providing premier accommodation to Dunedin's guests.

Overall this proposal achieves the purposes of the Act. Resource consent should be granted.

11.1. Part 2

This development will enable the applicant to provide for its economic, social and cultural well-being. It is anticipated that the development will sustain the natural and physical resources of the area. It will have little effect on the life supporting capacity of air, water, soil and ecosystems.

The proposal will allow the site to be reutilised in a more efficient manner than with the old building and contribute to the revitalisation of the Queen Street area. There are no matters in s 6 relevant to the proposal, but ss 7(c) and (f) are both supported by the development. The proposal will maintain and enhance the amenity of the neighbourhood and enhance the quality of the environment.

The proposal avoids, remedies or mitigates all adverse effects of the activity on the environment.

Overall the proposal is consistent with Part 2 of the RMA.

Assessment of Environmental Effects – 29 Queen Street Redevelopment

1. Background and Existing Environment

1.1. Background

Queen Street is located on the hillside in North Dunedin. The street is populated by a mixture of properties ranging from poorly maintained student flats to well kept, substantial historic homes. On the site there was a two storey wooden villa, built around 1880. For a number of years this property was used as student accommodation, each year falling into greater and greater disrepair. The quality of the property influenced the quality of the tenants. In recent years the applicant had a number of difficulties with the occupants of the flat. The property is flanked by two late nineteenth/early twentieth century houses, which are currently used as student accommodation.

In 2014 the applicant bought the property. There were a number of reasons for this:

- a) It allowed the applicant to control occupants of the property and manage effects on their existing business;
- b) It provided an opportunity to further expand their accommodation business at Bluestone on George.

The applicant wishes to develop the property as a commercial residential property. To that end the old dwelling has been demolished. This was required after neighbouring tenants began to use it as a tip and vandalise it. To avoid potential safety risks the applicant decided to demolish the building as a matter of urgency. An archaeological authority was obtained for this. The applicant now proposes to build a 4 bedroom house to be operated in conjunction with the existing Bluestone on George Hotel.

1.2. Site Description

29 Queen Street is located on the eastern side of Queen Street. It is bounded on the northern and southern sides by large residential buildings. The property is legally described as Lot 1 Deposited Plan 300261 comprised in certificate of title 1972 which is attached in appendix A.

The site is narrow and steep. It measures 10.06m x 25.30m resulting in a 254m² section. It falls away about 9m towards the east. The site has wonderful views out over the university, harbour and peninsula.

The neighbouring buildings are located in close proximity to the northern and southern boundaries. The property to the south is built to and slightly over the boundary (4cm) and has a storm water downpipe that further hangs over the boundary. It is over 11m high at the eastern end. The northern neighbour is located about 2.1m from the boundary; the highest point of this building is over 10m higher than the ground at the eastern end.

The site is zoned Residential 3 in the Dunedin City District Plan ("the Plan").

1.3. Relationship with Bluestone on George

Bluestone on George is one of Dunedin's premier hotels. It offers quality accommodation and excellent facilities to a range of travellers. Consistently ranked one of the top hotels in Dunedin, the applicant proposes this development to contribute to Bluestone's success. It is anticipated that 29 Queen Street will be managed as the "Bluestone Villa".

2. Proposed Development

- 2.1. The applicant proposes a four bedroom, 3 storey building located on the southern boundary of the section. The building will occupy slightly less than 40% of the site. The building will have a gross floor area of 291m² split evenly between 3 floors. It will be set back from the road 5m to provide two off street car parks. Architectural plans are attached in appendix B. The building materials have been chosen to reflect the character of the area.

The building is to be slightly taller than 9m and will encroach into the recession plane. This is not unusual for buildings in this area and almost inevitable given the size and topography of the site. Despite this encroachment the development will have a minor or less than minor effect on the surrounding properties. The development will be located 5m back from the street and the location of the proposed development minimises any southern shading effects. Although the development is taller than the original dwelling, it is set further off the northern boundary allowing more space and light to the north.

Guests will gain access to the property from Bluestone On George located on the eastern boundary of the section or off Queen street into a communal area on level 2. This communal area includes a lounge, dining room and kitchen. There will be 4 bedrooms split between levels 1 and 3. Each bedroom has its own ensuite bathroom and a private balcony from which to appreciate the views. Access to Bluestone on George can be obtained via the rear of the site, providing an easy thoroughfare for guests to access George Street. The site will have two off-street carparks located at the front of the property on Queen Street.

The building is to be constructed with either pre-cast concrete walls or plastered concrete block with bluestone facings on the east and west façades. The bluestone façade adds solidity and links the building to the early traditions of monumental building in Dunedin. There are generous amounts of glass and a coloursteel roof that will not be visible due to the angles the building will be viewed from.

An archaeological authority was obtained for the demolition of the current building. That authority includes a number of conditions that will ensure any information of archaeological interest is recorded during the demolition and building earthworks phase. A copy of that authority is attached in appendix C.

The site was cleared in April. Due to the potential for the house to fall further into disrepair and disuse it was decided to remove it.

2.2. Carparking and Access

2 carparks are proposed on the site. Currently no off street parking is available on the site. The vehicle access will be 6 metres wide. This means it is likely only 1 street park will be lost. As this development is for guest accommodation rule 8.9.2(viii)(b) applies. This requires a total of 3 parks be provided for commercial residential activity

– 2 for guests and 1 for staff. The proposal does not meet this requirement, however the staff required to service Bluestone Villa will be minimal and come from existing staff used at Bluestone on George. This is not considered to generate a more than minor adverse effect, particularly given the interrelationship between the site and the applicant's operation at Bluestone on George. Bluestone On George currently has a total of 16 carparks, 2 of which are mobility parks.

Many of the applicant's guests travel without vehicles. Usually they come from out of town (taxiing from the airport). Due to the proximity of the Bluestone on George to the central city these guests explore the city by walking. The applicant's experience shows that the existing parking within the Bluestone site is surplus to requirements and it expects the same to apply at the new site.

The site has only one vehicle access point – from Queen Street. Pedestrian access will be available via Queen Street or George Street through Bluestone On George.

3. **Alternative Locations or Methods**

- 3.1. Due to the proximity of the site to Bluestone on George, and the intended nature of the development there are no other available locations for the development.

The possibility of refurbishing the old building was considered, however it was decided against due to the poor condition of the property. A report from Flanders Marlow is **attached** in **appendix D**. That report details the condition of the property and concludes that the property is in poor condition for its age. Due to the amount of work required to restore the property the applicants decided that the best option was to demolish the building and start again. As the building is now demolished, the only remaining work for the Archaeologist is to be present when any footings or trenches are dug.

4. **Statutory Requirements**

4.1. **Resource Management Act 1991**

No person may use land in a manner that contravenes a rule in a district plan unless that activity is allowed by a resource consent (s 9 RMA). Any resource consents must be assessed in accordance with s 104.

4.2. **The Plan**

(a) **Land use**

The property is located in the Residential 3 zone. Commercial residential activities are permitted, controlled or discretionary activities in this zone fronting certain areas of Great King Street or George Street. As the site fronts Queen Street, the proposed development is **non-complying** per rule 8.9.6(iii).

Earthworks will be required prior to the construction of the property. There will be a change in ground level in excess of 1.5m to establish the ground floor level of the proposed building. Approximately 160m³ of fill will be required. This height change and volume breaches the permitted standards in the Plan. Therefore the Earthworks required are a **restricted discretionary** activity.

(b) Objectives and Policies

An analysis of the objectives and policies is **attached in appendix E**. The analysis demonstrates that the proposed development is generally consistent with the objectives and policies of the Plan.

(c) Residential 3 Conditions

There are a number of site standards attaching to land use in the residential 3 zone. These are found in rule 8.9.2 of the Plan. Because the proposed activity is non-complying these standards are not strictly relevant. However, they do provide a useful framework to consider this proposal against. The conditions that are relevant to this development are:

(i) Minimum yards – (i)(a)(i)

3m except where property is located between two properties which have a front yard less than 3m.

The development incorporates a front yard of 5m and so satisfies this condition.

(ii) Height Plane Angle – (ii)(a)

63° where the site is located to the west of George Street and south of Warrender Street.

The development breaches the height plane angle. This is not unusual for a development in this area nor is it considered to give rise to adverse effects. The proposed building is to be located on the southern boundary adjacent to the neighbouring building. There is only one window penetration on the façade of the neighbouring building. The new building is setback a greater distance from the northern boundary than the existing building. Overall, shading on neighbouring properties is to reduce under this development due to the positioning of the building on the southern boundary.

(iii) Maximum Height – (iii)

9m.

The development is 9.7m at its highest point as a result of the topography. The building height will be less than both neighbouring buildings.

(iv) Maximum Site Coverage – (iv)(a)

40% of the site area where the site is located to the west of George Street and south of Warrender Street.

The development covers slightly less than 40% of the site area.

(v) Minimum Amenity Open Space – (v)(b)

Commercial residential activities shall provide an area of amenity open space at a rate of 20% of the site area.

The development incorporates balconies, gardens and a deck which comprise of 102 m² of space. This is over 20% of the site area.

(vi) Minimum Car Parking – (viii)(b)(ii) and (viii)(c)

1 car park per 3 guest rooms to 60 guest rooms, thereafter 1 carpark per 5 guest rooms.

Staff requirement of 1 carpark per 20 guest rooms.

This condition requires 2 guest carparks and 1 staff carpark for the development. The development will provide 2 carparks. This shortfall is not considered significant given the small scale of the development and the intention to operate the site in conjunction with the existing Bluestone operation. Therefore the staff car park is not considered necessary.

(vii) Loading and Access – (ix)(b)(i)(b)

Loading shall be provided for on the following basis:

<i>Minimum Size:</i>	<i>8 m long x 3.5 m wide x 3.8 m high</i>
<i>Manoeuvre Area:</i>	<i>To accommodate an 8 metre rigid truck as shown in Appendix 20D</i>

The development cannot satisfy either of these requirements. The frontage is 5m long and due to the size of the site could not accommodate an 8m rigid truck. The site can accommodate normal passenger vehicles as is intended by the development. It is not anticipated that any large trucks will be required to attend the site once it is operational.

(viii) Commercial Residential Activity – (xiii)

The activity shall not contain:

- (a) *Any facility that requires a liquor licence.*
- (b) *Any restaurant.*

The applicant proposes to provide minibars in the guest rooms and provide alcohol in the guest lounge area consistent with the activities at Bluestone On George. The applicant will be seeking an On-Licence to provide for this sale and supply of alcohol.

(d) Matters of Discretion for Earthworks

Discretion for breaches of the scale thresholds are set out in rule 17.7.5(ii).

Discretion is limited to the following matters:

(i) Adverse effects on the amenity of neighbouring properties

The earthworks are required to establish the platform for the proposed building. Following construction of the dwelling they will not longer be visible therefore there will be no adverse effects arising from them.

(ii) Effects on Visual Amenity and Landscape

As above.

(iii) Effects on any archaeological site and/or any cultural site

The applicant has obtained archaeological authority for the removal of the existing house (which is now complete) and excavation of the foundations. The excavation of the site will be observed by an archaeologist in accordance with the authority and any material of interest recorded.

(iv) Effects on the transportation network, caused by the transportation of excavated material or fill.

The volume of fill required is relatively small. There will be some effects associated with this, but they will be temporary and can be managed by a construction management plan.

(v) Effects from the release of sediment beyond site boundaries, including transport of sediment by stormwater systems

The site slopes away from Queen Street where stormwater from the site is discharged. Sediment will be managed on site during construction.

(vi) Cumulative effects relating to any of these matters

nil

(vii) Design and engineering of retaining structures and earthworks

Building consent will be required for the establishment of the dwelling which will incorporate the retaining structures for any excavated areas.

(viii) Effects on the stability of land and buildings

The level of excavation is relatively low and generally fill is required to establish the proposed building. Building consent will be required and will address any temporary retaining required during construction to manage effects on stability of the site.

(ix) Effects on the surface flow of water and on flood risk

Stormwater will be managed by the establishment of a detention tank and pump so stormwater from the site is discharge into the Council reticulation system on Queen Street.

(x) Effects on underground utilities

There are no known utilities underground within the site.

4.3. Section 104D

As the property does not front George Street, the application for a commercial residential activity is **non-complying** pursuant to rule 8.9.6(iii) of the Plan.

It is necessary to consider whether the proposal passes the s 104D gateway test. An effects assessment of the proposal is carried out in section 5 of this report. That section concludes that the effects of the proposal will be minor or less than minor.

An assessment of the relevant objectives and policies has been completed and is attached in **appendix E**. That assessment concludes that overall the proposed development is consistent with the relevant objectives and policies of the Plan.

The proposed development passes through both sections of the gateway test allowing the application to be considered under s 104.

5. Actual and Potential Effects

5.1. Bulk and Location of Buildings or Structures

The proposed building is slightly higher than 9m. However the height is consistent with the neighbouring dwellings. The development will help create a more coherent frontage to Queen Street when compared to the existing dwelling. From George Street the size of the building will be shielded by intervening buildings. The location of the building on the south boundary will provide greater access to sunlight on the northern property. The location of the building on the southern boundary will have only minor effects on the neighbouring property due to the nature of the wall of that building. Overall, given the design of the proposed building the proposed bulk and location will have no more than minor effects on the environment.

5.2. Amenity Values and Character

Section 8.5 describes the main characteristics of the Residential 3 zone. That section states that more modern developments have changed the amenity in the zone. The proposed development is considered to have positive effects on the amenity in the Residential 3 zone. The outward appearance of the building is that of a residential building. This will contribute to and improve the amenity and residential character of Queen Street.

The existing dwelling was somewhat of an anomaly amongst much larger more imposing buildings. It had been allowed to deteriorate over many years and was ultimately contributing little to the amenity of the area.

5.3. Economic Effects

The development will have positive effects for the applicant and Dunedin once complete. The building will enable guests to stay at one of the premier accommodation facilities in Dunedin. There is widely understood to be a significant shortage of quality hotel accommodation in Dunedin. This proposal will help address this shortage in a small way.

5.4. Design and Appearance of Buildings, Structures, Landscaping and Consideration of Site Topography

The house on the site was in poor condition and degenerating. It contributed little to the overall street amenity. The proposed development will contribute positively to the streetscape. The proposed development and the use of bluestone on the building façade is in keeping with the history of the area will contribute positively to the character and the amenity of the area. The design of the building is less imposing than that of the neighbouring properties but consistent in scale. To the passer-by the development will appear as a normal residential unit in a residential zone. The proposed development optimises the site and its constraints in incorporating accommodation and parking for guests who stay at the site. The property can host up to 8 guests and so is consistent with the Council design guidelines for medium density housing.

5.5. Transportation

The development will have a less than minor effect on the transportation network. The activity on site will generate traffic levels consistent with that of the residential zone it is located in. The proposed car parking will result in a net gain for the area.

5.6. Community Population

There will be no displacement on the community during the construction of this building. For the last 8 months the existing dwelling has been unoccupied due to its poor condition. The proposal is not anticipated to have any effects beyond temporary effects associated with construction on neighbouring properties. Further to that, the site is located in an area with a high proportion of student accommodation. This means that the local population is relatively transient and are short term residents. Therefore there is less potential for any effects on community values associated with the establishment of commercial residential activity.

Neighbours may receive some disruption in amenity during construction but this will be temporary and so the effect will be minor or less than minor.

5.7. Hours of Operation

As the proposed development will be commercial residential, the hours of operation will be generally consistent with that of a residential environment. Any inconsistencies are expected to occur infrequently when guests are arriving later than anticipated. The only anticipated effects by this will be the sound of vehicles or pedestrians arriving or leaving which is no different to that expected in a residential area.

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The southern neighbours' downpipes currently encroach into the applicant's property. This neighbour has been consulted about the encroachment. Potential options are being explored to determine the appropriate relocation of these downpipes so that the development does not have an adverse effect on the access this neighbour has to reticulated stormwater services. The current arrangement which is by way of a downpipe which encroaches onto the application site is not legally secure, however the preferred option is to replace the current downpipe and construct the new building around it.

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The development has been designed taking into account the surrounding area. A relocation of the building from the north boundary to the south boundary of the site has a minor effect on the southern neighbour and provides more sunlight to the northern neighbour.

7. Monitoring

No specific monitoring is required.

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There are no hazard or discharge issues that arise out of this proposal.

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The applicant has provided this application and building designs to the adjacent landowners.

Affected party approvals were sought but not received at the time of filing this application. The responses to requests for affected party approval are **attached** in **appendix F**.

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It will result in the applicant being able to provide for its social, economic and cultural wellbeing and enable it to continue providing premier accommodation to Dunedin's guests.

Overall this proposal achieves the purposes of the Act. Resource consent should be granted.

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This development will enable the applicant to provide for its economic, social and cultural well-being. It is anticipated that the development will sustain the natural and physical resources of the area. It will have little effect on the life supporting capacity of air, water, soil and ecosystems.

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Overall the proposal is consistent with Part 2 of the RMA.

Appendix A



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

R.W. Muir
Registrar-General
of Land

Identifier 1972
Land Registration District Otago
Date Issued 28 September 2000

Prior References
OT401/59

Estate Fee Simple
Area 255 square metres more or less
Legal Description Lot 1 Deposited Plan 300261
Proprietors
Eagle Corp Limited

Interests

7956 Transfer creating the following easements

Type	Servient Tenement	Easement Area	Dominant Tenement
Right of way	Lot 1 DP 24150 - CT OT16B/1126	Coloured Yellow and Blue on CT OT207/268	Lot 1 DP 300261 - herein
Right of way	Part Sections 39, 60-61 Block XXV Town of Dunedin - CT OT16A/1052	Coloured Yellow and Blue on CT OT207/268	Lot 1 DP 300261 - herein

3950 Transfer creating the following easements - 21.2.1887

Type	Servient Tenement	Easement Area	Dominant Tenement
Drainage	Part Section 60 Block XXV Town of Dunedin - CT OT16A/1052	Coloured Blue on CT OT207/268	Lot 1 DP 300261 - herein
Right of way	Lot 1 DP 24150 - CT OT16B/1126	Coloured Yellow and Blue on CT OT207/268	Lot 1 DP 300261 - herein
Right of way	Part Sections 39, 60-61 Block XXV Town of Dunedin - CT OT16A/1052	Coloured Yellow and Blue on CT OT207/268	Lot 1 DP 300261 - herein

5009678.4 Easement Certificate specifying the following easements - 28.9.2000 at 3:27 pm

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain foul sewage	Lot 4 Deposited Plan 300261 - CT 1974	Marked B Deposited Plan 300261	Lot 1 Deposited Plan 300261 - herein	Subject to Section 243 (a) Resource Management Act 1991
Drain foul sewage	Lot 3 Deposited Plan 300261 - CT 1974	Marked A Deposited Plan 300261	Lot 1 Deposited Plan 300261 - herein	Subject to Section 243 (a) Resource Management Act 1991

QUEEN STREET (24.72)

NEW CT ALLOCATION

LOT 1	1972
LOT 2	1973
LOT 3	1974
LOT 4	

Local Authority DUNEDIN CITY COUNCIL

Surveyed by S JENKIN

Scale 1:200

Date 14 JULY 2006

Local Authority DUNEDIN CITY COUNCIL

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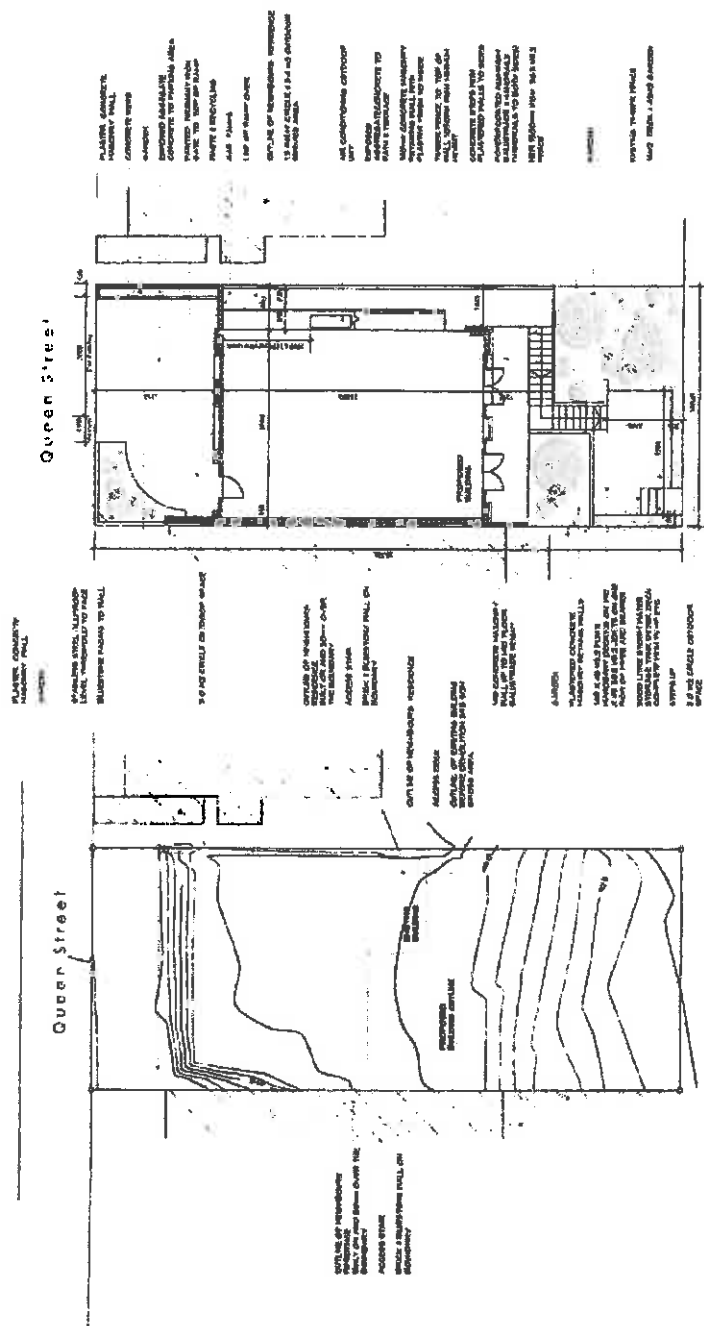
Local Authority DUNEDIN CITY COUNCIL

Surveyed by S JENKIN

Scale 1:200

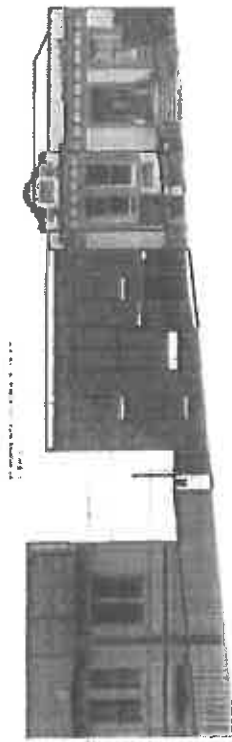
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Appendix B

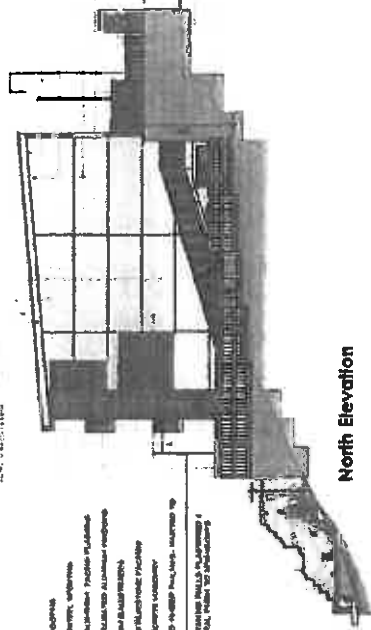
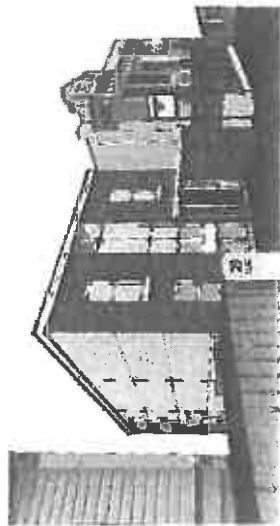


Proposed Site Plan

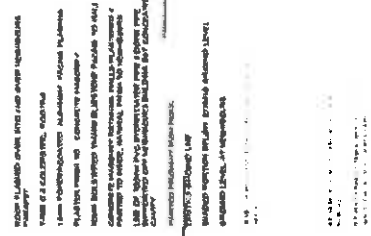
Existing Site Plan



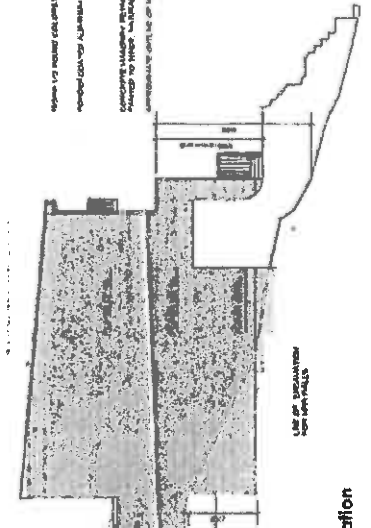
West Elevation



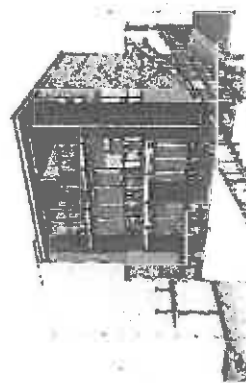
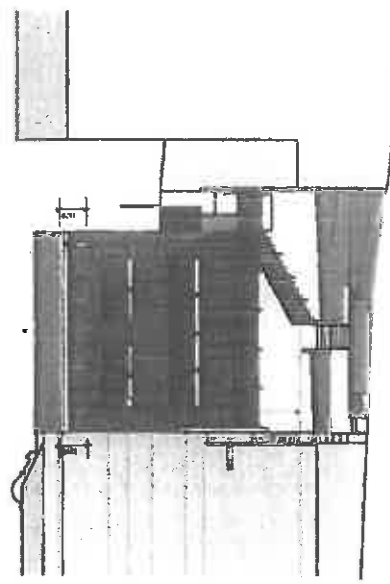
North Elevation

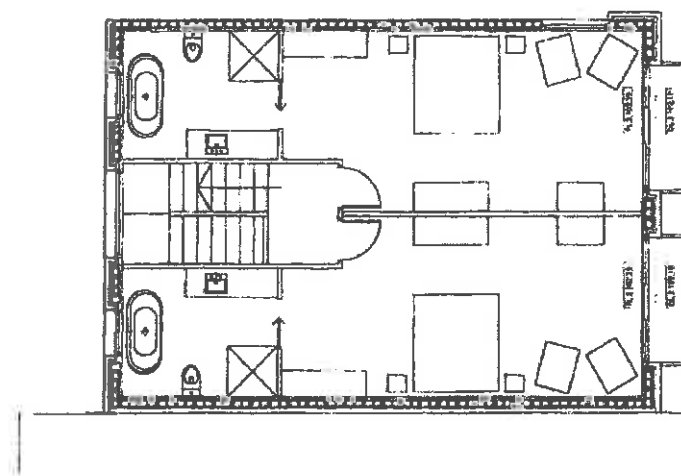
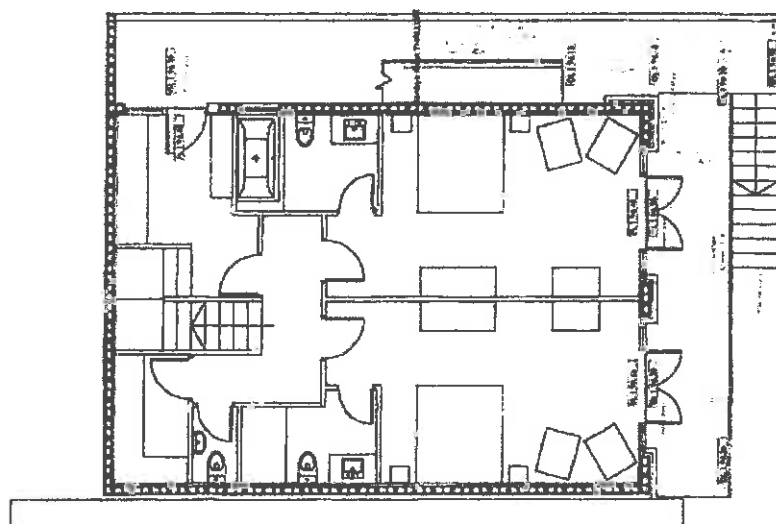
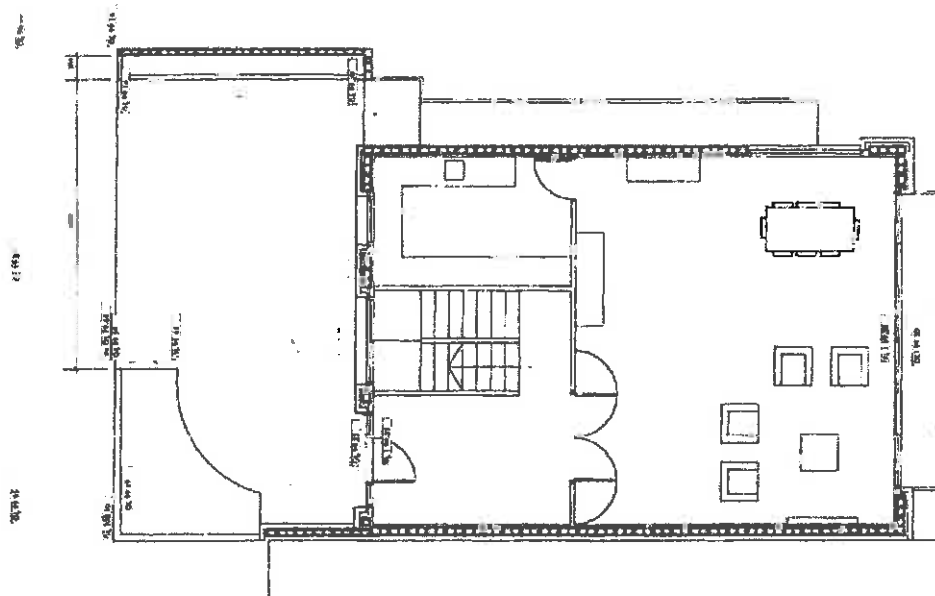


South Elevation



East Elevation





Appendix C



HERITAGE NEW ZEALAND
POUHERE TAONGA

S:/Arch/2015-562

12 December 2014

File ref: 2015/562
11013/11036-009

Neville and Sandra Butcher
c/- Bluestone on George Street
571 George Street
Dunedin 9061

Tena koe Neville and Sandra

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2015/562**

Thank you for your application for an archaeological authority which has been granted and is attached.

Although the 1880s villa at 29 Queen Street does have heritage significance in terms of its unusual style and contribution to the historic streetscape of Queen St. and wider Dunedin, the building is in a poor condition and would require extensive works to repair. These works would likely remove many of the elements which reflect the building's 1880s character.

Archaeological recording of the house during its controlled deconstruction and demolition will ensure that a valuable record of this structure is taken which will contribute to the knowledge on how houses from this period were built. Only one other domestic house built in this period has been archaeologically recorded in Dunedin previously.

Please inform the approved archaeologist and the Heritage New Zealand Pouhere Taonga Regional Office of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved. Please note that the definition of 'working day' in the *Heritage New Zealand Pouhere Taonga Act 2014* excludes the period from the 20th December until the 10th January; therefore, Friday 19th December is the last working day of 2014, and Monday 12th January is the first working day of 2015.

If you have any queries please direct your response in the first instance to:

Matthew Schmidt
Regional Archaeologist
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058
Phone (03) 470 2364 Email ArchaeologistOS@heritage.org.nz

Yours sincerely

Pam Bain
Senior Archaeologist

cc: Neville and Sandra Butcher
via email at neville@bluestonedunedin.co.nz

cc: Bridget Irving
via email at bridget.irving@gallawaycookallan.co.nz

cc: Dr Peter Petchey
via email at peter.petchey@xtra.co.nz

cc: Heritage New Zealand Pouhere Taonga Regional Archaeologist, Dr Matthew Schmidt

cc: Heritage New Zealand Pouhere Taonga Area Manager, Jonathan Howard

cc: Planning Manager
Dunedin City Council
via email at dcc@dcc.govt.nz

Pursuant to Section 51 *Heritage New Zealand Pouhere Taonga Act 2014* Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Ministry for Culture and Heritage
via email at protected-objects@mch.govt.nz

Pursuant to Section 51 *Heritage New Zealand Pouhere Taonga Act 2014*

cc: NZAA Central Filekeeper
c/o DOC, WELLINGTON
Attn: Nicola Molloy
via email at nmolloy@doc.govt.nz



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2015/562

FILE REF: 11013/11036-009

DETERMINATION DATE: 12 December 2014

EXPIRY DATE: 12 December 2019

AUTHORITY HOLDER: Neville and Sandra Butcher

POSTAL ADDRESS: c/- Bluestone on George Street
571 George Street
Dunedin 9061
via email at neville@bluestonedunedin.co.nz

ARCHAEOLOGICAL SITES: 144/628 1880s Villa

LOCATION: 29 Queen Street, Dunedin

APPROVED ARCHAEOLOGIST: Dr Peter Patchey

LANDOWNER CONSENT: Completed

This authority may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

Please note that the definition of 'working day' in the *Heritage New Zealand Pouhere Taonga Act 2014* excludes the period from the 20th December until the 10th January; therefore, Friday 19th December is the last working day of 2014, and Monday 12th January is the first working day of 2015. Please take careful note of this when determining your start dates.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants a general authority pursuant to section 48 of the *Heritage New Zealand Pouhere Taonga Act 2014* in respect of the archaeological site described above, within the area specified as Lot 1 DP 300261, CFR1972 to Neville and Sandra Butcher for the proposal to demolish the villa and undertake site development works at 29 Queen Street, Dunedin, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. The authority holder must ensure that all contractors working on the project are briefed on site by the approved archaeologist on the possibility of encountering archaeological

evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that Conditions 2 to 4 and any requirements to notify Heritage New Zealand Pouhere Taonga are complied with.

2. Any earthworks that may affect any archaeological sites must be monitored by an archaeologist approved by Heritage New Zealand Pouhere Taonga.
3. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
4. The building at 29 Queen Street, Dunedin must be investigated, recorded and analysed prior and during to its demolition to document and recover information about its construction, alteration and use through time. This is to be undertaken to a minimum standard of Level III recording as defined in Guidelines for the Investigation and Recording of Buildings and Standing Structures (Archaeological Guideline Series No. 1).
5. That within 20 working days of the completion of the on-site archaeological work associated with this authority;
 - a) An interim report in digital and hard copy outlining the archaeological work undertaken must be submitted to the Heritage New Zealand Pouhere Taonga Regional Archaeologist.
 - b) Site record forms must be updated or submitted to the NZAA Site Recording Scheme.
6. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Regional Archaeologist.
 - a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Regional Archaeologist.
 - b) Digital copies of the final report must also be sent to the NZAA Central Filekeeper and Toitu Otago Settlers Museum.

Signed for and on behalf of Heritage New Zealand.



Te Kenahi Teira
Kaihautu Maori
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date

12.12.14

ADVICE NOTES

Contact details for Heritage New Zealand Regional Archaeologist

Matthew Schmidt
Regional Archaeologist
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058

Phone (03) 470 2364 Email ArchaeologistOS@heritage.org.nz

Current Archaeological Practice

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tuturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but may not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

Rights of Appeal

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the *Heritage New Zealand Pouhere Taonga Act 2014*. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination, and served on the applicant or owner within five working days of lodging the appeal.

Review of Conditions

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (*Heritage New Zealand Pouhere Taonga Act 2014*, section 88).

Costs

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

Assessment and Interim Report Templates

Assessment and interim report templates are available on the Heritage New Zealand Pouhere Taonga website: <http://www.heritage.org.nz>.

Guideline Series

Guidelines referred to in this document are available on the Heritage New Zealand Pouhere Taonga website: <http://www.heritage.org.nz>

The Protected Objects Act 1975

The Ministry for Culture and Heritage ("the Ministry") administers the *Protected Objects Act* 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry's website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.



HERITAGE NEW ZEALAND
POUHERE TAONGA

APPROVED ARCHAEOLOGIST

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2015/562

FILE REF: 11013/11036-009

APPROVAL DATE: 12 December 2014

This approval may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

APPROVAL

Pursuant to section 45 of the Act, Dr Peter Petchey, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2015/562, and to compile and submit a report on the work done. Dr Petchey will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

Signed for and on behalf of Heritage New Zealand.

Te K. Teira

**Te Kenehi Teira
Kalhautu Maori
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140**

Date

12 12 14

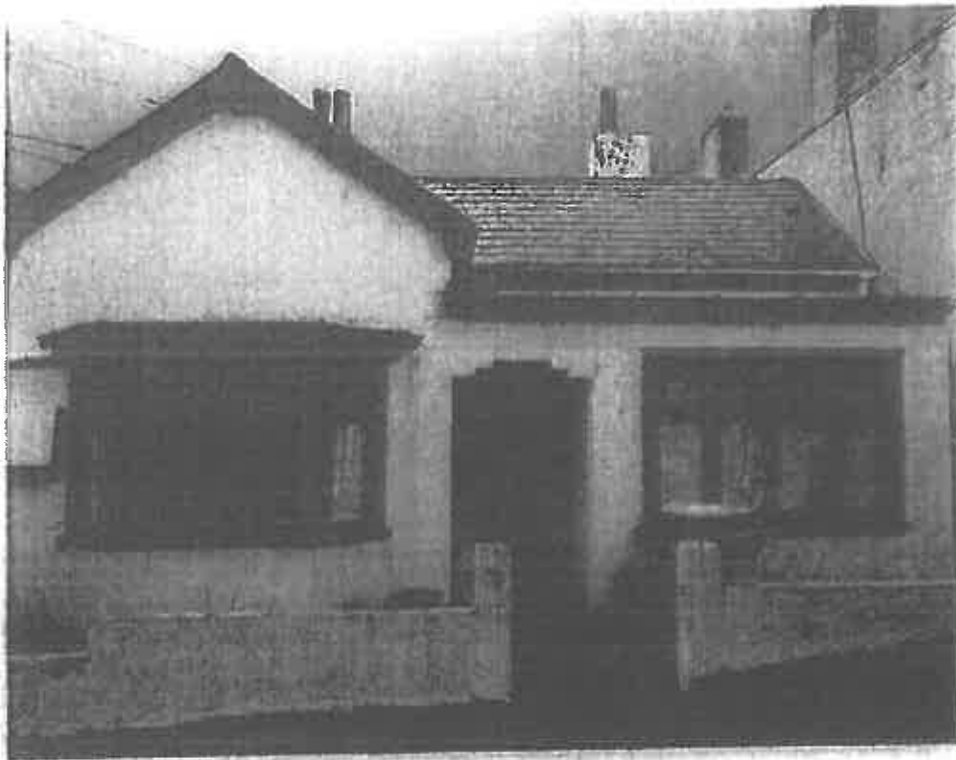
Appendix D

FLANDERS | MARLOW
PROJECTS | PROPERTY



FLANDERS MARLOW LIMITED
49 Macandrew Road
PO Box 1281
Dunedin 9054, New Zealand
Telephone (03) 455 1499
Facsimile (03) 455 1060
Email admin@flandersmarlow.co.nz

CONDITION REPORT



29 QUEEN STREET
DUNEDIN

GWYNN GILMOUR

MARCH 2014

CONDITION REPORT – 29 QUEEN STREET, DUNEDIN

1.0 INTRODUCTION

Report commissioned by : Neville Butcher

Report and site inspection undertaken by : Gwynn Gilmour
Building Surveyor

Date of Inspection : Monday 3rd March 2014

Other persons present : Mr & Mrs Butcher at the beginning of the inspection and the current tenants

Weather at time of inspection : Raining

Orientation : For the purposes of orientation throughout the body of this report, Queen Street shall be deemed to run north/south with the front face of the dwelling being the western face.

General Description: The property is located in the University sector of Dunedin City.

The property contains a two storey dwelling on a sloping site.

General Construction: The construction of the main residential building appears to consist of :

Roof : A mixture of slate tile, corrugated iron and Colorsteel, with a uPVC and metal stormwater disposal system.

Exterior Walls : Painted weatherboard with some solid plaster.

Floor : Timber floor supported on a low level concrete perimeter foundation wall.

Joinery : Single glazed timber.

2.0 SPECIFIC INSTRUCTIONS

Verbal instructions were received from Neville Butcher to undertake an inspection of the property at 29 Queen Street, Dunedin. This was confirmed in writing by email with the following conditions.

CONDITION REPORT – 29 QUEEN STREET, DUNEDIN

3.0 REPORT CONDITIONS

This report is for the sole and confidential use of the client listed only. The client will not use this advice, information or material for any other purpose, nor directly or indirectly cause any disclosure to any third party and it shall not be passed on, in full or without the written permission of the commissioned consultant. Flanders Marlow Limited will have no liability to third parties who may act or rely on the consultant's advice.

The term *reasonable condition* is used to indicate a condition relative to the age of the building or item to which reference is being made.

No land survey will be undertaken or certificate of title researched in the preparation of the condition report and therefore the position of boundaries, improvements and services will not be established.

Flanders Marlow Limited accepts no liability for the accuracy or location of information under file at the Local Authority. Specific permit or consent drawings, specifications or other file contents lodged with the Local Authority will not be researched and comment made in this report relates to any attached file content only.

This report is based on a visual inspection only and no destructive testing will be carried out to ascertain the condition or compliance of various building components or services. Limited checks will be carried out to ascertain the operation of services. Appliances, where present, will not be fully tested for correct operation. Vendor's chattels will not be moved during the inspection process to ascertain the condition or existence of faults or problem areas. The prospective purchasers shall arrange in advance for the vendor or their agent to provide access for the inspector to view all reasonably accessible areas or spaces.

With inspections such as this it is impractical to inspect and make comment on each and every surface, fitting, system or service item. These items will be generally checked and relevant comment made to cover the areas inspected along with general comment being made to cover what is thought to be the general condition of similar items. The inspection and report will be undertaken in accordance with the NZ Institute of Building Surveyors Inc Regulation 05 – Practice standard. The Inspection of Residential and Commercial Properties. No guarantee is expressed or implied regarding the continued operation of services or that the building will be or will remain weathertight or waterproof.

The condition of services such as plumbing, drainage, heating and electrical may require inspection by qualified experts in these specialist fields. It is recommended that trade personnel that have serviced the property to date be approached for comment on the services and repair history. We will advise of any concerns that we may have. This will also apply where structural problems or issues occur, that may require a separate report by a registered structural engineer.

Where borer is identified as existing it is advisable to refer to the additional reference material that is available with the report. The extent of borer infestation should be verified through a recognised pest control company.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

Where this agreement has been entered into by an agent on behalf of the client (or a person purporting to act as agent), the agent and the client will be jointly and severally liable for payment of all amounts due to the consultant under this agreement.

The client will have no right to use any of the consultant's documents if the client is in default on any payment under this agreement.

Payment for this report is due within seven days of receipt of the account. Non payment within this period will incur interest and recovery costs. The agreed fee is based on a single inspection of the property. Where multiple site visits are required to complete the survey process, through no fault of the consultant, additional fees may be charged over and above the agreed fee.

In the event of any dispute arising between the parties concerning this report or any clause herein contained or its construction or the rights, duties or liabilities of either party in connection with the report, then in every such case the dispute shall be settled in accordance with the Arbitration Act 1996.

If for any reason Flanders Marlow Limited is liable to the client in contract, tort, including negligence or otherwise, the maximum liability of Flanders Marlow Limited to the client is \$3,000.00 in respect of any one event or connected series of events, with a maximum liability to any one client in any one 12 month period of \$4,000.00 irrespective of the number of events.

4.0 ROOF

Due to the rain and the fragile nature of the slate tiles, the roof was not fully accessed at the time of the inspection. Comment is, therefore made from views obtained via ladder and from vantage points around the dwelling.

The western elevation of the roof has slate tiles with metal ridge and barge flashings. An internal valley has been clad with older corrugated iron and the eastern elevation has been clad with Colorsteel. The slate section of the roof generally appeared in average condition with cracked and broken tiles visible. Some movement and slipping of tiles, along with extensive moss and mould growth was noted. The slate tiles appear to be nearing the end of their economic life. Refer photograph 1, 2 and 4.

Due to the height of the internal valley gutter, no views were able to be obtained at the time of the inspection and comment, therefore, cannot be made on their condition.

Where viewed, the roof cladding to the bay window on the eastern elevation, appeared in poor condition, with decay becoming apparent. This section will require replacement in the near future.

A bay window roof on the western elevation has been clad with Butynol. The Butynol appeared to have been installed over the existing standing seam metal section, possibly as a repair. This may require remedial work in the near future.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

The flat metal standing seam roof over the front entrance on the western elevation appeared in poor condition with extensive corrosion visible. This section of roofing is nearing the end of its economic life. Refer photograph 5. An apron flashing which fits under the plaster cladding and over the roof cladding appeared in average condition and weathertightness at this area could be considered 'at risk'. Refer photograph 6.

Flashings

Roof flashings generally appeared in poor condition right around the dwelling with excessive sealant having been utilised at joints in many instances where they are not fitting correctly. Ridge flashings are corroded, showing signs of severe decay and will require replacement in many instances. Refer photograph 2.

Barge flashings, where viewed, also appeared in poor condition and will require replacement. Refer photograph 3.

Chimneys

Plasterwork to the chimneys appeared poor with cracking, flaking paint and moss and mould growth evident. The northern chimney appeared in poor condition with the plasterwork having broken away exposing the brick beneath. Sealant has been utilised in an attempt to repair the flashing junction, however this is considered temporary only. Refer photograph 7. This will remain an area for potential moisture ingress until repairs are undertaken.

Stormwater disposal system

Spoutings around the dwelling all appeared in poor condition. On the northern and eastern elevations broken and displaced spouting was noted, along with corroded areas. Spoutings on these elevations will require replacement. Refer photograph 8 and 18.

The spouting to the western elevation has been laid to incorrect falls and overflows when it is raining.

Mould growth was noted to spoutings around the dwelling and this should be cleaned off.

Downpipes in many instances appeared blocked and would benefit from cleaning out. The downpipe to the southern elevation is broken and will require replacement. Refer photograph 9.

Fascia and Soffits

Timber fascias and soffits appeared in average condition, however all have flaking and peeling paint and will require refurbishment.

The soffit to the north eastern corner, at very high level, requires some remedial work where decay has occurred.

On the western elevation, the timber fascia has been embedded into the external plaster cladding. This may cause moisture to be trapped and result in decay to the timber. Refer photograph 10.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

5.0 EXTERIOR

Western elevation plasterwork

At the time of the inspection, we could not ascertain the substrate underneath the plaster on the western elevation and it was noted that the painted and plastered walls were cracked and broken. Areas of cracked plaster are 'at risk' for moisture ingress. In some instances the plaster has been formed up to the surrounding timber trim and this has caused decay. Refer photograph 10 and 11.

Above the front entrance door a section of plaster has become broken and cracked. This has resulted due to the poor junction detail of the apron flashing of the flat roof. This area requires repair and further investigation.

Sections of broken and cracked plaster were noted on the south western corner of the lean-to, along with gaps where moisture could penetrate and cause damage to the timber framing. This area requires remedial work. Refer photograph 12.

Window frames and sills appeared to be embedded into the plasterwork.

Timber Weatherboards

Repairs have been carried out to many areas of the timber weatherboard sections of the dwelling. These repairs have been carried out in an untradesmanlike manner, with gaps noted around patching. Refer photograph 14. Extensive damage was noted to weatherboards right around the dwelling, with flaking and peeling paint noted in many instances, along with decay and cracking. These areas will require extensive remedial repair. Refer photograph 15 and 17.

Weatherboards have been replaced with a fibre cement product around the bay window on the western elevation. However, decay was noted to the bottom boards around this window.

Extensive weatherboard damage was noted around the bay window on the north eastern corner. Some slumping and distortion was noted to weatherboards in this area and this drops off towards the eastern elevation. Due to slumpage on the north eastern corner, consideration could be given to engaging a structural engineer to assess the integrity of the dwelling. Refer photograph 19 and 20.

Ground clearance

Clearances were minimal between the plaster cladding and the ground. Standing water was apparent on paths due to stormwater discharge and this moisture may be able to access the internal timber framing, causing damage. Refer photograph 13. Along the northern elevation minimal ground clearance was noted, with weatherboards embedded into the earth ground lines which will cause accelerated decay to the weatherboards. An attempt has been made to provide some protection to boarding with corrugated iron being embedded into the ground, however the corrugated iron will also begin to decay. Refer photograph 30.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

Windows and doors

The bay window on the north eastern corner is in poor condition and will require replacement in the near future.

Timber framed single glazed double sash windows generally appeared in poor decorative condition and decay was noted to some timber frames. In most instances putty to windows was in poor condition and requires replacement. It should be noted that the frames around many of the windows do not fit into the openings squarely and many do not open. Refer photograph 21.

The window to the second level bathroom appeared in poor condition and the frame will require replacement. The laundry windowsill will also require replacement. Refer photograph 22.

The front entrance door appeared in average condition and would benefit from refurbishment. The rear entrance lower level door appeared in poor condition requiring replacement. Refer photograph 23.

Penetrations

Penetrations for services pipework around the dwelling are in poor condition and often poorly sealed, with many gaps apparent where moisture could ingress the dwelling. Refer photograph 16. Flashings will be required where gaps are apparent.

An attempt has been made to install a metal flashing between the edge of the pathway stairs and the weatherboard cladding on the southern elevation. This is a makeshift installation and the junction remains 'at risk' for moisture penetration, due to surface water being directed down this path. It is recommended that this be further investigated, with remedial action taken if required. Refer photograph 25.

6.0 UNDER FLOOR AREA

The under floor area could not be fully accessed at the time of the inspection. When internal floors were walked over, however, it was noted that floors on both levels were undulating and uneven. The floors sloped towards the north eastern corner.

A small section of under floor area was accessed on the northern elevation. The timber floor framing of the section viewed appeared in poor condition, with borer flight holes apparent. It appears that the timber floor framing is sitting directly onto the clay base. Whilst the clay appeared dry at the time of the inspection, this will eventually cause decay to the floor framing. It is believed that some remedial works will be required to the under floor area in the near future. Refer photograph 26, 27, 28 and 29.

Minimal ground clearances were noted and timber weatherboards are beginning to decay. Refer photograph 30.

7.0 INTERIOR

Access to all spaces was not possible at the time of the inspection, as several rooms were locked.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

Accommodation

The main entrance door provides access to the hallway, two bedrooms, bathroom, kitchen and lounge on the upper level and stairs to three bedrooms, laundry and toilet areas on the lower level.

Ceilings

Ceilings throughout the dwelling are believed to be painted T&G and solid plaster all generally appeared in average/poor condition. The plasterboard ceiling in the bathroom appeared in reasonable condition, however some mould growth was noted.

The bedroom on the north western corner appeared in poor condition with extensive cracking and damage noted and the ceiling will require some remedial work.

The ceiling in the lower level hall appeared in average condition and will require refurbishment.

All ceilings would benefit from refurbishment.

Floors

Floor coverings appeared in average/poor condition and nearing the end of their economic life. Wear patches and wrinkling was noted to carpets and vinyl is patchy and becoming unstuck, particularly to the laundry.

Undulations and movement was noted to the floors when walked over.

Walls and partitions

Wall linings appeared in average/poor condition and will require refurbishment. Mould growth was noted to the walls in the bathroom area.

Cabling has been clipped externally to walls and this appeared unsightly.

Internal joinery

Timber panel doors, original door hardware, skirtings and architraves appeared in average/poor condition and decorative order. Flaking paint and impact damage was noted to doors, skirtings and architraves.

Window joinery appeared in poor condition with paint damage and some minor areas of decay. Not all windows were checked for operation at the time of the inspection.

Bathroom

Decor appears average to floor, walls and ceiling. This space generally contains the following fixtures and fittings :

- WC with single flush cistern, plastic seat and flap
- Wash hand basin with taps over

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

- Shower unit with metal tray, shower rose and mixer

Kitchen

Decor appears average to floor, walls and ceiling. This space generally contains the following fixtures and fittings :

- Formica bench with cupboards and drawers under, stainless steel sink with taps over
- Fridge/freezer unit
- Shacklock oven

Laundry

Decor appears average to floor, walls and ceiling. This space generally contains the following fixtures and fittings :

- Laundry tub with taps over
- Zip hot water heater (this was not tested for operation at the time of the inspection)

Undulations and springiness was noted to the floor when walked over in this space.

Exterior WC

This space is located on the south eastern corner of the dwelling and has been lined with hardboard and has a stained glass window. The chipboard floor in this space has moisture damage present and appeared in poor condition.

Decor appears average to floor, walls and ceiling. This space generally contains the following fixtures and fittings :

- Single flush WC with plastic seat and lid

8.0 ROOF SPACE

The roof space was accessed via a hatch in the kitchen. Full access to the space was not gained at the time of the inspection. Extensive insulation has been installed in the roof space and it was difficult to locate safe weight bearing points.

Vermin droppings were noted to the space.

TPS electrical cabling has been installed, however some older style conduit and TRS cabling remains. Due to the age of the dwelling it is recommended that a certified electrician be engaged to verify the electrical installation.

Roof framing timbers generally appeared to be adequately supporting the load. It was noted that the original slate has been overlaid with corrugated iron in some instances. This may result in poor fitment of the metal roof cladding, particularly as the tiles are easily broken. This is not considered good trade practice.

CONDITION REPORT - 29 QUEEN STREET, DUNEDIN

Some areas, where corrugated iron has been installed, appeared to be reused iron and the fixing holes do not meet where the original tile battens are located, resulting in penetrations to the roof cladding.

One of the chimneys appeared to have crumbling lime mortar to the brick pointing within the roof space and it is recommended that if the chimneys are no longer in use, that they be removed to ceiling level to prevent toppling in the event of seismic activity.

9.0 GROUNDS

The eastern property line has been formed with a timber post, rail and paling fence and the eastern elevation appeared overgrown and unsightly. Steps and concrete paving around the eastern elevation are showing signs of movement cracking, with areas broken and sunken.

The post and wire clothes line on the eastern elevation was operational at the time of the inspection. Refer photograph 33.

The southern property line is formed by the adjoining property and appeared in reasonable condition.

The northern property line has been formed by mature planting, with no formal fencing installed.

The western property line has been formed by a low level plastered wall and this appeared in average/poor condition and will require painting. No gate has been installed and the letterbox appeared in average condition. The western elevation is overgrown and unsightly. Refer photograph 34.

10.0 SERVICES

Electrical

Electrical mains connection is via aerial cable from a pole on Queen Street.

The main external meterboard is located in the north eastern corner and the cabinet appeared in poor condition with signs of decay apparent. It is believed that this cabinet is nearing the end of its economic life.

Some older style conduit electrical cabling was noted to the power supply of the hot water cylinder. Due to the age of the dwelling it is recommended that a certified electrician be engaged to verify the electrical installation.

Light switches and socket outlets generally appeared to be a mixture of older and modern origin and smoke detectors have been installed throughout the dwelling. The detectors were not checked for operation at the time of the inspection. Refer photograph 40.

Switchboards are located in the hallway on both levels. These appeared to be of an older nature, with a mixture of old rewirable fuses and modern MCB's installed.

CONDITION REPORT – 29 QUEEN STREET, DUNEDIN

Telecommunications

Telephone connection follows a similar route to the electrical connection.

Water

Domestic water supply is believed to be fed from a DCC water valve is located in the footpath on Queen Street. The valve was not tested for operation at the time of the inspection.

Water pressure was tested at the taps throughout the dwelling and found to be adequate. Water freely drained away at the time of the inspection.

A 180 litre Valley Industries Limited hot water cylinder is located in laundry. The manufacture date of the cylinder was noted as 1993. No insulation was noted to the supply pipework and the cylinder has not been seismically restrained and is leaning slightly. It is recommended that the cylinder be restrained to prevent movement in the event of seismic activity.

An exterior tap is located at the south eastern corner of the dwelling.

Heating

A heat pump is located in the lounge with the exterior unit positioned on a proprietary plinth on the northern elevation. A further heat pump is located in the lower level hall, with the exterior unit positioned on a proprietary plinth on the eastern elevation. All appeared in reasonable condition, however were not checked for operation at the time of the inspection.

Drainage

Stormwater is directed to the eastern elevation prior to entering the main stormwater drain, which is assumed to be located downhill on George Street.

Foul sewer is directed to the east and the main foul system. It would be prudent to verify the location of the main sewer.

Security

Lighting has been installed around the exterior of the dwelling, however this was not checked for operation at the time of the inspection.

11.0 BUILDING PERMITS AND CONSENTS

The Dunedin City Council property file was not researched. We regard the following items to have required either a building permit or building consent for their construction.

- The original construction of the dwelling and associated drainage.
- The lower level habitable space on the western elevation, including the steep access stairs from the upper level.
- The enclosure of the Sunporch on the western elevation.
- Alterations to the interior layout of the dwelling.

CONDITION REPORT – 29 QUEEN STREET, DUNEDIN

12.0 SUMMARY

In summary, the property generally appeared in poor condition for its age.

Items which may require ongoing monitoring or remedial work include, but are not limited to the following :

- The roof and associated flashings are in poor condition and require remedial work.
- The stormwater disposal system requires replacement.
- Slumping toward the eastern elevation requires further investigation and remedial works should be considered.
- Exterior weatherboards are in poor condition and will be compromising the weathertightness of the dwelling. Extensive repairwork will be required to the weatherboards.
- Floor framing situated on the ground lines requires remedial work.
- Floor coverings are all in average condition.
- Plasterwork to the eastern elevation will require ongoing monitoring and maintenance.
- Regular maintenance does not appear to have been carried out over time and extensive refurbishment will be required to bring the property to a reasonable standard.

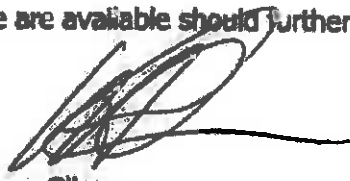
Where defects and other such issues have been identified throughout the body of this report, it is recommended that consideration be given to carrying out remedial works, along with undertaking regular maintenance work to ensure further deterioration does not occur.

In some instances, where defects have been identified, and are not showing significant signs of failure at the time of the inspection, these defects should be monitored regularly so as to ascertain if continued deterioration is taking place.

Should regular maintenance be undertaken to the dwelling, along with the issues stated being addressed where required we believe that it should remain a serviceable property.

As this report and associated inspection are based on a visual check of the property as at 4th March 2014, we recognise that there may be additional issues that are found to exist once the property has been occupied for some time. We will make ourselves available to discuss the various issues and problems that are encountered and at that time offer advice free of charge as to how they may be best remedied. This offer will remain valid for a period six months from the date of this report.

We are available should further clarification of the issues outlined in this report be required.


Gwynn Gilmour
on behalf of
FLANDERS MARLOW LIMITED

Peer Reviewed by:
Steve Flanders MRICS MIZIBS FNZIQS
Registered Building Surveyor
FLANDERS MARLOW LIMITED



Registered
**BUILDING
SURVEYOR**

A handwritten signature or mark in the bottom right corner of the page.

15410

FLANDERS | MARLOW

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Dunedin, New Zealand
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Fax (03) 465-1768
Email: admin@flandersmarlow.co.nz

REPORT CONDITIONS

This report is for the use of the client listed only and it shall not be passed on, in full or part to, or used by others without the written permission of either the originating client or the commissioned consultant where appropriate. Flanders Marlow Limited accepts no liability to third parties who may act on the contents of this report.

The term *reasonable condition* is used to indicate a condition relative to the age of the building or item to which reference is being made.

No land survey will be undertaken or certificate of title researched in the preparation of the condition report and therefore the position of boundaries, improvements and services will not be established.

Flanders Marlow Limited accepts no liability for the accuracy or location of information under file at the Local Authority. Specific permit or consent drawings, specifications or other file contents lodged with the Local Authority will not be researched and comment made in this report relates to any attached file content only.

This report is based on a visual inspection only and no destructive testing will be carried out to ascertain the condition or compliance of various building components or services. Limited checks will be carried out to ascertain the operation of services. Appliances, where present, will not be fully tested for correct operation. Vendor's chattels will not be moved during the inspection process to ascertain the condition or existence of faults or problem areas. The prospective purchaser shall arrange in advance for the vendor or their agent to provide access for the inspector to view all reasonably accessible areas or spaces.

With inspections such as this it is impractical to inspect and make comment on each and every surface, fitting, system or service item. These items will be generally checked and relevant comment made to cover the areas inspected along with general comment being made to cover what is thought to be the general condition of similar items. The inspection and report will be undertaken in accordance with the NZ Institute of Building Surveyors Inc Regulation 05 - Practice standard. The inspection of Residential and Commercial Properties. No guarantee is expressed or implied regarding the continued operation of services or that the building will be or will remain weathertight or waterproof.

The condition of services such as plumbing, fireplaces, heating and electrical may require inspection by qualified experts in these specialist fields. It is recommended that trade personnel that have serviced the property to date be approached for comment on the services and recent history. We will advise of any concerns that we may have. This will also apply where structural problems or issues arise, that may require a separate report by a registered structural engineer. Where damage is identified as existing it is advisable to take to the additional reference material that is available with the report. The extent of your information should be verified through a recognised pest control company.

Payment for this report is due within seven days of receipt of the document. Non payment within this period will incur interest and recovery costs. The agreed fee is based on a single inspection of the property. Where multiple site visits are required to complete the survey process, through no fault of the consultant, additional fees may be charged over and above the agreed fee.

In the event of any dispute arising between the parties concerning this report or any claims, benefits, retained or in construction or the rights, duties or liabilities of either party in connection with this report, then in every such case the dispute shall be settled in accordance with the Arbitration Act 1996.

If for any reason Flanders Marlow Limited is liable to the client in contract, tort, including negligence or otherwise, the maximum liability of Flanders Marlow Limited to the client is \$3,000.00 in respect of any one event or designated series of events, with a maximum liability to any one client in any one 12 month period of \$4,000.00 irrespective of the number of events.

SPECIFIC INSTRUCTIONS AND AGREEMENT FOR SERVICE

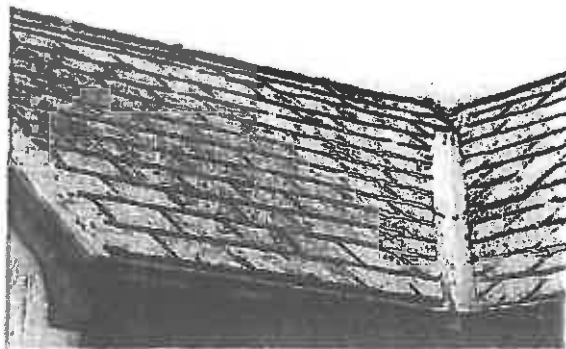
Inspect the property located at 39 Queen Street, Dunedin and provide a written report identifying faults, defects and other such items. Outbuildings will not be fully inspected. It is agreed that we would not include for obtaining a Property report or Land as provided by the Technical Authority or for supplying the property files. The fee for this service (as set in the above conditions) is agreed as \$300.00 including GST. The report shall be made available to the client by 3:00pm Friday 7th March 2014 at 3:00pm direct writing, after receipt of this completed agreement form whichever is the latest period.

Client Name: Newell Bate

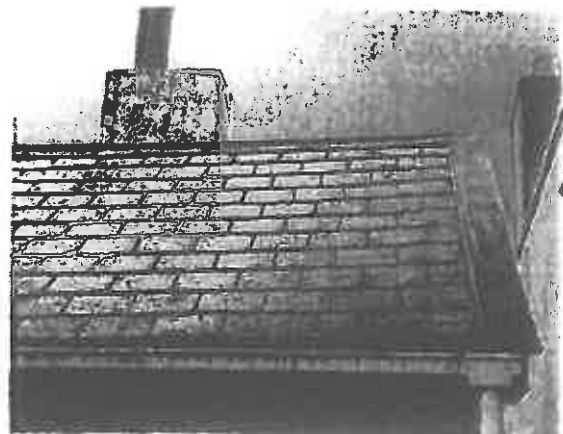
Client / Agent Signature: [Signature]

Consultant Signature: [Signature]

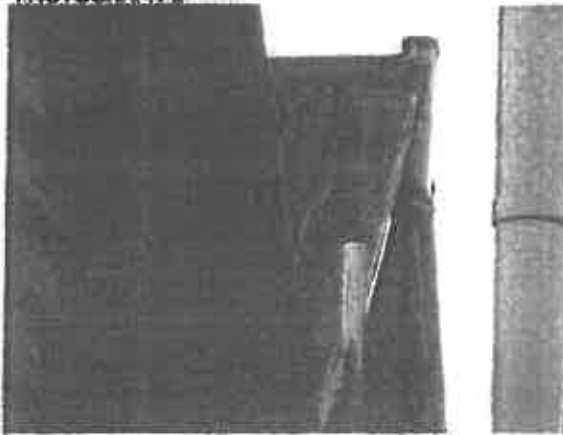
Date: 3/3/14



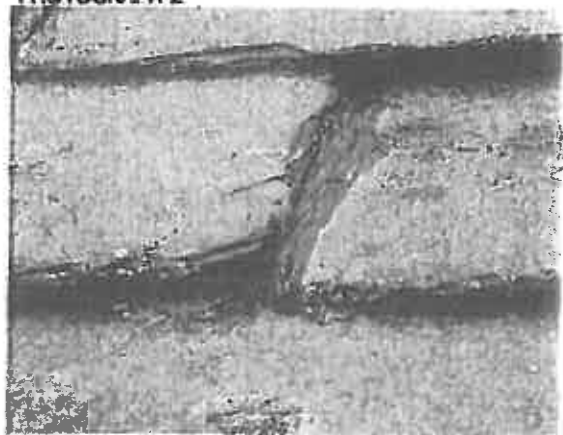
PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



PHOTOGRAPH 5



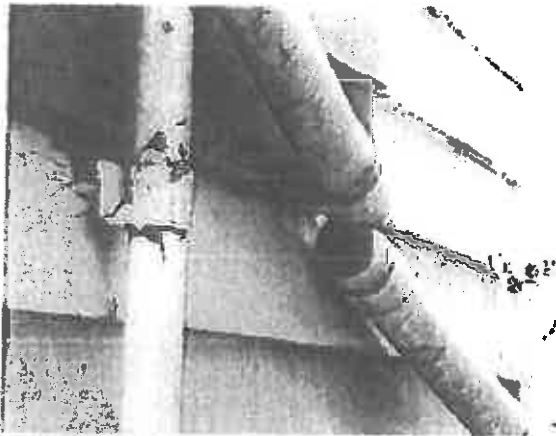
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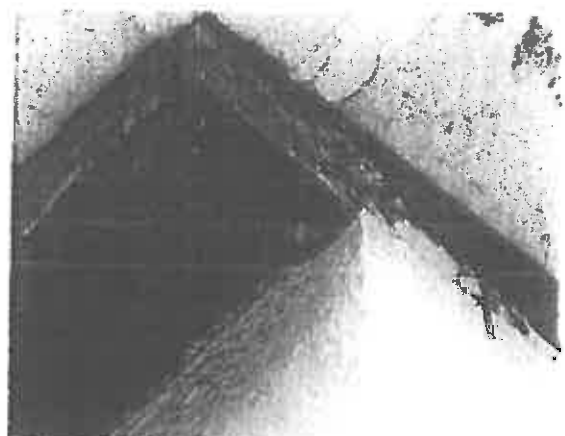
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PHOTOGRAPH 8



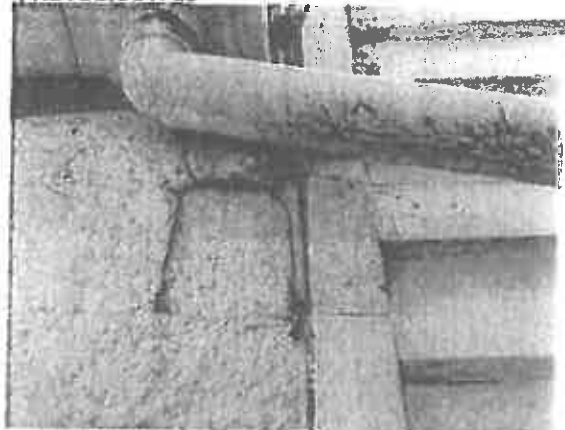
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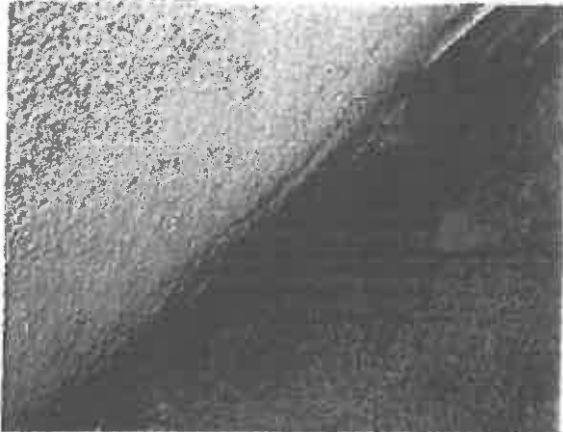
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PHOTOGRAPH 12



PHOTOGRAPH 13



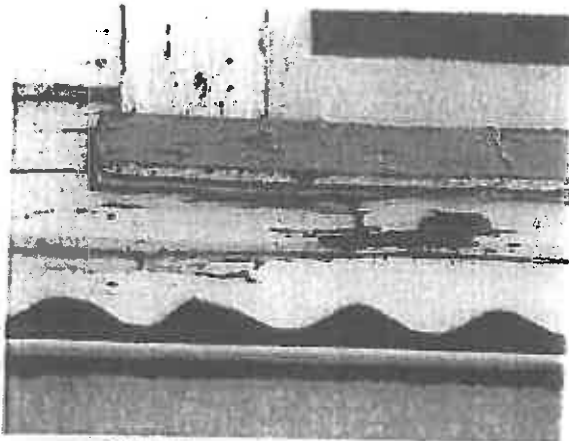
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PHOTOGRAPH 15



PHOTOGRAPH 16



PHOTOGRAPH 17



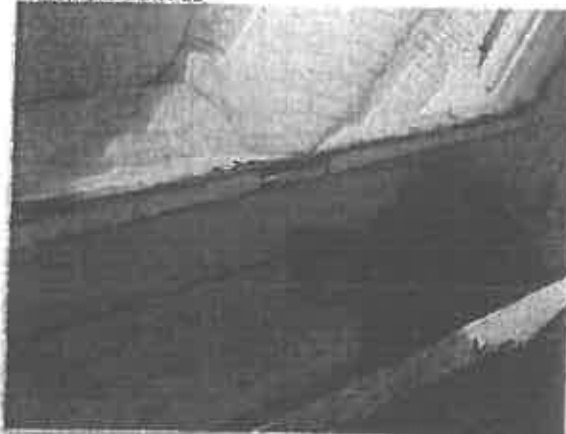
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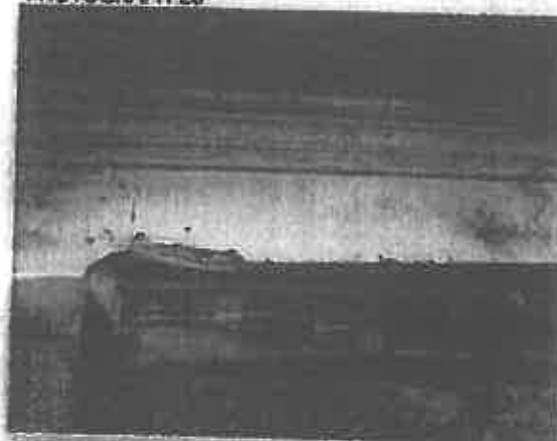
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PHOTOGRAPH 21



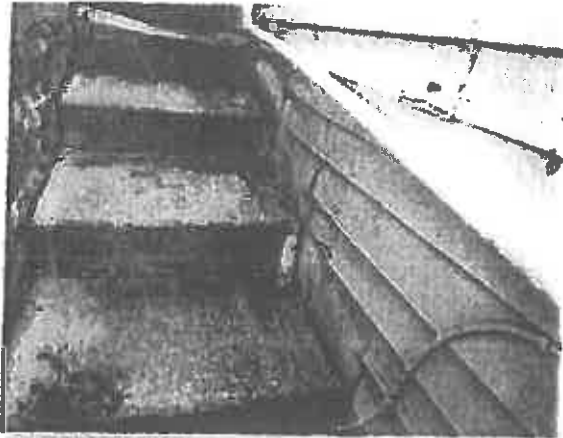
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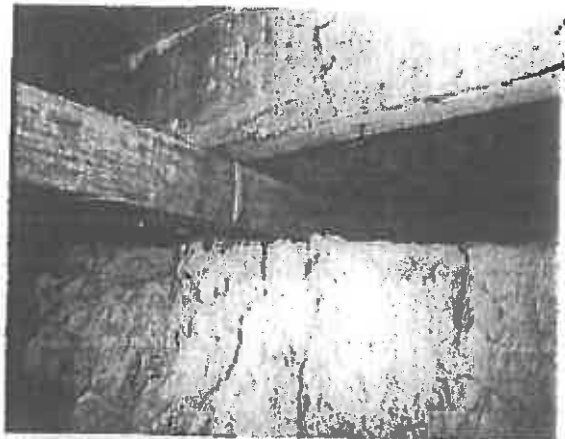
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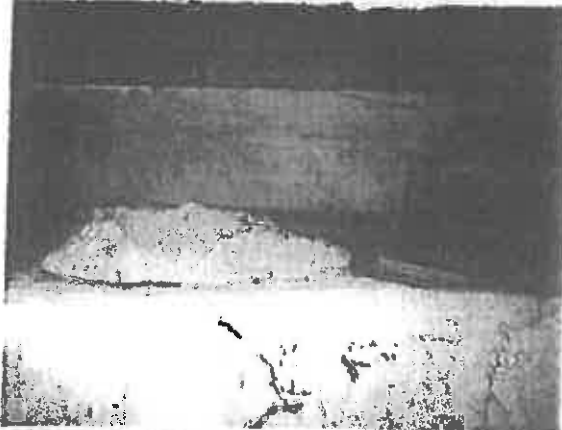
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PHOTOGRAPH 29



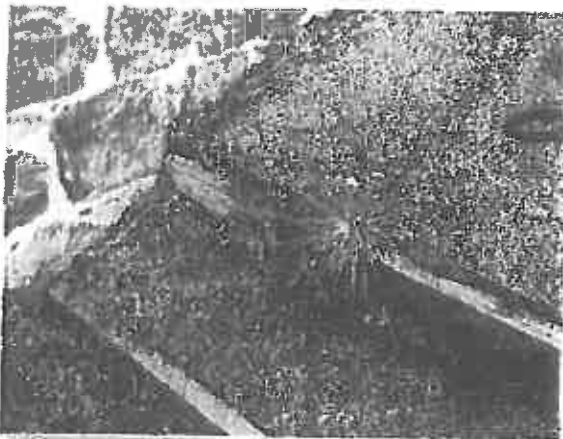
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PHOTOGRAPH 31



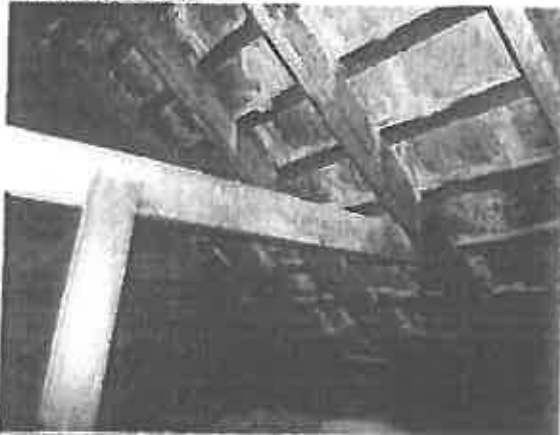
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PHOTOGRAPH 33



PHOTOGRAPH 34



PHOTOGRAPH 35



PHOTOGRAPH 36



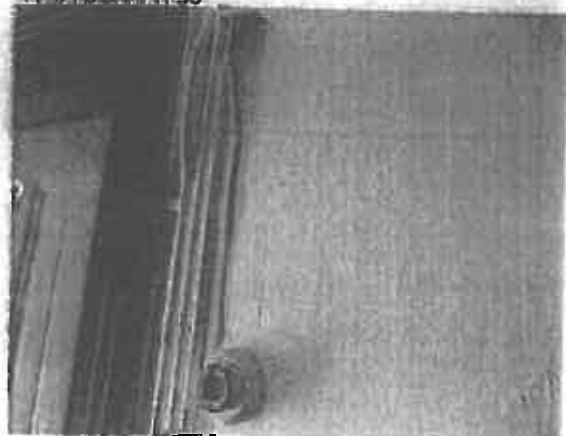
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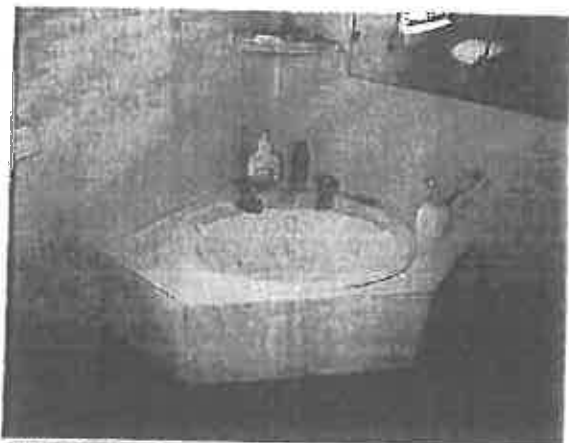
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PHOTOGRAPH 39



PHOTOGRAPH 40



PHOTOGRAPH 41



PHOTOGRAPH 42



PHOTOGRAPH 43



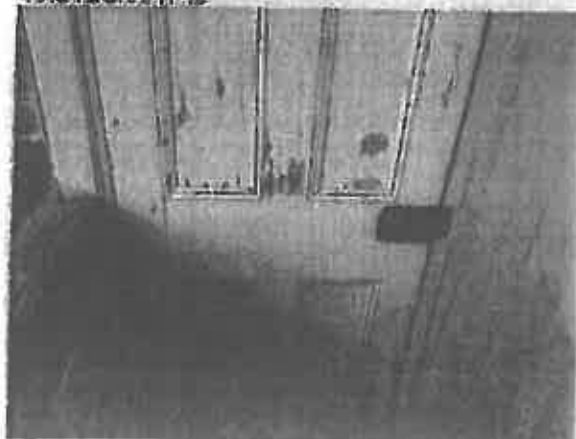
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PHOTOGRAPH 45



PHOTOGRAPH 46



PHOTOGRAPH 47



PHOTOGRAPH 48

Appendix E

29 Queen Street: Objective and Policy Analysis

Objectives

Provision	Analysis	Conclusion
8.2.1	The character of residential areas contributes to amenity and is derived from housing types and urban design. The design of the building will contribute to the amenity of the area. Its façade is that of a residential property. The setback of the building from the road and the positioning of the building on the southern boundary increases the amenity of the area by providing more sunlight to the property's northern neighbour. The property will have attractive landscaping contributing to the streetscape. The commercial residential activity will produce similar effects to that of residential activity. Overall, the development will have a minor or less than minor adverse effects on the amenity values and character of the area.	Consistent.
8.2.4	The site has access to reticulated services. This infrastructure will be utilised to service the property. As the building will only have 4 bedrooms, the use of this infrastructure will be no more than that expected in a residential unit. This ensures that the existing urban service infrastructure servicing residential areas is sustained for the use of future generations.	Consistent.
8.2.5	The development proposes the demolition of the current building. This building is an historic building having been constructed in the 1880s. The building is not heritage listed nor is it covered by the townscape overlay. The building is in poor condition overall and detracts from the amenity of the area. The new building will incorporate historic features such as a bluestone façade to pay homage to its history. This will provide a sense of continuity from past to present, contributing to the residential environment. This will avoid, remedy or mitigate any adverse effects caused by the demolition of the current building. As the current building is not located in a townscape overlay or heritage listed, its demolition will have a minor or less than minor effect on the heritage resources of the city.	Consistent
17.2.3	The application will require 160m ³ of fill. This will be undertaken to an industry standard in order to ensure the safety of people and property. As the site is steeply sloping, retaining walls are proposed to further ensure the safety of people and property and to minimise any adverse effects on the environment.	Consistent.

20.2.2	The development anticipates use of the transportation network. This use is consistent with that of a residential area. The land use will not result in activities that create more than minor effects on the transportation network.	Consistent.
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Overall, the proposal is consistent with the objectives for the Dunedin City District Plan.

Policies

Provision	Analysis	Conclusion
8.3.1	The proposed development will enhance the amenity values and character of the area. The building will be setback 5m from the street and positioned on the southern boundary of the property. This will contribute more sunlight to the northern property contributing to the increase in health and wellbeing of that property. The building will be shorter than either of the neighbouring properties and landscaped in order to contribute to the streetscape. The street consists of a mix of old student flats and newer residential units. The new building will improve the character of the area by incorporating a fresh look to the street while keeping the residential nature of the area. The site provides adequate car parking. The site is close to services such as shops and community support activities. Despite the property being utilised for commercial residential activity, the property will enhance the residential amenity and character of the area.	Consistent
8.3.4	The new building will consist of 4 bedrooms. This is equivalent to a residential dwelling. It is assumed that the urban service infrastructure can cope with the requirements of a 4 bedroom building. Therefore the density of development should not exceed the design capacity of the urban service infrastructure.	Consistent.
8.3.15	The new building will be able to accommodate visitors to Dunedin. Although the commercial residential activities intended for Residential 3 do not include this site, the development will not result in a reduction of amenity or of the character of the area. In fact, the development will enhance the amenity and character of the area by rejuvenating a site occupied by a dilapidated building. The enhancement to amenity and character results in all adverse effects being avoided, remedied or mitigated.	Consistent.

17.3.9	Depending on the scale of the earthworks safety, property and the environment may be adversely affected. Any threat to safety, property or the environment on the applicant's site can be adequately remedied or mitigated through retaining walls and other appropriate structures to ensure land stability. It is proposed that any earthworks will be undertaken in accordance with the relevant engineering standards to ensure the safety of people, property and the environment.	Consistent.
20.3.5	The vehicle access to the property has good site lines and is of a gradient that will not endanger other motorists or property users. The access will be constructed in accordance with the performance standards for access ensuring vehicle access is designed to a safe standard.	

Overall, the proposal is consistent with the relevant policies in the Dunedin City District Plan.

Appendix F

FILE NOTE

CLIENT: Mr N K & Mrs S E Butcher
MATTER: Queen Street - Historic Places Trust
CLIENT/MATTER No: 308186/2
AUTHOR: Campbell Hodgson
SUBJECT: Telephone call to Nick Flight
DATE: 3 November 2015

I called Nick about 1.40pm today. I spoke to him about the affected party's approval. He said it was all good so long as the pipe running down the side of his property is not affected. I told him that the plans showed that there was enough space for the pipe to continue to run down the side of the property and for it to be maintained or upgraded in the future if necessary. I asked him to send me an email saying that he consented to the development. He said he would do that later on tonight.

Campbell Hodgson

From: Grant and Raewyn Roydhouse <roydy@xtra.co.nz>
Sent: Wednesday, 4 November 2015 7:44 p.m.
To: Campbell Hodgson
Subject: Re: 29 Queen Street Dunedin

Hi Campbell,
Likely so.. What is the deadline again?
thanks,
Grant

On Thursday, 29 October 2015 9:59 AM, Campbell Hodgson <Campbell.Hodgson@gallawaycookallan.co.nz> wrote:

Dear Grant,

I was wondering if you have had an opportunity to review the resource consent application for 29 Queen Street emailed to you on 15/10/2015. Will you be providing your affected party approval?

Kind regards,

Campbell Hodgson
Solicitor

campbell.hodgson@gallawaycookallan.co.nz

GALLAWAY COOK ALLAN LAWYERS

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www.gallawaycookallan.co.nz

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